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COMMONWEALTH OF PENNSYLVANIA

# Legislative Journal.

Session 1951.

139th of the General Assembly.

Vol. 32.

HARRISBURG, PA., MONDAY, AUGUST 13, 1951.

No. 76.

## SENATE

MONDAY, August 13, 1951

The Senate met at 2:00 o'clock, p. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Lloyd H. Wood) in the Chair.

### PRAYER

In the absence of the Chaplain, the prayer was offered by the gentleman from Berks, Senator Ruth:

Our dear heavenly Father, we stop today and think of the many blessings which Thou hast showered upon us as a people and as individuals, privileges and opportunities of service such as half the world does not know exists, one of those privileges to guide and direct the affairs of our State.

We pray for wisdom from Thee, that all that we do may redound to Thy honor and glory, and to the goodness and welfare of the largest number of our people. We give ourselves to Thy care and to Thy direction, and we ask Thee to use us as instruments for good to Thy Name's honor and glory. Amen.

### JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WALKER and Mr. WOLFE, further reading was dispensed with, and the Journal was approved.

### STATEMENT BY MAJORITY LEADER

Mr. WALKER. Mr. President, may I interrupt the communications just for a moment to apologize to the desk, and to the Members of the Senate and guests for the delay in starting the afternoon Session. I want to assure the gentlemen of the Minority that the only thought in the delay in the Session today is that I hope it contributes to a much earlier sine die adjournment. I apologize for keeping the gentlemen waiting.

### NOMINATIONS BY THE GOVERNOR

#### NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

### CONSIDERATION OF NOTARIES PUBLIC

Mr. WATSON. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on August 13, 1951.

Mr. WATKINS. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, August 13, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

#### ALLEGHENY COUNTY

John J. Ahern, Ben Avon.  
LeRoy W. Eperthener, Pittsburgh, 2001 W. Liberty Ave.  
Byron W. Wick, Pittsburgh, 430 Seventh Ave.

#### CRAWFORD COUNTY

Wm. M. Ehrhart, Titusville.

#### DELAWARE COUNTY

Joseph F. Marron, Chester.

#### FAYETTE COUNTY

Mrs. Anna S. Dunn, Uniontown.

#### LUZERNE COUNTY

Miss Dolores C. Morris, Wilkes-Barre.

#### MONTGOMERY COUNTY

Samuel C. Musser, Montgomery Twp., Lansdale.

#### PHILADELPHIA COUNTY

Mrs. M. L. Burger, 435 N. Broad St.  
Miss Mary T. Kelly, 4136 Levick St.  
Mrs. Veronica A. L. Nelson, 820 N. Uber St.  
Mrs. Hattie P. Parker, 1211 Poplar St.  
Harold Salden, 518 Spruce St.

JOHN S. FINE.

A motion was made by Mr. WATSON and Mr. WATKINS,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?



The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bane,	Haluska,	McPherson, Jr.	Stevenson,
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peclor,	Wade,
Byrne,	Lane,	Proper,	Wagner,
Chapman,	Leader,	Robinson,	Walker,
Crowe,	Letzler,	Rosenfeld,	Watkins,
Dent,	Mahanay,	Ruth,	Watson,
Diehm,	Mailery,	Scarlett,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,	McMenamin,		

## NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

## COMMUNICATIONS FROM THE GOVERNOR

He also presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows:

APPROVED AND SIGNED SENATE BILL No. 715,  
PRINTER'S No. 419

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, August 10, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 715, Printer's No. 419, entitled "An Act to further amend Section 1 of the act approved the third day of May one thousand nine hundred fifteen (P. L. 226) entitled 'An act to establish and regulate the fees to be received and charged by the prothonotary of the courts of common pleas of this Commonwealth in counties having over eight hundred thousand and less than one million five hundred thousand inhabitants according to the last preceding United States census' by changing and further fixing the fees to be charged by the prothonotary."

JOHN S. FINE.

APPROVED AND SIGNED SENATE BILL No. 684,  
PRINTER'S No. 294

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, August 10, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 684, Printer's No. 294, entitled "An Act to further amend Section 7 of the act approved the eleventh day of May one thousand nine hundred twenty-five (P. L. 561) entitled 'An act to provide for the selection of jurors to serve in the several courts criminal and civil of counties of the second class and defining the qualifications of such jurors providing for the organizations of a commission for the selection of jurors providing for the organizations of a commission for the selection of jurors in such counties and prescribing its powers and duties and authorizing it to investigate as to the qualifications of prospective jurors imposing the expense of maintaining and operating said commission upon said counties and requiring the county commissioners to provide suitable quarters equipment and supplies authorizing the employment of the necessary clerks and other employes and providing for a salary board composed of the commission the county commissioners and the con-

troller of said counties to fix the number and compensation of such employes requiring county officers and boards to furnish information to said commission concerning taxables resident in said county as to their eligibility for jury service repealing inconsistent legislation and prescribing punishment for the violation hereof by further regulating the selection of jurors in counties of the second class."

JOHN S. FINE.

APPROVED AND SIGNED SENATE BILL No. 604,  
PRINTER'S No. 263

Commonwealth of Pennsylvania,

Governor's Office, Harrisburg, August 10, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 604, Printer's No. 263, entitled "An Act authorizing the conversion into mutual life insurance companies of certain fraternal beneficial societies orders or associations or certain fraternal benefit societies incorporated under the laws of this Commonwealth the procedure and defining the rights of dissenting certificate holders."

JOHN S. FINE.

APPROVED AND SIGNED SENATE BILL No. 25,  
PRINTER'S No. 456

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, August 10, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 25, Printer's No. 456, entitled "An act relating to the orphans' courts conferring exclusive jurisdiction on such courts over the administration and distribution of decedents' estates trust estates minors' estates and absentees' estates providing for the organization of orphans' courts the procedure therein the powers and duties of the judges thereof and appeals therefrom."

JOHN S. FINE.

APPROVED AND SIGNED SENATE BILL No. 477,  
PRINTER'S No. 279

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, August 10, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 477, Printer's No. 279, entitled "An Act to amend Article X of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled 'An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto' by providing for the appointment and removal of technical personnel their qualifications term of office duties salary and method of filling vacancies."

JOHN S. FINE.

APPROVED AND SIGNED SENATE BILL No. 505,  
PRINTER'S No. 275

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, August 10, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 505, Printer's No. 275, entitled "An Act to further amend the act approved



the fifth day of July one thousand nine hundred forty-seven (P. L. 1217) entitled 'An act to promote the education and educational facilities of the people of the Commonwealth of Pennsylvania creating a State Public School Building Authority as a body corporate and politic with power to construct improve and operate projects and to lease the same and to fix and collect fees rentals and charges for the use thereof authorizing school districts to enter into contracts to lease authorizing and regulating the issuance of bonds by said Authority and providing for the payment of such bonds and the rights of the holders thereof granting the right of eminent domain increasing the powers and duties of the Department of Public Instruction and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted under this act and making an appropriation to said Authority to pay expenses incident to its formation' by authorizing the leasing of school buildings prior to completion authorizing the issuance of bonds pursuant to resolutions or trust indentures and permitting certain moneys to be set aside for the benefit of particular bonds limiting powers of Commonwealth to alter the provisions relating to security of the Authority and bondholders."

JOHN S. FINE.

### HOUSE MESSAGE

HOUSE INSISTS UPON ITS AMENDMENTS NON-  
CONCURRED IN BY THE SENATE TO  
HOUSE BILL No. 757  
RECALLED FROM THE GOVERNOR

The Clerk of the House of Representatives being introduced presented communication from the House of Representatives informing the Senate that the House insists upon its amendments non-concurred in by the Senate to House Bill No. 757, recalled from the Governor, entitled:

An Act to add Article XVII.I to the act, approved the seventh day of March, one thousand nine hundred one (P. L. 20), entitled "Second Class City Law," by providing for the establishment of a traffic court in cities of the second class

SENATE INSISTS UPON ITS NON-CONCURRENCE IN  
THE AMENDMENTS MADE BY THE HOUSE TO  
HOUSE BILL No. 757, RECALLED FROM THE  
GOVERNOR

Mr. WALKER. Mr. President, I move that the Senate insist upon its non-concurrence in the amendments made by the House to House Bill No. 757, recalled from the Governor.

Mr. SCARLETT. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

### BILLS INTRODUCED AND REFERRED

Messrs. NEFF, STEVENSON and MAHANY read in place and presented to the Chair Senate Bill No. 823, entitled:

An Act to amend the act approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class, and amending, revising and consolidating the law relating thereto," by prescribing a minimum period of continuous service for retirement of members of the police force, and providing for the payment of service increments to such employes in addition to their retirement allowances.

Which was committed to the Committee on Local Government.

Mr. WOLFE read in his place and presented to the Chair Senate Bill No. 824, entitled:

An Act to further amend the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "An act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payment therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by permitting certain beneficiaries to change from the one one-hundred-sixtieth (1/160) to the one one-hundred-fortieth (1/140) class and to receive the benefits thereof.

Which was committed to the Committee on Education.

### PETITIONS AND REMONSTRANCES

Mr. YOSKO. Mr. President, when the platforms of the Democratic and Republican Parties were drafted last year, consideration was given to F.E.P.C. legislation and accordingly both platforms approved the adoption of that type legislation. We had an election and then the Legislature convened. Bills were introduced to carry out the platform pledges of both the Democrats and Republicans.

Mr. President, I understand that the so-called Mintess Bill was an administration bill, and called for the adoption of F.E.P.C. legislation. This bill was introduced in the House, passed the House and came to the Senate. A short time ago this bill was considered in the committee on Judiciary General, of which I am a member, and before the legislation was considered, there was a motion made that we vote on a secret ballot and the motion carried. The vote was taken on a secret ballot and the legislation, of course, remained in committee, and after the committee adjourned there was considerable speculation as to who voted how, and I finally became involved in it. Somebody said that I did not vote to report the bill from committee, and I want to say here and now that I voted against the secret ballot, and I voted to report the bill from committee in accordance with the Democratic platform.

Mr. President, on Friday of last week, it was announced that the Judiciary General Committee will meet this Tuesday to reconsider the previous action on the bill, and last Friday I received the following telegram:

"THE POSITION OF THE PHILADELPHIA HOTEL ASSOCIATION ON THE F E P C IS UNCHANGED AND WE EARNESTLY URGE YOU IF THIS MATTER IS TO BE VOTED UPON BY YOUR COMMITTEE AGAIN THAT THE SECRET BALLOT BE EMPLOYED AND THIS INIQUITOUS BILL DEFEATED."

This telegram is signed by Bennett E. Tousley, Chairman of Legislative Committee, Philadelphia Hotel Association, Bellevue Stratford.

Mr. PRESIDENT, I answered that letter, and I want to read the contents of my answer and I quote from the letter:



"Dear Mr. Tousley:

"I have your telegram of August 9th in which you suggest that when the Fair Employment Practices Commission Legislation is again brought before the Committee on Judiciary General, the secret ballot be employed. Obviously, the purpose of your suggestion is to permit the committee members to kill this legislation and at the same time escape the onus that may be attached to such action.

"Let me remind you that basically the General Assembly of Pennsylvania is an open forum, directed by the people of Pennsylvania through their duly elected representatives, the members of the General Assembly.

"May I further call your attention to the fact that favorable action on F.E.P.C. Legislation at this session of the Pennsylvania Legislature was one of the planks in the platforms of both the Republican and Democratic parties, and that without exception the members of the House and the Senate campaigned for election on their respective platforms and were elected on them. In a representative government of a democracy, whether on the national, state or local level, the secret ballot has no place. It is the tool of the dictators and the totalitarian government.

"Certainly you and your group are entitled to your views, but it is a brash step for anyone or any group to request the General Assembly of Pennsylvania to execute its wishes in secret, so as to escape the blame for the action. In my opinion each member of the committee should have the courage to stand up and be counted. The people of the respective legislative districts in Pennsylvania have the right to know how their representatives voted on legislation.

"I note that you call this bill "iniquitous." The term might well be applied to the action you suggest in order to kill it.

"Quite contrary to your suggestion, the proper manner for you to weigh your arguments against the arguments of the proponents is through a public hearing. That is the American way. As of this date your group has not requested a public hearing."

"Sincerely yours,"

I say this, Mr. President, this so-called secret ballot to me is a joke anyway because, as I said before, five or ten minutes after the committee adjourns everybody seems to know how, who and what happened at the meeting, and who voted how and that sort of thing. So, I think it is silly to take a secret ballot, and I hope that tomorrow when this committee meets there will be no motions as to how we should vote, and I hope that we will vote on this bill that comes up the same as we voted on every other bill that come before the Committee on Judiciary General.

Mr. HOLLAND. Mr. President and Members of the Senate, I had a delegation of teachers talk to me this afternoon from Schuylkill County, and I could not believe that in this age people were working for nothing. I found that there are two hundred and thirty-five teachers in Schuylkill County who have not received any salary for last year's teaching. They have reached the point where the butcher, the grocer, the landlord, even the bank will not lend them any more money, and when these

teachers borrow this money from the bank they have to pay six per cent interest on the money they should be paid to them by the State. Altogether there are fourteen school districts in Schuylkill County that owe the teachers from last year's teaching, \$391,700. I wonder how they expect these people to live. Do they expect them to go out and be highwaymen, to get a gun, if the bank refuses to lend them any more money, because the county is not in a financial condition to guarantee that they will pay it back out of their salaries?

Now, Mr. President, some of you will say, "Well, that is because we have not got our tax program through," but, Mr. President, we are wasting each year in this State half a million dollars for a Milk Control Commission that does not control anything but raise prices, and a million and a half dollars for a Department of Commerce that all they do is use clippers, hire clippers, to clip papers to see how good they are in other States. There alone is two million dollars that could be very well appropriated to Schuylkill County's school districts so that they could at least live.

We talk about what education does for this system of ours, this free enterprise system. This is the finest propaganda to be given those who are fighting our system, that when our basic, the real base of our system is our educational system and here we do not pay our teachers, so they cannot say they are part of a free enterprise or a capitalistic system. They are working for nothing.

I think it is time for this General Assembly to get out and do a little work instead of wasting time that has been wasted since the first day of the Session. We have kept putting off, and putting off and putting off, showing a lack of leadership, and I think it is about time that the Majority Party, if they have been a complete failure, to at least turn over a few more votes to us and we will take the ball from now on and run with the ball, and at least see that the money is appropriated to pay the teachers who are starving in Schuylkill County.

Mr. WALKER. Mr. President, I want to say for the information of the gentleman from Allegheny, that at the morning caucus of the Republican Party the distinguished gentleman from Schuylkill, Senator Wagner, asked me to call a recess as soon as the Session got under way. The bill that the gentleman from Allegheny is referring to was sent over from the House last week, on the seventh of August as a matter of fact, and was just delivered to the Chairman of the Education Committee, the gentleman from Schuylkill, and so we have on our agenda a request from the Chairman of the Education Committee to call a meeting of that Committee during the recess so that the bill involving this distressed school district can be discussed by the Committee. Whatever action the Committee takes, of course, will be reported back to the floor of the Senate.

Now, Mr. President, before I ask for that recess, I would just like to say in passing to the gentleman from Allegheny, Mr. Holland, that the only way they will get any more votes in this Senate will be to earn them, not by gifts from the Republican Party.

## RECESS

Mr. WALKER. Mr. President, I move that the Senate



do now take a recess for five minutes, to permit a meeting of the Committee on Education.

Mr. HARE. Mr. President, I second the motion.  
The motion was agreed to.

### AFTER RECESS

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

### BILL INTRODUCED AND REFERRED

Mr. WATSON. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WATSON read in place and presented to the Chair Senate Bill No. 825, entitled:

An Act making an appropriation to the State Planning Board for the purpose of aiding local governmental agencies in solving certain regional planning problems.

Which was committed to the Committee on Appropriations.

### BILLS SIGNED

The PRESIDENT (Lieutenant-Governor Lloyd H. Wood) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 829, entitled:

An Act to amend clause (b) of Section 1 of the act, approved the thirtieth day of June, one thousand nine hundred forty-seven (P. L. 1183), entitled "An act relating to strikes by public employes; prohibiting such strikes; providing that such employes by striking terminate their employment; providing for reinstatement under certain conditions; providing for a grievance procedure; and providing for hearings before civil service and tenure authorities, and in certain cases before the Pennsylvania Labor Relations Board," by requiring panel to be set up within five days after the receipt of a request therefor.

House Bill No. 900, entitled:

An Act to further amend section one thousand and twenty-seven of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "Vehicle Code," by changing the requirements that certain vehicles stop at railway crossings.

House Bill No. 1173, entitled:

An Act to amend the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "The Game Law," by authorizing the Pennsylvania Game Commission to issue special permits to certain disabled veterans with service connected disabilities and permitting them to hunt under Commission regulations from automobiles.

House Bill No. 1293, entitled:

An Act to amend the act, approved the first day of June, one thousand nine hundred forty-five (P. L. 1340), entitled "Motor Vehicle Safety Responsibility Act," by clarifying and extending the provisions of the act to include certain vehicles of the tractor type; and making editorial changes.

House Bill No. 1294, entitled:

The Act to amend the title of, and the act, approved the

first day of May, one thousand nine hundred twenty-nine (P. L. 1005), entitled "Tractor Code," by deleting from said act all provisions relating to operators, operators' licenses, and trailers; and further providing for the equipment of tractors.

House Bill No. 1324, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "Vehicle Code," by changing the registration year for commercial motor vehicles, motor buses, motor omnibuses, and trailers, and certain exemptions in accordance therewith.

House Bill No. 1384, entitled:

An Act to repeal the act approved the thirteenth day of April, one thousand eight hundred sixty-eight, (P. L. 1017), entitled "An act to provide for the collection of state, county, poor and military taxes in the county of Bedford," so far as it relates to Bedford County.

House Bill No. 1404, entitled:

An Act to amend the act approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30) entitled "Public School Code of 1949" by providing for the addition to the tax duplicates of school districts of the third and fourth class, of properties occupied during the fiscal year of the school district, in certain cases.

House Bill No. 1424, entitled:

An Act to further amend Section 1101 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "Vehicle Code," by changing the provisions relating to restrictions of the right to use highways.

House Bill No. 1477, entitled:

An Act to further amend Section 1 of the act, approved the thirtieth day of March, one thousand nine hundred fifteen (P. L. 34), entitled "An act to promote the health and efficiency of firemen, in cities of the second class, by providing for a two-platoon system for firemen in the department of public safety of such cities," by further regulating the hours of duty of firemen in cities of the second class.

House Bill No. 1479, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "Vehicle Code," requiring certain vehicles and combinations of vehicles to be constructed or equipped to prevent throwing of road surface substance from their rear wheels beyond certain limits.

Whereupon,

The PRESIDENT (Lieutenant-Governor Lloyd H. Wood) in the presence of the Senate signed the same.

### CONGRATULATIONS TO SENATOR PECHAN

Mr. WALKER. Mr. President, when I first came to the Senate in 1939, a distinguished colleague of mine who has since answered his last roll call, Senator Robert Miler, of Luzerne, was appointed Chairman of the American Legion Legislative Committee. Senator Miller served on that Committee as Chairman of it with distinction until his death. I had the privilege of succeeding Senator Miller as Chairman of the American Legion Legislative Committee and, Mr. President, I had the privilege of serving as Chairman until my election to the position as Floor Leader for the Republican Party, at which time the



chairmanship was turned over to a very distinguished Legionnaire, a veteran of both the First and Second World Wars, the gentleman from Armstrong, Senator Pechan.

Now, Mr. President, those of us who have served on the Legislative Committee for the Legion, and for the Joint Veterans Council, know some of the trials and tribulations of attempting to translate into law the resolutions presented by the various service organizations in their State-wide conventions. Sometimes, Mr. President, you get the feeling that you are performing a rather hopeless and a misunderstood task.

Last Saturday, Mr. President, the American Legion of the Department of Pennsylvania, had their State Convention in the City of Pittsburgh, in the County of Allegheny. One of the high lights of that convention was the presentation to the Chairman of the Legislative Committee of the Department of Pennsylvania, the distinguished Senator from Ford City, Senator Pechan, of the Distinguished Service Medal of the Department of Pennsylvania. The certificate was awarded to Senator Pechan because of his distinguished service to the Legion and his outstanding contribution to the community, State and Nation.

Mr. President, there have been three of these awarded by the Department of Pennsylvania at the department level. The Senate of Pennsylvania is very proud of Senator Pechan, and those of us who are privileged to be members of the American Legion are very proud of his contribution to the Legion, to the community, the State and the Nation, and we join in congratulating him in receiving this award, because we all know that it was justly earned, and we know that he will wear it very proudly because he is entitled to it.

Mr. PECHAN. Senator Walker, I would just like to remind you that I have only been in one World War and that was World War II, but I do thank you very much for the very fine way in which you told my colleagues and the public here of your interest in me, and I also want to thank you, as our Leader, for helping me to pass a great deal of this legislation.

Mr. WALKER. Senator Pechan, may I get to wear the medal part of the time?

Mr. President, I am a little confused about the gentleman ducking the first World War. I remember him boasting of the fact he was the first Pitt Panther. Now, Mr. President, that goes back to the time Pitt was W.U.P., and I cannot understand why the gentleman suggests that he was a draft dodger in the first World War.

#### PERMISSION TO ADDRESS SENATE

Mr. YOSKO asked and obtained unanimous consent to address the Senate.

Mr. YOSKO. Mr. President, I just want to add to the remarks made by Senator Holland relative to the schoolteachers from Schuylkill County coming to Harrisburg, teachers who say they have not been paid for services rendered to school districts. Frankly, I do not know which of the school districts these teachers represent, but I had some statistics compiled and they are official on payments made to so-called school districts for the fiscal years ending May 31, 1950 and May 31, 1951. It involves forty counties of Pennsylvania, and they were paid a total of \$1,-

384,600.45. Among the forty counties, Schuylkill County happened to be one of the counties, and there were fifteen school districts in Schuylkill County that received a total of \$264,840.64. Those school districts are the boroughs of Gilberton, Girardville, McAdoo, Middleport, New Philadelphia, Ringtown, Shenandoah and Tower City, and the townships are Branch, Cass, Delano, East Norwegian, East Union, Kline and North Union. This report that I have here indicates the amount of the tax duplicate for each one of those school districts. It indicates the amount of the tax duplicate collected as well as the uncollected amount of the tax duplicate, also the amount that was paid to each school district, and in most cases, in most cases, the school district received a sum in excess of the uncollected amount of the tax duplicate. In other words, the total of the uncollected tax duplicate for the fifteen school districts was \$199,495.53, and they received, these same school districts received \$264,840.64.

Mr. President, I do not know whether all these school districts were so-called distressed school districts. It does not appear so from the tax duplicate and the amount of the tax duplicate collected and the uncollected balance. I expect to go into this phase of payments to distressed school districts a little bit later when we consider the Tax Equalization Board that is on the Calendar, but if any of the schoolteachers who were in Harrisburg complain that they have not been paid represent any of these fifteen school districts here, it might be well to look into how this money that was received from the Department of Public Instruction was applied, and see whether it was properly applied, and see whether the schoolteachers that were not paid received this money that was given to the school districts and in that way determine whether there is anything wrong. I am for schoolteachers being paid wherever the school district is not able to pay them, and I am also for seeing to it that funds granted by the Department of Public Instruction to distressed school districts are diverted to the proper places. I merely mention this fact for the record.

#### SENATE CONCURRENT RESOLUTION

##### TIME OF NEXT MEETING

Mr. WATKINS, offered the following resolution, which was twice read, considered and agreed to:

In the Senate, August 13, 1951.

Resolved (if the House of Representatives concur) That when the Senate adjourns this week it reconvene on Monday, August 20, 1951, at two o'clock, p. m., E. S. T.; and when the House of Representatives adjourns this week it reconvene on Monday, August 20, 1951, at three-thirty o'clock, p. m., E. S. T.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

#### REPORT FROM COMMITTEE

Mr. WAGNER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WAGNER, from the Committee on Education, reported as committed, House Bill No. 1057, entitled:



An Act to add Section 6.1 to the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1216) entitled "An act to define real estate brokers and real estate salesmen and providing for the licensing regulation and supervision of resident and nonresident real estate brokers and real estate salesmen and their business" by authorizing the issuance of limited real estate brokers' and salesmen's licenses within a limited field or branch of the real estate business and conferring powers and imposing duties upon the Department of Public Instruction and the State Real Estate Commission with respect to examination for the issuance of such licenses

#### PERMISSION TO ADDRESS SENATE

Mr. WAGNER asked and obtained unanimous consent to address the Senate.

Mr. WAGNER. Mr. President, I wish, after just a brief statement, to report another bill referred from the floor this afternoon about these distressed schoolteachers who were in Harrisburg last week. Some of us were made aware of their coming the day before they got here, which was the day after the Senate adjourned. In that interim, with the very fine cooperation of the Secretary of the Senate, who stayed over an extra day to help clear this matter, we find that House Bill No. 718, which originally called for an appropriation of \$750,000, to take care of distressed school districts from now until September 30, had been amended in the House down to \$270,000.

Mr. President, these teachers who were here last week, they were not all from Schuylkill County. We pay most of our teachers in Schuylkill County. We are a little late with a few of them, just a small percentage. They represented Schuylkill, Northumberland and other counties in the coal region. We immediately got busy and between Tuesday and Friday we got the picture developed to the point where the Department of Public Instruction has agreed that they ought to have the restoration of the original sum of \$750,000 to take care of these situations which have been discussed today.

Secondly, Mr. President, we found from the Budget Office that the \$750,000 can be provided. They have arranged to take care of that and the money is forthcoming if the legislation is passed. Now, it seems to me it is just good procedure, and in step with the way we do things here, that the bill be re-referred to the Appropriations Committee, which is the proper committee to pass final judgment upon it, but I would say to the Members of the Appropriations Committee, and to all those within the sound of my voice who are interested, that this is a very very urgent matter, and it would be performing a service to the school children of the State, some of whose teachers will not report to their classrooms two weeks hence unless some of their back pay is provided. It would be performing a distinct service if the Appropriations Committee would act upon this bill within the next twelve or fifteen hours.

Mr. President, I might further add that over the weekend I have been telling schoolteachers over the telephone until I am hoarse that they did not get their salaries from their local districts because their local districts did not provide the money, and the State has not yet stepped in and paid it because the State, up to this point, has not yet provided the money. So, it is not a question of placing blame or casting reflections on anybody or any department. It is a matter of great urgency that we do some-

thing immediately about the situation as it now confronts us.

#### REPORTS FROM COMMITTEES

##### BILL RE-REFERRED

He also, from the Committee on Education reported as amended, House Bill No. 718, entitled:

An Act making a deficiency appropriation to aid certain school districts.

which was re-referred to the Committee on Appropriations.

Mr. CHAPMAN. Mr. President, I ask unanimous consent to make reports from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CHAPMAN, from the Committee on Appropriations, reported as committed, House Bill No. 1605, entitled:

An Act authorizing allocations to the Treasury Department and the Department of the Auditor General from the appropriation to the Department of Public Assistance Act 27-A approved June thirtieth one thousand nine hundred fifty-one for the administrative expenses in auditing and disbursing the appropriations made by said act during the month of August one thousand nine hundred fifty-one

He also, from the Committee on Appropriations, reported as committed, House Bill No. 1611, entitled:

An Act making an appropriation to the Department of Welfare for the purpose of administering the "Pennsylvania Hospital Survey and Construction Act of 1947."

He also, from the Committee on Appropriations, reported as committed, House Bill No. 1612, entitled:

An Act making an appropriation for the payment of expenses incurred by the State Council of Civil Defense.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 1613, entitled:

An Act making an appropriation to the Department of Public Instruction including proceeds of publications sold for the purpose of revising and curricula of elementary secondary and vocational schools.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 1614, entitled:

An Act making an appropriation to the State Tax Equalization Board for payment of necessary expenses.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 1615, entitled:

An Act making an appropriation to the State Veterans' Commission for the expenses of the commission furnishing certain assistance to needy Pennsylvania veterans of any war or their dependents for participation in certain defense activities for the rehabilitation and care of veterans including the acquisition of land by purchase condemnation or gift and construction of buildings for such purpose.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 1616, entitled:

An Act making an appropriation to the Department of Mines for the purpose of administering the provisions of "The Coal Mine Sealing Act of 1947."



He also, from the Committee on Appropriations, reported as committed, House Bill No. 1617, entitled:

An Act making an appropriation for the maintenance repair and improvement of the Port of Philadelphia.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 1618, entitled:

An Act making an appropriation to aid certain school districts.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 1619, entitled:

An Act making an appropriation to the Department of Labor and Industry to meet the obligation of the Commonwealth to pay a part of the compensation payable for certain occupational diseases.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 1620, entitled:

An Act making an appropriation to the Department of Labor and Industry for the payment of additional workmen's compensation in cases of second injuries.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 1621, entitled:

An Act making an appropriation to The Brandywine Battlefield Park Commission for the payment of necessary expenses.

## SENATE RESOLUTION

## REGARDING THE UNFORTUNATE EVENTS TRANSPIRING AT WEST POINT

Mr. YOSKO. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. YOSKO, offered the following resolution which was twice read, as follows:

In the Senate, August 13, 1951.

Whereas, West Point Military Academy opened July 4, 1802 and possesses a long and unbroken tradition for loyalty, bravery and integrity, as well as a steadfast devotion to Country; and

Whereas, starting from an humble beginning of ten Cadets, it has grown to the proudest and mightiest Military Academy in the world; and

Whereas, its Cadets for 150 years have distinguished themselves both at home and abroad on every battlefield our Country has been engaged on; and

Whereas, the loyalty and integrity of her sons have become synonymous with the highest ideal of American manhood and thru valor and bravery emulated by soldiery the world over, therefore

Be It Resolved, and it is the sense of this resolution of the Senate of Pennsylvania in Assembly convened, that it convey to the President of the United States our profound regret at the unfortunate events transpiring at the Academy in recent days, with the considered suggestion that in the elimination of all cheating and fraud for all time, strict justice be tempered with mercy, and that due regard be had for their intense devotion—though misguided—to the advancement of the Academy in the world of sports and in "esprit de corps," to the end that those involved may yet with honor discharge faithfully their high obligations to their Country, and

Be It Further Resolved, that a copy of this Resolution be forwarded to the President of the United States.

REQUEST THAT RULE 39 BE SUSPENDED

Mr. YOSKO. Mr. President, I ask unanimous consent

that Rule 39, which requires resolutions be referred to an appropriate committee, be dispensed with and the Senate proceed to the consideration of the foregoing resolution.

The PRESIDENT. Is there objection??

Mr. WALKER. Mr. President, I object.

The PRESIDENT. The resolution is referred to the Committee on Rules.

## CALENDAR

BILL ON CONCURRENCE IN HOUSE AMENDMENTS  
RECALLED FROM THE GOVERNOR

## BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 534, on concurrence in house amendments recalled from the Governor, entitled:

An Act to further amend Section 1304 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by changing the provisions relating to admission of beginners

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS  
RECALLED FROM THE GOVERNOR

Agreeably to order.

The Senate resumed the consideration of House Bill No. 678, as follows:

An Act to further amend Section 1803 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards commissions and officers fixing the and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissiins and officers fixisg the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and others assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by authorizing the Department of Forests and Waters to grant certain rights of way to utility companies.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1803 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and com-



missions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" as amended by the act approved the sixteenth day of July one thousand nine hundred thirty-five (P. L. 1052) is hereby further amended by adding to Section 1803 subsection (h) to read as follows

Section 1803 Forests Powers The Department of Forests and Waters shall have the power

\* \* \* \* \*

(h) To grant to public utility companies lawfully doing business in this Commonwealth the privilege to construct maintain and operate their lines over along and upon highways and roads which lie within or border on any State forests and to grant right of access by such companies to or through State forest lands in order to bring public utilities to camps and cottages in State forest lands and in other homes and farms adjacent to State forest lands

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

#### SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO HOUSE BILL No. 678, RECALLED FROM GOVERNOR

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to House Bill No. 678, recalled from the Governor for the purpose of amendment.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Bane,	Haluska,	McPherson, Jr.,	Stevenson,
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peelor,	Wade,
Byrne,	Lane,	Propert,	Wagner,
Chapman,	Leader,	Robinson,	Walker,
Crowe,	Letzler,	Rosenfeld,	Watkins,
Dent,	Mahany,	Ruth,	Watson,
Diehm,	Mallery,	Scarlett,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,	McMenamin,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 236, as follows:

An Act to further amend subsection (a) of Section 722 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns township within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by including Philippine Pacific War Veterans Navy Club of the United States and the United States Army Ambulance Corps among the organizations exempt from payment of registration fees of vehicles used by such organizations

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (a) of Section 722 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making and appropriation and providing for refunds" as last amended by the act approved the second day of May one thousand nine hundred forty-nine (P. L. 822) and the act approved the tenth day of May one thousand nine hundred forty-nine (P. L. 1072) is hereby further amended to read as follows

#### Section 722 Exemptions from Fees

(a) No fee shall be charged for a certificate of title or registration of motor vehicles fire department equipment trailers and semi-trailers owned by and used exclusively in the performance of the duties of (a) the Federal Government (b) any state other than Pennsylvania which issues titles or registrations to this Commonwealth without charge (c) the Commonwealth of Pennsylvania (d) any city borough incorporated town township county poor or school district of this Commonwealth (e) any duly authorized volunteer fire force in the extinguishment and prevention of fires or in rescue work hospital humane society or anti-cruelty society in this Commonwealth (f) the American Red Cross (g) churches (h) Girl Scouts of America (i) Boy Scouts of America (j) Salvation Army (k) duly chartered post or organization



of the American Legion Veterans of Foreign Wars Philippine Pacific War Veterans Navy Club of the United States United States Army Ambulance Corps Disabled American Veterans American Veterans of World War II (Amvets) the Marine Corps League Military Order of the Purple Heart Jewish War Veterans Catholic War Veterans Inc or United Spanish War Veterans of this Commonwealth or La Societe Des Forty Hommes et Eight Chevaux and organizations and units of the Pennsylvania National Guard (l) mine or industrial ambulances (m) ambassadors ministers foreign consuls general consuls and vice consuls who are nationals of the country appointing them and who are assigned to foreign consulates in this Commonwealth Provided That American consular officers of equal rank who are citizens of the United States and who exercise their official functions at American consulates in such foreign country are granted reciprocal exemptions No fee shall be charged for certificates of title or registration of motor vehicles owned and used by war amputees which were obtained through the Veterans' Administration All such vehicles except those owned and used by the Federal Government shall be titled and registered and shall display registration plates as is now provided for privately owned motor vehicles trailers and semi-trailers

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question

Will the Senate concur in the same?

#### SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 236

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 236.

Mr. KEPHART. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Bane,	Haluska,	McPherson, Jr.,	Stevenson,
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peelor,	Wade,
Byrne,	Lane,	Probert,	Wagner,
Chapman,	Leader,	Robinson,	Walker,
Crowe,	Letzler,	Rosenfeld,	Watkins,
Dent,	Mahany,	Ruth,	Watson,
Diehm,	Mallery,	Scarlett,	Wolfe,
DiSilvestro,	McCreesh,	Silver,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,	McMenamin,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 379, as follows:

An Act to add section 4.1 to the act approved the twentieth day of July one thousand nine hundred seventeen (P.

L. 1143) entitled "An act relating to free public nonsectarian libraries and branch libraries within this Commonwealth providing for their establishment maintenance and regulation and for the maintenance and regulation of such free public nonsectarian libraries as may have been already established by the several counties cities boroughs towns and townships and providing that all library property and all gifts devices grants or endowments for library purposes shall be exempt from taxation and providing that the several counties cities boroughs towns and townships may levy taxes condemn private property and borrow money for library purposes and imposing penalties for injuring library property and for violations of library regulations and repealing existing laws in relation to the above subjects" by further regulating county libraries permitting cities boroughs towns and townships to withdraw from county library districts and payment of county library tax

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the twentieth day of July one thousand nine hundred seventeen (P. L. 1143) entitled "An act relating to free public nonsectarian libraries and branch libraries within this Commonwealth providing for their establishment maintenance and regulation and for the maintenance and regulation of such free public nonsectarian libraries as may have been already established by the several counties cities boroughs towns and townships and providing that all library property and all gifts devises grants or endowments for library purposes shall be exempt from taxation and providing that the several counties cities boroughs towns and townships may levy taxes condemn private property and borrow money for library purposes and imposing penalties for injuring library property and for violations of library regulations and repealing existing laws in relation to the above subjects" is hereby amended by adding after section four thereof a new section to read as follows

Section 4.1 Whenever in any city borough town or township there has been or may be established and maintained a separate free public nonsectarian library and there is at the time a county library in existence three per cent of the voters at the last preceding general election in said city borough town or township may petition the county commissioners to place on the ballot the question of whether or not such city borough town or township shall be a part of the county library district and be subject to levy and payment of any taxes levied for the purpose of maintaining or aiding in the maintaining of any county library At the next general election occurring at least sixty days after the filing of the petition but not oftener than once in five years such question shall be placed upon the ballots and submitted to the electors of the city borough town or township as provided by the election laws If a majority of those voting on such question vote in favor of the discontinuance of the county library and tax in said city borough town or township then such city borough town or township shall not thereafter be a part of the county library district and shall not be subject to levy and payment of any taxes levied for the purpose of maintaining or aiding in the maintaining of any county library

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

#### SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 379

Mr. WALKER. Mr. President, I move that the Senate



do concur in the amendments made by the House to Senate Bill No. 379.

Mr. SCARLETT. Mr. President, I second the motion. On the question, Will the Senate agree to the motion? The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Haluska,	McPherson, Jr.,	Stevenson,
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peelor,	Wade,
Byrne,	Lane,	Probert,	Wagner,
Chapman,	Leader,	Robinson,	Walker,
Crowe,	Letzler,	Rosenfeld,	Watkins,
Dent,	Mahany,	Ruth,	Watson,
Diehlm,	Mallery,	Scarlett,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative. Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order, The Senate resumed the consideration of Senate Bill No. 418, as follows:

An Act to further amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to non-profit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and prescribing certain acts and parts of acts relating to corporations" by permitting the Department of State to copy and destroy or return certain documents permitting corporations to borrow money acquire and dispose of real estate and make alter amend and repeal by-laws with the approval of a majority of the members present and entitled to vote thereon permitting a change of registered office pursuant to action of directors permitting directors to fill vacancies in the board of directors resulting from an increase in the number of directors deleting certain requirements as to the appointment compensation and duties of agents providing that meetings of members at which directors are to be elected may be adjourned for periods of fifteen days each fixing the method of cumulative voting in cases where directors are elected separately by the members of different classes defining "doing business" by foreign corporations and further providing for service of process on the Secretary of the Commonwealth with respect to such corporations The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section twelve of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" as added by the act approved the twenty-fourth day of May one thousand nine hundred forty-five (P. L. 975) is hereby amended to read as follows

Section 12 Powers of Department of State The Department of State shall have the power and authority reasonably necessary to enable it to administer this act efficiently and to perform the duties imposed upon it by this act All articles papers and other documents required by this act to be filed with the Department of State shall be in such form as shall be prescribed by that department The Department of State may make a copy on microfilm or otherwise of any document filed with or by it pursuant to this act or any act hereby repealed and thereafter destroy such document or return it to the person who filed the same

Section 2 Section three hundred eight of said act is hereby amended to read as follows

Section 308 Procedure to Borrow Money and to Acquire or Dispose of Real Estate Unless its articles or by-laws provide for the approval of another body a nonprofit corporation shall not borrow money or purchase sell lease away or otherwise dispose of any real estate unless and until a resolution authorizing the same shall have been approved by a majority of the members of the corporation who are present in person or by proxy and entitled to vote thereon at a regular or special meeting or by proxy and entitled to vote thereon at a regular or special meeting duly convened upon proper notice of this purpose A resolution of the members authorizing the borrowing of money need not specify the particular sums rates of interest or times of maturity of the loans but such items may be agreed upon and authorized by the directors of the corporation Every nonprofit corporation may mortgage sell lease away or otherwise dispose of any of its real estate without application to and the authorization or confirmation of any court except in those cases where the Revised Price Act of one thousand nine hundred seventeen approved the seventh day of June one thousand nine hundred seventeen (P. L. 388) and its amendments and supplements confers jurisdiction upon the orphans' court or the court of common pleas of a particular county to authorize or confirm the selling leasing conveying upon ground rent or mortgaging of real estate by a corporation All proceeds derived by a nonprofit corporation from any loan sale lease ground rent or mortgage shall be faithfully and specifically used for or applied to the lawful activities of the corporation and in case such proceeds are derived from any real estate subject to a trust the trust shall be impinged upon such proceeds

Section 3 Paragraph A of Section three hundred sixteen of said act as last amended by the act approved the thirty-first day of July one thousand nine hundred forty-one (P. L. 631) is hereby further amended to read to read as follows

Section 316 Registered Office Records A Every nonprofit corporation shall maintain an office in this Commonwealth to be known as its registered office The location and post office address of the registered office shall



be stated in the articles as heretofore provided in this act After incorporation the location of the registered office may be changed

(1) From one location to another in the same county by resolution adopted by a majority of all the [members including members not entitled by the articles or by-laws to vote] directors On or before the day that such change is made notice of such change and of the post office address of the new registered office shall be filed with and recorded by the recorder of deeds of the county At the same time notice of such change shall also be filed with and recorded by the Secretary of the Commonwealth

(2) From one county to another county by resolution adopted by a majority of all the [members including members not entitled by the articles or by-laws to vote] directors On or before the day that such change is made notice of such change and of the post office address of the new registered office shall be filed with and recorded by the recorder of deeds of the county from which and of the county to which the registered office is to be moved At the same time notice of such change shall be filed with and recorded by the Secretary of the Commonwealth In addition a certified copy of the articles of the corporation shall be filed with and recorded by the recorder of deeds of the county in which the registered office is to be located before the corporation shall transact any business in such county

Section 4 Section four hundred one of said act as amended by the act approved the second day of July one thousand nine hundred thirty-seven (P. L. 2838) is hereby further amended to read as follows

Section 401 Power to Make By-Laws The members of a nonprofit corporation shall have the power to make alter amend and repeal the by-laws of a nonprofit corporation but the authority to make alter amend and repeal such by-laws may be expressly vested by the articles or the by-laws in the board of directors subject always to the power of the members to change such action Unless the articles or by-laws otherwise provide the powers hereby conferred shall be exercised by a majority vote of the members of the board of directors or of the members of the corporation who are present in person or by proxy and entitled to vote thereon as the case may be at any regular or special meeting duly convened after notice to the members or directors of that purpose

Section 5 Subsection (b) of Section five hundred two of said act is hereby amended to read as follows

Section 502 Number Qualifications and Election of Directors Subject to the provisions of this act the number qualifications terms of office manner of election the compensation and the powers and duties of the directors the time place and manner of calling giving notice of and conducting directors' meetings and the number of directors which shall constitute a quorum may be prescribed by the articles or by-laws If the by-laws so provide meetings of directors may be held outside of the Commonwealth Except as otherwise provided in the articles or by-laws

\* \* \* \* \*

(b) Vacancies in the board of directors including vacancies resulting from an increase in the number of directors shall be filled by a majority of the remaining members of the board though less than a quorum and each person so elected shall be a director until his successor is elected by the members who may make such election at the next annual meeting of the members or at any special meeting duly called for that purpose and held prior thereto

Section 6 Section five hundred four of said act as amended by the act approved the second day of July one thousand nine hundred thirty-seven (P. L. 2838) is hereby further amended to read as follows

Section 504 Officers [and Agents] Every nonprofit corporation shall have a president a secretary and a treasurer and may have such other officers and assistant officers [and agents] as it shall authorize from time to time The articles or by-laws may prescribe special qualifications for such officers The president and secretary shall

be natural persons of full age the treasurer however may be a corporation but if a natural person shall be of full age The officers and assistant officers [and agents] shall be elected [or appointed] either by the board of directors or by the members at such time in such manner and for such terms and compensation as the by-laws may prescribe It shall not be necessary for the officers to be directors If the by-laws so provide any two or more offices may be held by the same person except the offices of president and secretary The board of directors may secure the fidelity of any or all of such officers by bond or otherwise Unless otherwise provided in the by-laws the board of directors shall have power to fill any vacancies in any office occurring from whatever reason All officers [and agents] of the corporation as between themselves and the corporation shall respectively have such authority and perform such duties in the management of the property and affairs of the corporation as may be provided in the by-laws or in the absence of controlling provisions in the by-laws as may be determined by resolution of the board of directors

Section 7 Paragraph D of Section six hundred three of said act is hereby amended to read as follows

D Adjournment or adjournments of any annual or special meeting may be taken but any meeting at which directors are to be elected shall be adjourned only from day to day for such longer periods not exceeding fifteen days each as a majority of the members present in person or by proxy shall direct until such directors have been elected

Section 8 Section six hundred six of said act is hereby amended to read as follows

Section 606 Members' Voting Rights Unless otherwise provided in the articles or by-laws every members of a nonprofit corporation shall be entitled to one vote Voting by members shall be only in person unless the by-laws specifically provide for voting by proxy The manner of voting may be by ballot mail or any reasonable means provided in the articles or by-laws In all elections for directors [or other officers] each member having a right to vote shall have the right to multiply the number of votes to which he may be entitled by the total number of directors of all classes to be elected by either the members of the class or classes of which he is a part or by the members of any other class or classes and he may cast the whole number of his votes for one candidate or distribute them upon two or more candidates as he may prefer The candidates receiving the highest number of votes from each class or group of classes entitled to elect directors separately up to the number of directors to be elected by such class or group of classes shall be elected No member shall sell his vote or issue a proxy for money or anything of value Upon request of a member the books or records of membership shall be produced at any general or special meeting of the corporation If at any meeting the right of a person to vote is challenged the presiding officer shall require such books or records to be produced as evidence of the right of the person challenged to vote and all persons who appear by such books or records to be members may vote

Section 9 Section nine hundred five of said act as amended by the act approved the second day of July one thousand nine hundred thirty-seven (P. L. 2838) is hereby further amended to read as follows

Section 905 Issuance and Recording of Certificate of Authority If the Department of State finds that the provisions of this article have been complied with and that the applicant corporation is entitled to a certificate of authority to do business in this Commonwealth it shall forthwith but not prior to the day specified in the advertisement heretofore required in this article endorse its approval upon the application for a certificate of authority and when all fees and charges have been paid as required by law shall [file the application and the copy of the articles and shall] issue to the corporation a certificate of authority to do business in this Commonwealth to which the application may be attached and shall make and retain a copy thereof The certificate of authority shall



set forth the name of the corporation the address of its initial registered office in this Commonwealth and the business which the corporation is authorized to transact in this Commonwealth Upon the [issuance of the] approval of the application for a certificate of authority by the Department of State the corporation may do in this Commonwealth any or all of the kinds of business referred to in the certificate of authority and no other subject however to the right of the Commonwealth to cancel or revoke such right to transact business in this Commonwealth as provided in this act The certificate of authority shall be [returned] delivered to the corporation or its representative and such certificate and a verified copy of its articles shall be recorded in the office of the recorder of deeds of the county in which the registered office of the corporation in this Commonwealth is located The certificate of authority upon being recorded by the recorder of deeds shall be returned to the corporation or its representative

Section 10 Paragraph C of Section nine hundred seven of said act as last amended by the act approved the twenty-fourth day of May one thousand nine hundred forty-five (P. L. 957) is hereby further amended to read as follows

C If the Department of State finds that the provisions of this article have been complied with that the certificate herein required evidencing payment of all taxes or bonus or charges is in proper form and that the applicant corporation is entitled to an amended certificate of authority it shall upon payment of the filing fee forthwith but not prior to the day specified in the advertisement heretofore required by this section endorse its approval upon the application [shall file the application and] issue to the applicant corporation an amended certificate of authority setting forth the desired changes to which the application shall be attached and shall make and retain a copy thereof The amended certificate of authority shall be recorded in the office of the recorder of deeds of the county in which the original certificate of authority was recorded

Section 11 Section nine hundred twelve of said act as amended by the act approved the second day of July one thousand nine hundred thirty-seven (P. L. 2838) is hereby amended to read as follows

Section 912 Service of Process upon the secretary of the Commonwealth A service of process against a qualified foreign nonprofit corporation upon the Secretary of the Commonwealth shall be made by the sheriff of Dauphin County by leaving the fee the plaintiff is required by law to pay to the Secretary of the Commonwealth for this service and two copies of the process at the office of the Secretary of the Commonwealth The sheriff shall make due return of his service of the process to the court magistrate or justice of the peace issuing the same Such process may be issued by any court magistrate or justice of the peace having jurisdiction of the subject matter of the controversy in any county of the Commonwealth in which the corporation shall have its registered office or in the county in which the right of action arose When legal process against any such corporation has been served upon the Secretary of the Commonwealth he shall immediately send by mail postage prepaid one copy of such process directed to the corporation at its registered address The fee paid by the plaintiff to the Secretary of the Commonwealth at the time of the service shall be taxed in the plaintiff's costs if he prevails in the suit necessitating the service of the process The Secretary of the Commonwealth shall keep a record of the day and hour of the service of such process on him and a certified copy of such record shall be sufficient evidence thereof The service of process on the Secretary of the Commonwealth under this section shall be of the same legal force and validity as if the process had been served on the corporation and the authority for such service of process shall continue in force as long as any liability remains outstanding against the corporation in this Commonwealth Nothing herein contained shall limit or affect the right to serve any process notice or demand

required or permitted by law to be served upon a foreign corporation in any other manner now or hereafter permitted by law

B Any foreign nonprofit corporation which shall have done any business in this Commonwealth without procuring a certificate of authority to do so from the Department of State shall be conclusively presumed to have designated the Secretary of the Commonwealth as its true and lawful attorney authorized to accept on its behalf service of process in any action arising out of acts or omissions of such corporation within this Commonwealth on petition alleging conduct of business within the Commonwealth by any corporation not qualified by the Secretary of the Commonwealth or having otherwise designated him as agent for the service of process The court of the county in which the action is instituted shall authorize service to be made upon the Secretary of the Commonwealth Service shall be made by the sheriff of such county by transmitting to the Secretary of the Commonwealth and to the defendant at his last known residence or place of business by registered mail return receipt requested A copy of such process together with a copy of the petition and order of the court properly certified as such by the prothonotary The return receipt by the post office department shall be evidence or service under this act Nothing herein contained shall limit or affect the right to serve any process notice or demand required or permitted by law to be served upon a foreign nonprofit corporation in any other manner now or hereafter permitted by law

C For the purposes of this act the entry of any corporation into this Commonwealth for the doing of a series of similar acts for the purpose of thereby realizing pecuniary benefit or otherwise accomplishing an object or doing a single act in this Commonwealth for such purpose with the intention of thereby initiating a series of such acts shall constitute "doing business"

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,  
Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 418

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 418.

Mr. PEELOR. Mr. President, I second the motion.  
On the question,  
Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane.	Haluska.	McPherson, Jr..	Stiefel.
Barr.	Haro.	Meade.	Silvert.
Barrett.	Holland.	Neff.	Taylor.
Berger.	Kephart.	Pechan.	Toole.
Blase.	Kessler.	Peelor.	Wade.
Byrne.	Lane.	Probert.	Wagner.
Chapman.	Leader.	Robinson.	Walker.
Crowe.	Letaler.	Rosenfeld.	Watkins.
Dent.	Mahany.	Ruth.	Watson.
Diehm.	Mallery.	Scarlett.	Wolfe.
DiSilvestro.	McCreech.	Snowden.	Wood.
Fleming.	McGinnis.	Stevenson.	Yosko.
Freed	McMenamin.		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.



Ordered, That the Clerk inform the House of Representatives accordingly.

### THIRD READING CALENDAR

#### BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 213, entitled:

An Act to further amend section one of the act approved the twenty-eighth day of June one thousand nine hundred thirty-five (P. L. 477) entitled as amended "An act providing for the payment of the salary medical and hospital expenses of policemen and firemen by cities boroughs towns and townships who are injured in the performance of their duty and providing that absence during such injury shall not reduce any usual sick leave period" by providing disability benefits for in certain cases diseases of the heart and tuberculosis of the respiratory system incurred inactive police and firemen service.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. FLEMING. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Title, page 1, 1st line of Title, by inserting after the word "amend" the following: "the title and"; amend Title, page 1, last line of Title, by inserting after the word "by" the following: "extending the provisions of the act to include county, firemen and policemen and"; amend Sec. 1, page 2, line 1, by striking out the words "Section one" and inserting in lieu thereof: "The title"; amend Sec. 1, page 2, lines 8 and 9, by striking out all of said lines and inserting in lieu thereof: "the twenty-ninth day of March, one thousand nine hundred forty-five (P. L. 100) is hereby further amended to read as follows:

#### "AN ACT

"Providing for the payment of the salary, medical and hospital expenses of policemen and firemen by counties, cities, boroughs, towns and townships who are injured in the performance of their duty; and providing that absence during such injury shall not reduce any usual sick leave period.

"Section 2. Section 1 of said act, as last amended by the act, approved the eleventh day of May, one thousand nine hundred forty-nine (P. L. 1081), is hereby further amended to read as follows:"

Amend Sec. 1, (Sec. 1), page 2, line 10, by inserting after the word "any" where it appears the 2nd time in said line, the following: "county"; amend Sec. 1 (Sec. 1), page 3, line 2, by inserting after the word "the" the following: "county, townships or"; amend Sec. 1, (Sec. 1), page 3, line 5, by inserting after the word "such", where it appears the 2nd time in said line, the following: "county, township or"; amend Sec. 1, (Sec. 1), page 3, line 6, by inserting after the word "the", where it appears the 2nd time in said line, the following: "county"; amend Sec. 1, (Sec. 1), page 3, line 9, by inserting after the word "such" the following: "county"; amend Sec. 1, (Sec. 1), page 3, line 11, by inserting after the word "the", where it appears the 2nd time in said line, the following: "county."

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

#### BILLS OVER IN ORDER

Mr. FLEMING. Mr. President, I ask unanimous consent that House Bill No. 213, on third reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 968, on third reading, entitled:

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by requiring conformance of buildings transportation and joint schools and departments to county plans for reorganization of schools districts.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1123, on third reading, entitled:

An Act to provide for the registration and protection of trademarks and to secure the rights property and interests therein providing for the assignment cancellation and revocation thereof and imposing penalties for violations conferring powers and imposing duties upon the Secretary of the Commonwealth in the administration thereof and to repeal all acts inconsistent therewith.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

#### BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1171, entitled:

An Act to further amend the act approved the first day of June one thousand nine hundred thirty-one (P. L. 299) entitled "An act requiring retail dealers in liquid fuels to state the rate of the liquid fuels tax separately from the price of such liquid fuels on liquid fuel price display signs and imposing a penalty" by requiring the posting of signs on liquid fuels dispensing devices stating the brand quality and price of liquid fuels prohibiting the posting of signs not conforming to prescribed standards and increasing penalties.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. MAHANY. Mr. President, I ask unanimous consent to offer an amendment at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows: amend Sec. 2 (Sec. 2), page 5, line 6 by inserting after the figures "\$25.00)" the following: "not more than".

On the question,

Will the Senate agree to the amendment?



It was agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

### BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that House Bill No. 1171, on third reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

### BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1292, as follows:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by providing for reports of sales of vehicles to nonresidents the transportation of dangerous substances and the inspection of dealers' premises further regulating the administrative powers of the department the licensing suspension and revocation of operators and operating privileges and the operation and equipment of vehicles changing certain fees and powers and jurisdiction of peace officers magistrates aldermen justices of the peace and prescribing additional enforcement and penal provisions and making uniform the interpretation and construction of the law

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The definition of "trailer" in Section 102 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negli-

gent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the act approved the eighteenth day of May one thousand nine hundred forty-nine (P. L. 1412) is hereby further amended to read as follows

Section 102 Definitions The following words and phrases when used in this act shall for the purpose of this act have the meanings respectively ascribed to them in this section except in those instances where the context clearly indicates a different meaning

"Trailer" Every vehicle without motive power designed to carry property or passengers or designed and used exclusively for living quarters wholly on its own structure and to be drawn by a motor vehicle or tractor Provided That wagons and agricultural machinery drawn by motor vehicles or tractors for the transportation of the agricultural products of the owner of such wagons or machinery or returning from such transportation shall not be included within such definition and no fees shall be required to operate such vehicles on the public highways

Section 1.1 Subsections (b) and (j) and the penalty clause of Section 210 of said act as last amended by the act approved the twenty-seventh day of June one thousand nine hundred thirty-nine (P. L. 1135) are hereby further amended to read as follows

Section 210 Destruction and Cancellation of Records of Certificates of Title Notice of Junking Motor Vehicles

(b) The owner of a motor vehicle trailer or semi-trailer shall notify the secretary within ten (10) days of the sale of any motor vehicle trailer or semi-trailer to a resident of another state or foreign country or of the destruction or junking of any motor vehicle trailer or semi-trailer and return certificate of title to the department for cancellation of record

(j) The secretary shall have the authority to cancel certificates of title for vehicles sold to residents of other states or of foreign countries or for abandoned or wrecked vehicles authorized to be junked as provided in this act

Penalty Any person violating any of the provisions under subsections (b) (c) or (h) of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of twenty-five (\$25) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than ten (10) days

Section 2 Subsection (b) of section 404 of said act is hereby amended to read as follows

Section 404 File of Applications

(b) The secretary may cause the application for registration and records in connection therewith to be destroyed [two (2) years] one (1) year after the year for which issued

Section 3 Section 501 of said act as last amended by the act approved the sixth day of May one thousand nine hundred forty-three (P. L. 172) is hereby further amended to read as follows

Section 501 Registration Plates to be Furnished by Department

(a) The department in its discretion shall furnish to every owner whose motor vehicle is registered and for each registration applied for by a manufacturer jobber or dealer in motor vehicles trailers or semi-trailers one registration plate or two registration plates and to every owner of a registered trailer semi-trailer motorcycle or bicycle with motor attached and for each registration applied for by a manufacturer jobber or dealer in motorcycles or bicycles with motor attached one registration plate

(b) Such registration plates may be made of metal or other material and each plate shall have displayed upon it the registration number assigned to the vehicle for the current year the name of the Commonwealth which may be abbreviated and any other identification the department may deem necessary The required letters and numerals on such plate or plates shall be not more than five (5) inches in height to be plainly legible from a distance of one hundred (100) feet during daylight except that the required letters and figures on motorcycle motor-



cycle dealer and bicycle with motor attached plates shall be not more than three and one-half (3½) inches in height

(c) It shall be unlawful to display on any vehicle an altered defaced or forged registration plate

(d) In each case of a renewal of any such registration which shall be in effect for the registration year immediately preceding such renewal the department in lieu of issuing a new registration plate or plates for such vehicle may assign thereto the number or combination of numerals and letters displayed on the plate or plates for the previous year and issued to the owner thereof and authorize the use of some identifying feature or attachment to be affixed to the previous year's plate or plates or a sticker or certificate not to be affixed to such plate or plates which shall in either case clearly indicate the renewal of such registration

Penalty Any person violating any of the provisions of subsection (c) of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of fifty (\$50) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than ten (10) days

Section 4 Sections 503 and 601 of said act as last amended by the act approved the twenty-seventh day of June one thousand nine hundred thirty-nine (P. L. 1135) are hereby further amended to read as follows

#### Section 503 How Registration Plates Carried on Motor Vehicles

Every registration plate shall at all times be securely fastened to the vehicle to which it is assigned or on which its use is authorized one on the front the other on the rear except that [for motorcycles bicycles with motor attached trailers and semi-trailers] in every case when the department issues one plate the single plate shall be on the rear

No plate shall be attached at a height less than twelve (12) inches from the ground measuring from the bottom of such plate nor shall any plate be obscured

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of ten (\$10) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

#### Section 601 Operators Must Be Licensed

No person except those expressly exempted under this act shall operate any motor vehicle or tractor upon a highway in this Commonwealth unless such person has been licensed as an operator or a learner by the department under the provisions of this act No person who has been issued a restricted license to operate motor vehicles or tractors by the secretary shall operate any motor vehicle or tractor in violation of such restrictions

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistrate for a first offense be sentenced to pay a fine of ten (\$10) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days and for the second offense twenty-five (\$25) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days and for the third and any subsequent offense fifty (\$50) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than ten (10) days

Section 5 Section 602 of said act as amended by the act approved the sixteenth day of July one thousand nine hundred thirty-five (P. L. 1056) is hereby further amended to read as follows

#### Section 602 Persons Exempt from License

Every person in the service of the Federal Government or in the service of the Pennsylvania National Guard when furnished with a driver's permit and when operating an official motor vehicle or tractor in such service shall be exempt from license under this act every person operating a tractor not required to have registration under the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1005) known as "The Tractor

Code" shall be exempt from operator's license under this act

Section 6 Sections 603 604 606 608 611 614 and 615 of said act as amended or last amended by the act approved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2329) Clause 2 of subsection (a) of section 614 of which was repealed by the act approved the eighteenth day of May one thousand nine hundred forty-nine (P. L. 1412) and section 615 of which was also amended in part by the acts approved the twenty-seventh day of June one thousand nine hundred thirty-nine (P. L. 1135) and the eighteenth day of May one thousand nine hundred forty-nine (P. L. 1412) are hereby further amended to read as follows

#### Section 603 Nonresidents When Exempt from License

(a) A nonresident who has been duly licensed as an operator under a law requiring the licensing of operators in his home state or country and who has in his immediate possession a valid operator's license issued to him in his home state or country shall be permitted without examination or operator's license under this act to operate a motor vehicle or tractor upon the highways of this Commonwealth for the same time and to the same extent as like exemptions are granted residents of this Commonwealth under the laws of the foreign state or country

(b) It shall be unlawful for any nonresident except as herein provided whose home state or country does not require the licensing of operators to operate any motor vehicle or tractor upon any highway in this Commonwealth without first making application for and obtaining a license as an operator as required under this act except that any said unlicensed nonresident who is the owner of a motor vehicle or tractor which has been duly registered for the current calendar year in the state or country of which the owner is a resident may operate motor vehicles or tractors upon the highways of this Commonwealth for the same time and to the same extent as like exemptions are granted residents of this Commonwealth under the laws of the State or country of the nonresident without making application for or obtaining an operator's license under this act upon condition that the nonresident owner has in his immediate possession a registration card evidencing such ownership and registration in his home state or country Provided That unlicensed nonresident operators not the owners of motor vehicles or tractors registered in states or countries not requiring an operator's license may operate any motor vehicle or tractor properly registered in their home state or country on any highway within this Commonwealth without making application for or obtaining an operator's license under this act upon condition that they may be required at any time or place to prove lawful possession of such motor vehicle or tractor and proper identity

(c) Provided That nonresident operators operating motor vehicles or tractors within this Commonwealth for compensation for a period exceeding thirty (30) days in the calendar year shall be required to obtain a Pennsylvania operator's license

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of ten (\$10) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

Section 604 Persons Not to Be Licensed (a) An operator's license or learner's permit shall not be issued to any person under the following conditions

1 When less than eighteen (18) years of age Unless such person is sixteen (16) years of age or more and includes with his application for an operator's license or learner's permit a statement of his parent or a person in loco parentis made under oath or affirmation that such applicant has the consent of such parent or person in loco parentis to obtain a learner's permit or operator's license or unless such person is in possession of a valid learner's permit or operator's license before the effective date of this act

2 When operating privilege is suspended



3 When operating privilege is revoked

4 When applicant's name appears upon department's prohibitory list or when the privilege to apply for an operator's license or learner's permit has been suspended and before such privilege has been reinstated

5 To an habitual drunkard or addict to the use of narcotic drugs

6 When adjudged insane or an idiot imbecile epileptic or feeble-minded until restored to competency by judicial decree or released from a hospital for the insane or feeble-minded upon certification by the superintendent or medical director that such person is competent nor then unless the secretary is satisfied such person is competent to operate a motor vehicle or tractor with safety to persons and property

7 When afflicted with or suffering from a physical or mental disability or disease or from a weakness or disability in vision or hearing which in the opinion of the secretary will prevent such person from exercising reasonable and ordinary control over a motor vehicle or tractor

8 When unable to understand warning or direction signs in the English language

9 If a license or learner's permit is issued in contradiction of any of the provisions of this subsection the secretary may suspend or cancel such license or permit in order to effectuate the intent of the subsection

(b) Physical disability includes the loss of the use of both hands

(c) The secretary may issue an operator's license or learner's permit to a person afflicted with or suffering from a weakness or disability in vision or hearing upon the receipt of such evidence or demonstration as shall satisfy him that such person has had sufficient experience in the operation of a motor vehicle or tractor to enable him to do so without endangering the safety of the public and provided that such person shall not operate a motor vehicle or tractor unless same is equipped with a mirror so located as to reflect to the operator a view of the highway for a distance of at least two hundred (200) feet to the rear

#### Section 606 Learner's Permits

(a) The department upon receiving from any person eighteen (18) years of age or over or upon receiving from any person less than eighteen (18) years of age and more than sixteen (16) years of age when accompanied by an affidavit of consent of a parent or person in loco parentis an application for a learner's permit may in its discretion issue such a permit entitling the applicant while having such permit in his immediate possession to operate a motor vehicle or tractor upon the highways for a period of ninety (90) days from date of issue or until such learner has failed three (3) times at any time within the ninety (90) day period the examination prescribed by the secretary and when accompanied by a licensed operator who is actually occupying a seat beside the holder of the learner's permit except that permittees operating tractors motorcycles or bicycles with motor attached need not be so accompanied

(b) Every application for learner's permit shall be sworn to before a notary public or other officer empowered to administer oaths on a form provided by the department and accompanied by the fee provided in this act and shall state the name age sex and actual or bona fide address of the applicant together with any other information the secretary may desire and whether or not the applicant has heretofore been licensed as an operator and if so when and by what state and whether or not such license has ever been revoked or suspended and if so the date of and reason for such suspension or revocation. When the application for a learner's permit is made by a person more than sixteen (16) years of age and less than eighteen (18) years of age it shall be accompanied by the written consent of a parent or a person in loco parentis under oath or affirmation of such parent or person in loco parentis

Penalty Any person violating any of the provisions of subsection (a) or (b) of this section shall upon summary conviction before a magistrate be sentenced to pay a fine

of ten (\$10) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

#### Section 608 Examination of Applicants and Operators

(a) Before issuing an operator's license to any permittee except as otherwise provided the secretary shall require the applicant to demonstrate personally to him or his representative in such a manner as the secretary may direct that such applicant is a proper person to operate a motor vehicle or tractor has sufficient knowledge of the mechanism of motor vehicles or tractors to insure their safe operation and a satisfactory knowledge of the laws and regulations concerning motor vehicles or tractors and their operation

(b) The secretary may issue an operator's license either unlimited or containing certain restrictions or limitations as the secretary may deem advisable

(c) The secretary may in his discretion waive the examination of any person applying for the renewal of an operator's license issued under this act

(d) The secretary may in his discretion issue an operator's license under this act without examination to any person applying therefor who is of sufficient age as required by this act to receive the license applied for when the secretary is satisfied that the applicant is fully qualified as an operator of motor vehicle or tractors and to any person who at the time of such application has a valid unrevoked license of like nature issued to such person in another state under a law requiring the licensing and examination of operators

(d.1) Without examination the secretary may issue an operator's license restricted to the use and operation of tractors to any person applying therefor when the secretary is satisfied that the applicant is fully qualified as an operator of tractors

(e) Following any examination and pending the issue of the operator's license the secretary's representative may authorize any applicant who has qualified as an operator to operate a motor vehicle or tractor with his learner's permit card and when it was required without being accompanied by a licensed operator provided such learner's permit card is properly approved for such purpose

(f) The secretary may in his discretion require the special examination by such agencies as the secretary may direct of any applicant for learner's permit or operator's license or of any operator to determine incompetency physical or mental disability or disease or any other condition which might prevent such applicant from exercising reasonable and ordinary control over a motor vehicle or tractor

#### Section 611 Duplicate License Cards

(a) In the event that an operator's license or learner's permit shall be lost or destroyed or become illegible the person to whom the same was issued shall make application to the department upon a form furnished by the department accompanied by the fee provided in this act for a duplicate thereof

(b) No owner or operator of a motor vehicle or tractor shall be subject to a fine for the reason that an operator's license or learner's permit is lost if he makes affidavit that the same was lost or stolen within the period of twenty (20) days preceding and that application for duplicate operator's license or learner's permit was made within forty-eight (48) hours of discovery of loss of same

(c) In the event of a change of name or address of the operator as appearing on the operator's card it shall be the duty of such operator to notify the department within forty-eight (48) hours of such change of name or address

Penalty Any person violating any of the provisions of subsection (a) of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of five (\$5) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than three (3) days

#### Section 614 Revocation of Operating Privilege

(a) Upon receiving a certified record from the clerk of the court of proceedings in which a person pleaded guilty entered a plea of nolo contendere or was found guilty by



a judge or jury of any of the crimes enumerated in this section the secretary shall forthwith revoke for a period of one (1) year from the date of revocation the operating privilege of any such person and where such person was convicted or entered a plea of guilty or nolo contendere of any one of the crimes enumerated in clauses (1) (2) (3) and (4) of this section such operating privilege shall not be restored unless and until the fine and costs imposed in such cases have been fully paid. The clerk of the courts shall when such fine and costs have been so paid in any such case certify such fact to the Department of Revenue.

1. Operating a motor vehicle or tractor while under the influence of intoxicating liquor or any narcotic or habit producing drug or permitting any person who may be under the influence of intoxicating liquor or narcotic or habit producing drug to operate any motor vehicle or tractor owned by him or in his custody or control.

3. Any crime punishable as a felony under the motor vehicle or tractor laws of this Commonwealth or any other felony in the commission of which a motor vehicle or tractor is used.

4. Conviction of an operator of a motor vehicle or tractor involved in an accident resulting in injury or death to any person or damage to property upon the charge of failing to stop and render assistance or disclose his identity at the scene of the accident.

(b) The secretary upon receiving a certified record from the clerk of the court of the conviction of any person upon a charge of operating a motor vehicle or tractor while the operator's license or learner's permit of such person is revoked shall immediately extend the period of such first revocation for an additional like period.

(c) The secretary upon revoking any operator's license or learner's permit shall require that such license of any operator whose license or permit is so revoked shall immediately be surrendered to and retained by the department.

#### Section 615 Suspension of License or Operating Privileges

(a) The secretary may suspend the operating privilege of any person with or without a hearing before the secretary or his representative upon receiving a record of proceedings if any in which such person pleaded guilty entered a plea of nolo contendere or was found guilty by a judge or jury or whenever the secretary finds upon sufficient evidence

1. That such person is incompetent to operate a motor vehicle or tractor or is afflicted with mental or physical infirmities or disabilities rendering it unsafe for such person to operate a motor vehicle or tractor upon the highways.

2. That such person has been convicted of a misdemeanor or has forfeited bail upon such a charge in the commission of which a motor vehicle or tractor was used.

3. That such person has been convicted of manslaughter resulting from the operation of a motor vehicle or tractor.

4. That such person has attempted by offering a bribe or by other fraud or by substitution of another person in his place to take or pass an examination for an operator's license.

(b) The secretary may suspend the operator's license or learner's permit of any person after a hearing before the secretary or his representative whenever the secretary finds upon sufficient evidence

1. That such person has committed any offense for the conviction of which mandatory revocation of license is provided in this act.

2. That such person has committed any violation of the motor vehicle or tractor laws of this Commonwealth.

3. That such person has failed to file a report with the department of a motor vehicle or tractor accident as required by this act.

4. That such person was operating any motor vehicle or tractor involved in an accident resulting fatally to any person.

5. That such person is incompetent or unable to exercise reasonable and ordinary control over a vehicle.

6. That such person has failed to pay a fine properly

imposed by any court of this Commonwealth or of any state or has failed to appear for a hearing before a court of competent jurisdiction of this Commonwealth or of any state upon being notified as provided by law.

7. That any such person involved in an accident by motor vehicle or tractor or in any violation of this act has failed to attend or appear at a hearing before the secretary or his representatives after being properly notified.

(c) The secretary may suspend any operator's license or learner's permit when check submitted in payment of the fee for such license is not paid on demand or when such fee or any part thereof is unpaid and owing and he may delegate authority to any department employee or peace officer to lift the operator's license or learner's permit card so cancelled.

(d) The secretary is hereby authorized to suspend the privilege of any nonresident to operate a motor vehicle or tractor in this Commonwealth for any cause for which the license of a resident operator may be suspended or revoked. The secretary is further authorized upon receiving a record of the conviction in this Commonwealth of a non-resident operator of a motor vehicle or tractor of any offense under the motor vehicle or tractor laws of this Commonwealth to forward a report of such conviction to the motor vehicle or tractor administrator in the state wherein the person so convicted is a resident.

(e) The secretary is hereby authorized after a hearing before the secretary or his representative or upon failure of the said person to appear at such hearing to suspend the operator's license or learner's permit of any person licensed in this Commonwealth upon receiving notice of the conviction of such person in another state of an offense therein which if committed in this Commonwealth would be grounds for the suspension or revocation of the license of an operator.

(f) The secretary may suspend any operator's license or learner's permit upon certification or request or order of any court or commission duly authorized under the laws of this Commonwealth and empowered by such laws to make such certifications requests or orders.

(g) The secretary upon suspending any operator's license or learner's permit shall require that such licenses of any operator whose license or permit is so suspended shall be surrendered immediately to and retained by the department.

(g.1) When the secretary suspends an operator's license for any violation other than one for which he could revoke the operator's license he may on request of the operator issue him a license restricted to the use and operation of tractors during the period of such suspension.

(h) Whenever the secretary suspends the operator's license or learner's permit of any person the secretary shall immediately notify such person and afford him an opportunity of a hearing before said secretary or his representative provided such hearing has not already been held and after such hearing the secretary shall either rescind his order of suspension or good cause appearing therefor may suspend the operator's license or learner's permit of such person for a further period.

Section 7 Section 615.1 of said act as amended by the act approved the twenty-seventh day of June one thousand nine hundred thirty-nine.

#### Section 615.1 Suspension of Privilege to Apply for Operator's License or Learner's Permit

The secretary may suspend the privilege of any person to apply for an operator's license or learner's permit after a hearing before the secretary or his representative whenever the secretary finds upon sufficient evidence

(a) That such person has committed any offense for the conviction of which mandatory revocation of license is provided in this act.

(b) That such person has committed any violation of the motor vehicle or tractor laws of this Commonwealth.

(c) That such person has failed to file a report with the department of a motor vehicle or tractor accident as required by this act.

(d) That such person was operating any motor vehicle



or tractor involved in an accident resulting fatally to any person

(e) That such person was convicted of an offense in another state which if committed in this Commonwealth would be grounds for the suspension of the privilege to apply for an operator's license or learner's permit

(f) That such person failed to pay a fine properly imposed or has been involved in an accident by motor vehicle or tractor or in any violation of this act and has failed to appear for a hearing before the secretary or his representatives after being properly notified or has failed to appear for a hearing upon a charge of a violation of the vehicle or tractor code of another state before a court of competent jurisdiction of such other state upon being notified as provided by law

(g) That the department has received a certification or request or order of any court or commission to suspend the privilege of any person to apply for an operator's license or learner's permit duly authorized under the laws of this Commonwealth and empowered by such laws to make such certifications requests or orders

(h) Whenever the secretary suspends the privilege to apply for an operator's license or learner's permit of any person the secretary shall immediately notify such person and afford him an opportunity of a hearing before said secretary or his representative provided such hearing has not already been held and after such hearing the secretary shall either rescind his order of suspension or good cause appearing therefor may suspend the privilege to apply for an operator's license or learner's permit for a further period

Section 2 Section 618 of said act is hereby amended to read as follows

Section 618 Owner Liable for Negligence of Certain Minors Every owner of a motor vehicle or tractor causing or knowingly permitting a minor under the age of sixteen (16) years to operate a motor vehicle or tractor upon a highway and any person who knowingly gives or furnishes a motor vehicle or tractor to a minor under the age of sixteen (16) years shall be jointly and severally liable with such minor for any damages caused by the negligence of such minor in operating such vehicle

Section 9 Section 619 of said act as last amended by the act approved the eleventh day of May one thousand nine hundred forty-nine (P. L. 1186) is hereby further amended to read as follows

Section 619 Counties and Municipalities Liable for Negligence of Their Employees Every county city borough incorporated town or township within this Commonwealth employing any person shall be jointly and severally liable with such person for any damages caused by the negligence of such person while operating an animal-drawn vehicle or a motor vehicle or fire department equipment or a tractor upon a highway in the course of their employment and every city borough incorporated town and township shall also be jointly and severally liable with any member of a volunteer fire company of any such city borough incorporated town or township for any damage caused by the negligence of such member while operating an animal-drawn vehicle or a motor vehicle or fire department equipment or a tractor used by or belonging to such volunteer fire company while going to attending or returning from a fire or while engaged in any other proper use of such animal-drawn vehicle or motor vehicle or fire department equipment or a tractor for such volunteer fire company

Section 10 Section 620 of said act as last amended by the act approved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2329) and in part by the act approved the twenty-seventh day of June one thousand nine hundred thirty-nine (P. L. 1135) is hereby further amended to read as follows

Section 620 Violation of License Provisions It shall be unlawful for any person to commit any of the following acts

(a) To display or cause or permit to be displayed or to have in possession any operator's license or learner's

permit knowing the same to be fictitious or to have been cancelled revoked suspended or altered

(b) To lend to or knowingly permit the use of by one not entitled thereto any operator's license or learner's permit issued to the person so lending or permitting the use thereof

(c) To display or to represent as one's own any operator's license or learner's permit not issued to the person so displaying the same

(d) To fail or refuse to surrender to the department upon demand any operator's license learner's permit registration card registration plates certificate of title or duplicates thereof which have been suspended cancelled or revoked as provided in this act

(e) To make use of or operate any motor vehicle or tractor without the knowledge or consent of the owner or custodian thereof

(f) To operate a motor vehicle tractor street car or trackless trolley omnibus while under the influence of intoxicating liquor or any narcotic drug or habit producing drug or permit any person who may be under the influence of intoxicating liquor or narcotic or habit producing drug to operate any motor vehicle or tractor owned by him or in his custody or control

(g) To turn off any or all the lights on a motor vehicle or tractor for the purpose of avoiding identification or arrest

(h) To operate any motor vehicle or tractor upon the highways of this Commonwealth after the operating privilege is suspended or revoked and before such operating privilege has been reinstated

(i) To operate any motor vehicle or tractor upon the highways of this Commonwealth after its registration has been suspended by the secretary

(j) To use a false or fictitious name or give a false or fictitious address in any application or form required under the provisions of this act or make a false statement or conceal a material fact or otherwise commit a fraud in any application

Penalty Any person violating any of the provisions of subsections (a) (b) (c) or (d) of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of fifty (\$50) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than ten (10) days

Any person violating any of the provisions of subsection (j) of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of one hundred (\$100) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than twenty (20) days

Any person violating any of the provisions of subsections (e) (f) (g) (h) or (i) of this section shall be guilty of a misdemeanor and shall upon conviction thereof in a court of quarter sessions be sentenced to pay a fine of not less than one hundred (\$100) dollars and not more than five hundred (\$500) dollars and costs of prosecution or undergo imprisonment for not more than three (3) years or suffer both such fine and imprisonment

Section 11 Section 621 of said act as amended by the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 751) is hereby further amended to read as follows

Section 621 Unlawful for Person Under Eighteen (18) Years to Operate [Motor] Vehicle as a Paid Employee It shall be unlawful for any person under the age of eighteen (18) years to operate a motor vehicle or tractor upon any highway as a paid employee or for any person to cause or permit any such operation

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of ten (\$10) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

Section 12 Section 622 of said act is hereby amended to read as follows

Section 622 Unlawful to Permit Violations of Act No



person shall authorize or permit a motor vehicle or tractor owned by him or under his control to be operated by any person who has no legal right to do so or in violation of any of the provisions of this act

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of twenty-five (\$25) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than ten (10) days

Section 13 Section 702.1 of said act as added by the act approved the twenty-sixth day of April one thousand nine hundred forty-three (P. L. 74) is hereby amended to read as follows

Section 702.1 Fee for Temporary Registration The fee for the temporary registration of motor vehicles shall be [twenty-five (25c)] fifty (50c) cents for each set issued and dealers may purchase no less than five (5) sets of temporary registration plates or markers at any one time

Section 14 Subsection (d) of section 801 of said act as last amended by the act approved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2329) is hereby further amended to read as follows

#### Section 801 Required Lighting Equipment

\* \* \* \* \*

(d) Rear Lamps and Illumination of Rear Registration Plate Every motor vehicle and every trailer or semi-trailer attached to a motor vehicle and every vehicle which is being drawn at the end of a combination of vehicles shall carry at the rear [a] at least one lamp of a type which at the time of its use is approved by the secretary and which exhibits a red light plainly visible under normal atmospheric conditions from a distance of five hundred (500) feet to the rear of such vehicle Either such rear lamp or a separate lamp shall be so constructed and placed that the number plate carried on the rear of such vehicle shall under like conditions be so illuminated by a white light as to be read from a distance of fifty (50) feet to the rear of such vehicle When the rear number plate is illuminated by an electric lamp other than the required rear lamp said two (2) lamps shall be turned on or off only by the same control switch at all times whenever head lamps are lighted

Section 15 Subsection (e) of said section 801 of said act as last amended by the act approved the eighteenth day of May one thousand nine hundred forty-nine (P. L. 1412) is hereby further amended to read as follows

#### Section 801 Required Lighting Equipment

\* \* \* \* \*

(e) Reflectors and Reflective Materials Every motor bus motor omnibus commercial motor vehicle trailer or semi-trailer when operated on a highway may display reflective materials and shall display at the rear a red reflector meeting the following requirements

Whenever a red reflector is so used or whenever reflectors are used as hereinafter provided it or they shall be mounted upon the vehicle at a height not to exceed [forty-two (42)] sixty (60) inches and not less than twenty-four (24) inches above the ground upon which the vehicle stands and every such reflector shall be of a type which at the time of its use is approved by the secretary and shall be so designed and maintained as to be visible at night from all distances within five hundred (500) feet to fifty (50) feet from such vehicle when directly in front of or opposite to a motor vehicle displaying lawfully lighted head lamps as provided in this act

Within the limitations of this subsection the secretary may adopt standard specifications governing the use and display of reflective materials on the vehicles designated herein and it shall be unlawful for any person to use or display any reflective materials as provided herein in violation of the standard specifications so adopted

Section 16 Subsection (g) of said section 801 of said act as last amended by the act approved the twenty-seventh day of June one thousand nine hundred thirty-nine (P. L. 1135) is hereby further amended to read as follows

#### Section 801 Required Lighting Equipment

\* \* \* \* \*

(g) Lamps on Bicycles Every bicycle [and every bicycle with motor attached] shall be equipped with a lighted lamp on the front thereof visible under normal atmospheric conditions from a distance of at least five hundred (500) feet in front of such bicycle [or bicycle with motor attached] and shall also be equipped with a red reflector or lamp on the rear exhibiting or reflecting a red light visible under like conditions from a distance of at least five hundred (500) feet to the rear of such bicycle [or bicycle with motor attached] Provided however [On and after the first day of January one thousand nine hundred and forty-nine] said red reflector or lamp on the rear shall be required to be of a diameter of at least one and one-half (1½) inches

Section 17 Subsection (f) of section 802.4 of said act as added by the act approved the sixteenth day of July one thousand nine hundred thirty-five (P. L. 1056) is hereby amended to read as follows

#### Section 802.4 Number of Driving Lamps Required or Permitted

\* \* \* \* \*

(f) Any motor vehicle may be equipped with [a back-up lamp] not more than two back-up lamps either separately or in combination with another lamp except that no such back-up lamp shall be continuously lighted when the motor vehicle is in forward motion

Section 18 Subsections (a) and (b) and the penalty clause of Section 805 of said act are hereby amended to read as follows

#### Section 805 Use Test and Approval of Lamps

(a) It shall be unlawful for any person to use upon a motor vehicle upon a highway any electric headlamp lens reflector or headlight control device or any electric auxiliary driving lamp rear lamp back-up lamp mechanical signal device or signal lamp unless of a type which has been submitted to the secretary for test and for which a certificate of approval has been issued by the secretary and is then in effect as provided in this act

(b) The secretary is hereby authorized to adopt and enforce rules and uniform standard specifications as to the amount color and direction of light to be emitted by headlamps auxiliary driving lamps rear lamps back-up lamps mechanical signal devices and signal lamps and the secretary is authorized and required to determine whether any headlamps auxiliary driving lamps signal lamps mechanical signal devices and rear lamps or back-up lamps submitted will comply with such rules and uniform standard specifications and the secretary may approve such headlamps auxiliary driving lamps signal lamps mechanical signal devices and rear lamps or back-up lamps and to publish lists of such devices by name and type together with the permissible candle-power rating of the electric lamps or bulbs as he shall determine are lawful thereunder.

Penalty Any person violating any of the provisions of subsection (a) of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of ten (\$10) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

Section 19 Section 806 of said act as amended by the act approved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2329) is hereby further amended to read as follows

Section 806 Illegal Sale of Lighting Devices It shall be unlawful for any person to sell or to lease or to offer for sale or lease either separately or as a part of the equipment of a motor-vehicle any head lamp auxiliary driving lamp rear lamp back-up lamp or signal lamp unless such device is approved by the secretary and bears the trade mark or name under which it is approved so as to be legible when installed and is accompanied by printed instructions as to the candle-power of bulbs to be used therewith as approved by the secretary and any particular methods of mounting or adjustment so as to focus or aim necessary for compliance with the requirements of this act



**Penalty** Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of fifty (\$50) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than ten (10) days

Section 20 Section 809 of said act as last amended by the act approved the eighteenth day of May one thousand nine hundred forty-nine (P. L. 1412) is hereby further amended to read as follows

**Section 809 Red Light Visible From in Front of Vehicles** No person shall operate or move any vehicle except fire department fire patrol apparatus police department vehicles ambulances or the private vehicles of those chiefs of fire or police departments assistant chiefs of fire or police departments or fire marshals who in accordance with a statement filed with the Pennsylvania State Police prior thereto use the same for answering fire police or emergency calls upon a highway with a red light displayed to the front thereof

**Penalty** Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of ten (\$10) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

Section 21 Subsection (f) and the penalty clause of Section 813 of said act the former as amended by the act approved the sixteenth day of July one thousand nine hundred thirty-five (P. L. 1056) the latter as last amended by the act approved the eighteenth day of May one thousand nine hundred forty-nine (P. L. 1412) are hereby further amended to read as follows

**Section 813 Official Inspection Stations**

\* \* \* \* \*

(f) It shall be unlawful for any person to furnish give or sell to any owner or operator of a motor vehicle trailer or semi-trailer or to any other person or to place in or on any motor vehicle trailer or semi-trailer a certificate of inspection and approval unless an official inspection of its mechanism and equipment shall have been made and the motor vehicle trailer or semi-trailer conforms with the provisions of this act It shall be unlawful for any such designated official inspection station to furnish loan give or sell a certificate or certificates of inspection and approval to any other such designated official inspection station or any other persons except those entitled to receive them under the provisions of this act

**Penalty** Any owner of an official inspection station who by himself agent servant or employe or any manager operator or employe thereof or any other person who violates any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of not less than twenty-five (\$25.00) dollars nor more than fifty dollars (\$50.00) and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than ten (10) days

Section 22 Section 816 of said act as amended by the act approved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2329) is hereby further amended to read as follows

**Section 816 Windshields Must Be Unobstructed and Equipped with Wipers**

(a) It shall be unlawful for any person to operate any motor vehicle upon a highway with any sign poster or other material upon or placed in such a position as to interfere with the vision through the front windshield side wings side or rear windows of such motor vehicle other than a device certificate or other paper expressly allowed or directed by the secretary to be displayed Provided however that signal lamps of a type approved by the secretary shall not be considered a violation of this section

(b) Every permanent windshield on a motor vehicle shall be equipped with a device for cleaning rain snow or other moisture from the windshield which device shall be so constructed as to be controlled or operated by the operator of the vehicle

**Penalty** Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of five (\$5) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than three (3) days

Section 23 Subsection (a) and the penalty clause of Section 824 of said act as last amended by the act approved the twenty-fifth day of April one thousand nine hundred forty-five (P. L. 304) is hereby further amended to read as follows

**Section 824 Danger and Caution Signals**

(a) Every motor bus and every motor omnibus for the carriage of passengers for hire except taxicabs and every commercial vehicle or combination of vehicles having a registered capacity gross weight of eleven thousand (11,000) pounds or more and every trailer or semi-trailer designed for the living quarters or carriage of persons shall be equipped with at least three (3) red flags of dimensions not less than twelve by twelve (12 x 12) inches and a sufficient number of flares not less than three (3) or electric lanterns electric flashing signals or other signals capable of continuously producing three warning lights each visible from a distance of at least five hundred (500) feet for a period of at least eight (8) hours or three (3) reflector type flares Provided however That the provisions of this section shall not apply to vehicles within the confines of a municipality or within a business or residence district

Every such flare lantern electric flashing signal reflector type flare or other signal shall be of a type approved by the secretary and he shall publish lists of those devices which he has approved as adequate for the purposes of this section

**Penalty** Any owner or operator who shall fail to comply with any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of twenty-five (\$25) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than ten (10) days

Section 24 Subsection (c) of Section 902 of said act as last amended by the act approved the eleventh day of May one thousand nine hundred forty-nine (P. L. 1085 and 1092) and by the act approved the eighteenth day of May one thousand nine hundred forty-nine (P. L. 1412) is hereby further amended to read as follows

**Section 902 Size of Vehicles and Loads**

\* \* \* \* \*

(c) No vehicle [except fire department equipment] shall exceed a total maximum length including any load thereon of four hundred twenty (420) inches except fire department equipment and except buses with toilet facilities which shall not exceed a length of four hundred eighty (480) inches and which when in excess of thirty-five (35) feet in over-all length shall not have less than three (3) axles and no combination of two (2) vehicles inclusive of load and bumpers coupled together shall exceed a total maximum length of six hundred (600) inches excepting that nothing in this subsection shall prohibit the transportation by a combination of vehicles of articles impossible of dismemberment which do not exceed seventy (70) feet

1 No motor vehicle shall be operated upon a highway drawing or having attached thereto more than one other vehicle Provided That a [tow] trailer not exceeding ten (10) feet in length may be attached to one motor vehicle for the purpose of towing another vehicle requiring service to which such [tow] trailer is also attached

2 The distance between any two vehicles one of which is towing or drawing the other shall not exceed fifteen (15) feet from one vehicle to the other except when the load on the towed vehicle is coupled directly to and is not more than five (5) feet from the towing vehicle Whenever the connection consists of a chain rope bar or cable there shall be displayed upon such connection a flag not less than twelve (12) inches in length and width Every trailer while being drawn upon the highway shall be so attached to the vehicle drawing the same as to prevent the wheels of such trailer from deflecting more than six (6) inches from the path of the drawing vehicle's wheels



Section 25 The penalty clause of Section 903 of said act as last amended by the act approved the twenty-seventh day of April one thousand nine hundred forty-five (P. L. 328) is hereby further amended to read as follows

**Section 903 Weight of Vehicles and Loads**

\* \* \* \* \*

Penalty Any person operating any vehicle or combination of vehicles upon any highway with a gross weight or with weight on any one axle or wheel exceeding by more than five (5) per centum the maximum [gross] weight allowed in that particular case and not exceeding by more than ten (10) per centum the maximum [gross] weight allowed shall in each case upon summary conviction before a magistrate be sentenced to pay a fine of twenty-five (\$25) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days and any person operating any vehicle or combination of vehicles on any highway with a gross weight or with weight on any one axle or wheel exceeding by more than ten (10) per centum the maximum [gross] weight allowed in that particular case shall in each case upon summary conviction before a magistrate be sentenced to pay a fine of fifty (\$50) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than ten (10) days

Section 26 Section 904 of said act as amended by the act approved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2328) is hereby further amended to read as follows

Section 904 Officers May Weigh Vehicles and Require Removal of Excess Load Any peace officer who shall be in uniform and shall exhibit his badge or other sign of authority having reason to believe that the weight of a vehicle or combination of vehicles and load is unlawful is authorized to weigh the same either by means of portable or stationary scales or may require that such vehicle or combination of vehicles be driven to the nearest stationary scales in the event such scales are within a distance of two (2) miles The peace officer may then require the operator to unload immediately such portion of the load as may be necessary to decrease the gross weight of such vehicle or combination of vehicles to the maximum gross weight specified in this act except as herein provided for special permits And further provided That no arrests shall be made or information brought in cases where the maximum gross weights provided in this act are not exceeded by more than five (5) per centum thereof

Penalty Any person refusing to unload excess weight when so ordered or violating any of the other provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of [ten (\$10) dollars] fifty (\$50) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

Section 27 Section 905 of said act as amended by the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 751) and in part by the act approved the fifth day of June one thousand nine hundred thirty-seven (P. L. 1718) is hereby further amended to read as follows

Section 905 Permits for Excessive Size and Weight (a) The Secretary of Highways of this Commonwealth and local authorities in their respective jurisdictions may in their discretion upon application in writing accompanied by the fee provided in this act and good cause being shown therefor issue a special permit in writing authorizing the applicant to operate or move either a vehicle or combination of vehicles or a vehicle and load or a combination of vehicles and their load or loads of a size or weight exceeding the maximum specified in this act upon any highway under the jurisdiction of and for the maintenance of which the authorities granting the permit are responsible When a permit has been issued by the Secretary of Highways no other authorities shall require any further or additional permit for any portion of the route specified therein Every such permit shall be issued for a

single trip and shall designate the route to be traversed subject to such rules regulations restrictions or conditions as shall be deemed necessary by the authority granting such permit Provided That upon request included in the application a combination permit may be issued for a single continuous round trip whether or not a load or loads may be transported for the entire trip but no substantial increase in the size or weight of vehicle or combination of vehicles or of load shall be made between intermediate points without supplemental permit The Secretary of Highways may in his discretion issue a single permit for any fixed number of movements across the highway of vehicles or combinations thereof exceeding the maximum size or weight specified in this act at specified locations Whenever any such permit shall have been issued for crossing the highway it shall be unlawful to move said vehicles along the highway The movement of any vehicle or load requiring a permit shall impose the obligation on the permittee to restore or replace any section of highway or bridge damaged as a result of such movement whether or not such damage may be attributable to negligence on the part of the permittee Every such permit shall be carried in the vehicle to which it refers and shall be open to inspection by any peace officer or employe of the Department of Highways of this Commonwealth or to any person having collision with or suffering injury from such vehicle

(b) In the event of a catastrophe or accident affecting the public safety or convenience it shall be lawful to operate or move a vehicle of a size or weight in excess of that permitted by this act if a report thereof is immediately made in writing to the Secretary of Highways of this Commonwealth or local authorities In such cases a permit shall issue subsequent to the movement

Penalty Any person operating or moving a vehicle or load of a size or weight exceeding the maximum specified in this act without first having obtained a permit or permits so to do and any person altering or forging a special permit for excessive size and weight or presenting or exhibiting an altered or forged special permit for excessive size and weight shall upon summary conviction before a magistrate be sentenced to pay a fine of fifty (\$50) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than ten (10) days

Section 28 Clause (a) and the penalty clause of Section 1001 of said act as amended by the act approved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2329) is hereby further amended to read as follows

Section 1001 Reckless Driving Reckless driving is unlawful and for the purpose of this act is construed to include the following

(a) Any person who drives any vehicle or street car or trackless trolley omnibus upon a highway carelessly [and wilfully or wantonly] disregarding the rights or safety of others or in a manner so as to endanger any person or property

Penalty Any person charged with reckless driving shall upon summary conviction before a magistrate be sentenced to pay a fine of not less than ten (\$10) dollars nor more than twenty-five (\$25) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than ten (10) days

Section 29 Section 1004 of said act as amended by the act approved the ninth day of June one thousand nine hundred thirty-nine (P. L. 315) is hereby further amended to read as follows

Section 1004 Drive on Right Side of Highway Upon all highways of sufficient width except upon one way streets the driver of a vehicle shall drive the same upon the right half of the highway and shall drive [a slow moving vehicle] as closely as possible to the right-hand edge or curb of such highway unless it is impracticable to travel on such side of the highway and except when overtaking and passing another vehicle subject to the limitations applicable in overtaking and passing set forth in this act Provided however That the provisions of this section shall not apply to ridden animals of the National Guard



or of the Regular Army of the United States of America when actually engaged in training or maneuvers

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of ten (\$10) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

Section 30 Subsections (b) and (d) of Section 1012 of said act as last amended by the act approved the twenty-seventh day of June one thousand nine hundred thirty-nine (P. L. 1135) are hereby further amended to read as follows

#### Section 1012 Signals on Starting Stopping or Turning

(b) The signal herein required shall be given by means of the hand and arm in the manner herein specified or by an approved mechanical or electrical signal device [when the secretary finds that a vehicle is so constructed or loaded as to prevent the hand and arm signal from being visible to the front and rear the signal shall be given by a device of a type which at the time of its use is approved by the secretary]

(d) The secretary is hereby authorized [and it shall be his duty] to make rules and regulations not inconsistent with this act for the efficient administration of this section [excepting that he shall make no finding under subsection (b) of this section relating to mechanical or electrical signal devices affecting commercial vehicles which measure less than thirteen (13) feet from the center of the top of the steering column to the rear end of such vehicle or when the body of such vehicle extends less than twenty (20) inches to the left of the center of the top of the steering column]

Section 31 Subsection (d) of Section 1016 of said act as added by the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 751) is hereby amended to read as follows

#### Section 1016 Vehicles Must Stop at Through Highways and Stop Intersections

(d) This section shall not apply to vehicles when operated with due regard for safety under the direction of the police in the chase or apprehension of violators of the law or [to] persons charged with or suspected of any such violation nor to fire department or fire patrol vehicles responding to a fire alarm nor to ambulances when traveling in emergencies The exemption however shall not protect the driver of any such vehicle from the reckless disregard of the safety of others

Section 32 Subsection (a) and the penalty clause of Section 1019 of said act the former as amended by the act approved the fifth day of June one thousand nine hundred thirty-seven (P. L. 1718) the latter as amended by the act approved the twenty-seventh day of June one thousand nine hundred thirty-nine (P. L. 1135) are hereby further amended to read as follows

#### Section 1019 Stopping on Highways

(a) No person shall park or leave standing any vehicle whether attended or unattended upon the paved or improved or main traveled portion of any highway outside of a business or residence district when it is practicable to park or leave such vehicle standing off the paved or improved or main traveled portion of such highway Provided In no event shall any person park or leave standing any vehicle whether attended or unattended upon any highway unless a clear and unobstructed width of not less than fifteen (15) feet upon the main traveled portion of said highway opposite such standing vehicle shall be left for free passage of other vehicles thereon nor unless a clear view of such vehicle may be obtained from a distance of [three hundred (300)] five hundred (500) feet in each direction upon such highway And further provided No person shall park or stand any vehicle whether attended or unattended in any no parking area where official "No Parking" signs have been erected in accordance with the provisions of section one thousand one hundred and thirteen (1113) of this act

Penalty Any person violating any of the provisions of subsection (a) of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of not less than two (\$2) dollars or more than ten (\$10) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

Section 33 Section 1020 of said act as last amended by the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 751) and in part by the acts approved the sixteenth day of July one thousand nine hundred thirty-five (P. L. 1056) the fifth day of June one thousand nine hundred thirty-seven (P. L. 1718) and the twenty-seventh day of June one thousand nine hundred thirty-nine (P. L. 1135) is hereby further amended to read as follows

Section 1020 Parking Prohibited in Specified Places No person shall park a vehicle or permit it to stand whether attended or unattended upon a highway in any of the following places

- 1 Within an intersection
- 2 On a cross-walk
- 3 Between a safety zone and the adjacent curb or within thirty (30) feet of points on the curb immediately opposite the ends of a safety zone unless local officials shall indicate a different length by signs or markings
- 4 Within twenty-five (25) feet from the intersection of curb lines or if none then within fifteen (15) feet of the intersection of property lines at an intersection of highways
- 5 Within thirty (30) feet upon the approach to any official flashing signal stop sign or traffic signal located at the side of the roadway
- 6 Within fifteen (15) feet of the driveway entrance to any fire station
- 7 Within fifteen (15) feet of a fire hydrant
- 8 In front of a private driveway]
- 9 On a sidewalk
- 10 [Along-side] In front of a private driveway or alongside any street or highway excavation or obstruction nor opposite the same unless a clear and unobstructed width of not less than twenty (20) feet upon the main traveled portion of the said street or highway shall be left free for passage of other vehicles thereon
- 11 On the roadway side of any vehicle stopped or parked at the curb or edge of the highway
- 12 At any place where official signs have been erected prohibiting standing and parking
- 13 Within fifty (50) feet of the nearest rail of a steam or interurban railway crossing
- 14 Where such stopped or parked vehicle would prevent the free movement of a street car
- 15 Except when necessary in obedience to traffic regulations or traffic signs or signals or where angle parking is permitted the operator of a vehicle shall not stop stand or park such vehicle on the highway within a business or residence district other than parallel with the edge of the highway headed in the direction of traffic and with the curb side of the vehicle within six (6) inches of the edge of the highway or curb Vehicles which because of type or construction cannot load or unload parallel to the curb shall be exempt while loading or unloading only from the requirements of standing parallel to the curb

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of not less than two (\$2) dollars nor more than ten (\$10) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

Section 34 Section 1101 of said act as last amended by the acts approved the fifth day of June one thousand nine hundred thirty-seven (P. L. 1718) and the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2329) is hereby further amended to read as follows

#### Section 1101 When Authorities May Restrict Right to Use Highways

(a) The Secretary of Highways of this Commonwealth and local authorities may by ordinance or resolution or ruling prohibit the operation of vehicles upon any high-



way or impose restrictions as to the weight of vehicles and their loads for a total period not to exceed ninety (90) days in any one (1) calendar year when operated upon any highway under the jurisdiction of and for the maintenance of which the Secretary of Highways of this Commonwealth or local authorities are responsible whenever any said highway by reason of deterioration rain snow or other climatic conditions will be seriously damaged or destroyed unless the use of vehicles thereon is prohibited or the permissible weights thereof reduced. The Secretary of Highways of this Commonwealth and local authorities enacting or making any such ordinance or resolution or rule shall erect or cause to be erected and maintained official signs designating the provisions of the ordinance or resolution or rule at each end of that portion of any highway affected thereby and at intersections thereof and the ordinance or resolution or rule shall not be effective until or unless such official signs are erected and maintained except that local authorities shall have no power or authority to prohibit the operation of vehicles upon a State highway without first obtaining the consent of the Secretary of Highways.

(b) Whenever necessary for the protection of any highway or the safety of traffic thereon the Secretary of Highways of this Commonwealth or local authorities may also by ordinance or resolution or rule prohibit the operation of motor vehicles trailers or semi-trailers on designated highways as to the weights and loads thereon which prohibitions and limitations shall be designated by official signs placed on such highways and their intersections except that local authorities shall have no power or authority to prohibit the operation of vehicles upon a State highway without first obtaining the consent of the Secretary of Highways.

Penalty Any person refusing to unload excess weight when so ordered by a peace officer in uniform or violating any of the other provisions of this section or violating any ordinance resolution or ruling promulgated under the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of fifty (\$50) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days.

Section 35 Section 1102 of said act as amended by the act approved the fifth day of June one thousand nine hundred thirty-seven (P. L. 1718) is hereby further amended to read as follows:

Section 1102 Regulating Weight of Vehicles on Bridges If any bridge causeway or viaduct owned or maintained whether owned in whole or in part by this Commonwealth or local authorities other than interstate bridges as now provided by law shall have official signs properly posted in conspicuous places at the entrances thereto stating the gross maximum weight permitted thereon it shall be unlawful for any person to drive or cause to be driven upon any such bridge causeway or viaduct any vehicle which together with its load shall be of greater gross maximum weight than is stated on such signs.

Penalty Any person refusing to unload excess weight when so ordered by a peace officer in uniform or violating any of the other provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of fifty dollars (\$50) and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days.

Section 36 Article XI of said act is hereby amended by adding immediately following Section 1114 thereof a new section to read as follows:

Section 1115 Uniform Law for Transportation of Dangerous Articles by Motor Vehicle

(a) Definitions As used in this section

(1) "Highway" shall mean and include any public street alley road tunnel bridge viaduct turnpike or parkway

(2) "Dangerous article" shall mean any flammable liquids flammable solids oxidizing materials corrosive liquids compressed gases poisonous substances and radioactive materials as hereinafter defined when transported

as cargo by motor vehicle on a highway. This section however shall not apply to explosives as defined in the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2681) entitled "An act relating to and regulating the manufacture storing and possession of explosives requiring permits for magazines and prescribing permit fees and providing penalties" or to flammable liquids transported in tank trucks tank trailers or tank semi-trailers in accordance with any other provision of this act.

(3) "Flammable liquids" shall mean any liquid which gives off flammable vapors (as determined by flash point from Tagliabue's open cup tester as used for test of burning oils) at or below temperature of 80 degrees F.

(4) "Flammable solids" shall mean any solid substance other than an explosive as above defined which is liable under conditions incident to transportation to cause fires through friction through absorption of moisture through spontaneous chemical changes or as a result of retained heat from the manufacturing or processing.

(5) "Oxidizing materials" shall mean any substance such as a chlorate permanganate peroxide or a nitrate that yields oxygen readily to stimulate the combustion of organic matter.

(6) "Corrosive liquids" shall mean those acids alkaline caustic liquids and other corrosive liquids which when in contact with living tissue will cause severe damage of such tissue by chemical action or in case of leakage will materially damage or destroy other freight by chemical action or are liable to cause fire when in contact with organic matter or with certain chemicals.

(7) "Compressed gas" shall mean any material or mixture having in the container either an absolute pressure exceeding forty (40) pounds per square inch at seventy (70) degrees F or an absolute pressure exceeding one hundred four (104) pounds per square inch at one hundred thirty (130) degrees F or both or any liquid flammable material having a Reid vapor pressure exceeding forty (40) pounds per square inch absolute at one hundred (100) degrees F.

(8) "Poisonous substances" shall mean liquids and gases of such nature that a very small amount of the gas or vapor of the liquid mixed with air is dangerous to life or such liquid or solid substance as upon contact with fire or when exposed to air give off dangerous or intensely irritating fumes or substances which are chiefly dangerous by external contact with the body or by being taken internally.

(9) "Radioactive materials" shall mean any material or combination of materials that spontaneously emits ionizing radiation.

(b) It shall be unlawful to transport by motor vehicle over the highways within this State any dangerous article in such manner or conditions as will unreasonably endanger the person or property of others.

(c) It shall be unlawful to transport by motor vehicle over the highways within this State any dangerous article without conspicuously making or placarding any motor vehicle engaged in such transportation on each side and on the rear thereof with the word "Dangerous" or the common or generic name of the substance transported or its principal hazard provided that the secretary may by regulation issue after a public hearing prescribe with respect to any specific dangerous article the minimum quantities below which no placard shall be required.

(d) Nothing in this section shall apply to shipment or transportation of any dangerous article by rail or by water nor to shipment or transportation of any dangerous article by highway when packed marked labeled placarded or accompanied by shipping papers in conformity with the applicable regulations of the Interstate Commerce Commission or exempt from specification packaging marking labeling or placarding requirements thereunder nor to the regular military or naval forces of the United States nor to the duly authorized militia or any state or territory thereof nor to the police or fire departments of this State or of its counties cities borough towns townships agencies or instrumentalities providing the same.



are acting within their official capacity and in the performance of their duties

(e) Any violation of any provision of this section which results in death or injury to any person or damage to property in excess of the value of five thousand dollars (\$5,000) shall in addition to any other liability imposed by law constitute a felony

(f) Except as provided in subsection (e) of this section any violation of this section shall be a misdemeanor and be punishable for a first violation by a fine not exceeding five hundred dollars (\$500) or by imprisonment not exceeding sixty (60) days or both such fine and imprisonment and for a subsequent violation by a fine not exceeding one thousand dollars (\$1,000) or by imprisonment not exceeding six (6) months or both such fine and imprisonment

(g) This section shall be liberally construed and shall be so interpreted construed and administered as to make uniform the law of those states which enact it

(h) The provisions of this section shall become effective thirty days after the effective date of this act

Section 37 Section 1201 of said act as last amended by the act approved the eighteenth day of May one thousand nine hundred forty-nine (P. L. 1412) is hereby further amended to read as follows

#### Section 1201 Limitations of Actions

(a) Informations charging violations of any of the summary provisions of this act shall be brought before the nearest available magistrate within the city borough incorporated town or township in the county where the alleged violation occurred Provided however That where there is no substantial difference between the respective distances from the place where the alleged violation occurred to the offices of more than one magistrate any such prosecution may be brought before any one of such magistrates or if there is no person holding the office of magistrate in such city borough incorporated town or township then such information shall be brought before such nearest available magistrate in any adjoining city borough incorporated town or township in the county within fifteen (15) days after the commission of the alleged offense and not thereafter except that where an information is filed against a person prima facie guilty of a summary offense and it subsequently appears that a person other than the person named in the information was the offender an information may be filed against such other person within fifteen (15) days after his or her identity shall have been discovered and excepting further that informations charging violations of the provisions of sections 205 207 210 212 213 406.1 506 (a) 511 610.1 620 (j) and 813 of this act may be brought within fifteen (15) days after it is discovered that a violation of any of these sections has been committed

(b) Where the offense committed is designated a felony or a misdemeanor information may be filed as now provided by law

Section 38 Subsection (c) and the penalty clause of Section 1218 of said act are hereby amended to read as follows

#### Section 1218 Signals and Investigations of Officers

(c) Any peace officer or department employee who shall be in uniform or shall exhibit a badge or other sign of authority shall have the right to inspect any motor vehicle in any public garage or repair shop and on the premises of any dealer for the purpose of locating stolen motor vehicles and investigating the title and registration of motor vehicle and for such purpose the owner of any such garage or repair shop and any such dealer shall permit any such peace officer or department employee without let or hindrance to make investigation as herein authorized

Penalty Any person failing to comply with the signals or requests of peace officers or department employees as provided in this section shall upon summary conviction before a magistrate be sentenced to pay a fine of ten (\$10) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

Section 39 The act approved the ninth day of February one thousand nine hundred forty-five (P. L. 3) entitled "An act authorizing the Secretary of Revenue to issue one registration plate for motor vehicles during the present war and for a period of not longer than two years thereafter and making it lawful to operate a motor vehicle with only one registration plate attached thereto as provided herein" is hereby repealed

Section 40 Article XII of said act is hereby amended by adding immediately following section 1216 thereof a new section to read as follows

Section 1216.1 Uniformity of interpretation this act shall be so interpreted and construed as to effectuate its general purpose to make uniform the law throughout this Commonwealth and all the subdivisions thereof

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

Shall the bill pass finally

On the question,

Shall the bill pass finally

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Bane,	Haluska,	McPherson, Jr.,	Stevenson,
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peelor,	Wade,
Byrne,	Lane,	Probert,	Wagner,
Chapman,	Leader,	Robinson,	Walker,
Crowe,	Letzler,	Rosenfeld,	Watkins,
Dent,	Mahany,	Ruth,	Watson,
Diehm,	Mallery,	Scarlett,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,	McMenamin,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1538, as follows:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto section twenty-two

The General Assembly of the Commonwealth of Pennsylvania hereby resolves as follows

Section 22 In addition to the purposes stated in article nine of the Constitution the Commonwealth may be authorized by law to create debt and to issue bonds in order to purchase and cancel all or any part of the obligation of The General State Authority not in excess of \$175,000,000 and the State Highway and Bridge Authority not in excess of \$40,000,000 or either of them

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:



## YEAS—50

Bane,	Haluska,	McPherson, Jr.,	Stevenson,
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peelor,	Wade,
Byrne,	Lane,	Propert,	Wagner,
Chapman,	Leader,	Robinson,	Walker,
Crowe,	Letzler,	Rosenfeld,	Watkins,
Dent,	Mahany,	Ruth,	Watson,
Diehm,	Mallery,	Scarlett,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed	McMenamin,		

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

## RECESS

Mr. WALKER. Mr. President, I move that the Senate do now take a recess for five minutes, to permit a meeting of the Committee on Appropriations.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

## AFTER RECESS

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

## SECOND READING CALENDAR

## BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the reading and consideration of House Bill No. 111, entitled:

An Act to further amend section 506 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" providing for the modification of support orders in bastardy cases

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. MAHANY offered the following amendments:

Amend Sec. 1, (Sec. 506), page 3, line 4, by striking out the word "On" and inserting in lieu thereof: "After a hearing on the"; amend Sec. 1, (Sec. 506), page 3, line 5, by striking out the word "modified" and inserting in lieu thereof: "increased or decreased."

They were agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. MAHANY offered the following amendment:

Amend Title, page 1, next to last line of Title, by striking out the word "modification" and inserting in lieu thereof: "increase or decrease."

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, and agreed to, as amended,

Ordered, To be transcribed for a third reading.

## BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 161, entitled:

A Joint Resolution proposing an amendment to section eight article five of the Constitution of the Commonwealth of Pennsylvania authorizing the Courts of Common Pleas of Allegheny County to detail one or more of the judges of the County Court to hold the courts of oyer and terminer and the courts of quarter sessions of the peace of said county

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 228, entitled:

An Act to amend section 733 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by providing for an alternate procedure in desertion and nonsupport cases

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 235, entitled:

A Joint Resolution proposing an amendment to section one, article nine of the Constitution of the Commonwealth of Pennsylvania making special provisions for the taxation of private forest reserves.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 290, entitled:

An Act providing for a referendum to determine the will of the electorate in regard to constitutional convention

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,



The Senate proceeded to the second reading and consideration of House Bill No. 445, entitled:

An Act to amend Section 11 of the act approved the twenty-seventh day of June one thousand nine hundred forty-seven (P. L. 1095) entitled "An act providing for the regulation of mining of anthracite coal by the open pit or strip mining method and for the conservation and improvement of lands affected directly or indirectly by such mining requiring operators to register pay a license fee and secure a permit to engage in strip mining and file a bond conditioned for compliance with this act requiring backfilling of stripping pits and leveling and planting lands affected to prevent erosion and the pollution of waters and to protect public health safety and welfare conferring powers and imposing duties upon the Department of Mines and the Department of Forests and Waters providing for appeals and imposing penalties and making appropriations" by clarifying the requirement for backfilling adjacent to highways,

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 531, entitled:

An Act to further amend Section 1 of the act approved the eighth day of June one thousand eight hundred ninety-three (P. L. 344 No. 284) entitled "An act relating to husband and wife enlarging her capacity to acquire and dispose of property to sue and be sued and to make a last will and enabling them to sue and to testify against each other in certain cases" clarifying the prohibition against a married woman's right to sell real estate without the joinder of her husband

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 532, entitled:

An Act to reenact Section 802 of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" relating to approval of joint plans of merger or consolidation of nonprofit corporations by the members thereof in order to clarify effect of prior amendments

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 576, on second reading, entitled:

An Act to further amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by permitting certain districts to make their own enumeration for per capita tax purposes

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 634, on second reading, entitled:

An Act to amend the act approved the first day of June one thousand nine hundred fifteen (P. L. 701) entitled "An act regulating the payment of persons in the employ of the Commonwealth" by providing for pay-days every two weeks

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

### BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 658, entitled:

An Act authorizing council of cities of the second class to fix the salaries of the mayor and the council members of such cities and to provide for the assessment and retention of fines for absence of councilmen from meetings

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 745, on second reading, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing, or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions



shall be determined" by creating the Pennsylvania Library Council prescribing its powers and duties providing for a State librarian and for certification of libraries and librarians and for minimum standards for public library service

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

### BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 753, entitled:

An Act providing for an enumeration of persons subject to per capita and occupation taxes in counties wherein are situate school districts of the second third and fourth class placing the expense thereof on taxing districts authorized by law to levy such taxes conferring powers and imposing duties on boards of school directors of such school districts county commissioners and chief county assessors in such counties

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 789, entitled:

An Act to further amend clause (b) of Section 507 and clause (c) of Section 2403 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by making special provision for the purchase of coal for use in any State hospital or any other State institution

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILL RECOMMITTED

Mr. WALKER. Mr. President, I move that House Bill No. 792, on second reading, entitled:

An Act providing for treatment and cure in designated State institutions of persons habitually addicted to the use of opiates and for their admission to and care therein and the payment of the cost thereof and making an appropriation

be recommitted to the Committee on Appropriations.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

### BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 811, on second reading, entitled:

An Act to add section 1501.1 to the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by empowering township supervisors to compel connection with and use of sewer systems constructed by municipal authorities to impose penalties to enforce regulations and orders and to connect properties of owners failing or neglecting to make connection

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

### BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 812, entitled:

An Act to amend the title and certain sections of and to add new sections to the act approved the thirtieth day of June one thousand nine hundred forty-seven (P. L. 1154) entitled "An act to prohibit the manufacture and sale of oleomargarine or butterine and other similar products when colored in imitation of yellow butter to provide for license fees to be paid by manufacturers wholesale and retail dealers and by proprietors of hotels restaurants dining-rooms and boarding-houses for the manufacture or sale of oleomargarine butterine or other similar products not colored in imitation of yellow butter to regulate the manufacture sale and advertising of oleomargarine butterine or other similar products not colored in imitation of yellow butter and prevent and punish fraud and deception in such manufacture sale and advertising as an imitation butter to prescribe penalties and punishment for violation of this act and the means and method of procedure for its enforcement to regulate certain matters of evidence in such procedure and to prescribe certain powers and duties of the Department of Agriculture" by permitting the manufacture and except in certain cases the sale of colored oleomargarine butterine and similar products

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 813, entitled:

An Act to further amend the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by further regulating the preparation of the budget and fiscal affairs of counties

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.



Agreeably to order.

The rule requiring bills to be considered in committee of the whole being in this case dispensed with.

The Senate proceeded to the second reading and consideration of Senate Bill No. 815, entitled:

An Act providing for the payment into Orphans' Court and the State Treasury of money or other property due a legatee devisee distributee or beneficiary of a trust when it appears such person would not have the benefit use or control of such money or other property

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in committee of the whole being in this case dispensed with.

The Senate proceeded to the second reading and consideration of Senate Bill No. 818, entitled:

An Act to further amend Section 3062 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by further regulating publication of notice of land subdivision ordinances

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 819, entitled:

An Act to further amend the act approved the first day of June one thousand nine hundred forty-five (P. L. 1358) entitled "An act relating to chattel mortgages on any chattel or chattels of any kind or description including but not limited to livestock poultry farm machinery farm equipment and crops grown growing or to be grown designating the operation and effect of the lien of such mortgages providing for the filing indexing and docketing of such mortgages and related instruments in prothonotaries' offices and prescribing prothonotaries fees providing for the filing in Pennsylvania of similar lien instruments originally filed or recorded in other states regulating the assignment release satisfaction and extension of the lien of such mortgages prescribing methods of foreclosure defining defaults and violations and fixing penalties" by providing that chattel mortgages may be given as security for principal obligations other than bonds or notes eliminating the requirement of witnesses providing additional remedies to mortgagees as against third persons and providing that the provisions of the act be liberally construed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 826, on second reading, entitled:

An Act to further amend the act approved the eighth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement

board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes of payments therefrom and providing for the guaranty by the Commonwealth of certain said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by redefining the term "final salary" and further providing the manner of computing employes' annuities

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 878, on second reading, entitled:

An Act to amend the act approved the thirteenth day of June one thousand nine hundred eleven (P. L. 903) entitled "An act to prevent frauds against carriers of passengers for hire within this Commonwealth and prescribing penalties for the breach of the provisions hereof" by changing penalties and defining magistrate

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 984, on second reading, entitled:

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further providing for exceptions to compulsory attendance

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1056, on second reading, entitled:

An Act to further amend clause (q) of section seven hundred thirty-one of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by providing additional penalties

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1068, on second reading, entitled:

An Act to further amend Section 2405 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments



boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by permitting delivery of unserviceable property to Superintendent of Public Instruction without charge for assignment to school districts

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1108, on second reading, entitled:

An Act to repeal the act approved the sixth day of June one thousand nine hundred thirteen (P. L. 452) entitled "An act to amend an act 'Providing for the appointment of a board of visitation for institutions societies and associations caring for dependent neglected or delinquent children' approved the twenty-sixth day of February Anno Domini one thousand nine hundred and three and making it the duty of the board of visitation to visit all institutions within the county which receive their inmates from more than one county and are in whole or in part supported and managed by the Commonwealth and all institutions which are wholly supported and managed by any county city borough or township of the poor district of the Commonwealth and providing for the making of nominations of appointment on the boards of visitation"

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1133, on second reading, entitled:

An Act to further amend sections seven eleven and twenty-one point one to the act approved the sixth day of August one thousand nine hundred forty-one (P. L. 861) entitled "An act to create a uniform and exclusive system for the administration of parole in this Commonwealth establishing the 'Pennsylvania Board of Parole' conferring and defining its jurisdiction duties powers and functions including supervision of persons placed upon probation in certain designated cases providing for the method of appointment of its members regulating the appointment removal and discharge of its officers clerks and employes dividing the Commonwealth into administrative districts for purposes of parole fixing the salaries employes thereof making violations of certain provisions of members of the board and of certain other officers and of this act misdemeanor providing penalties therefor and for other cognate purposes and making an appropriation" by removing the ceiling on salaries of the secretary of the board and of the district supervisors making the amount of such salaries subject to the determination of the executive Board and by further defining the jurisdiction duties powers and functions of the Pennsylvania Board of Parole

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

## BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in committee of the whole being in this case dispensed with.

The Senate proceeded to the second reading and consideration of House Bill No. 1290, entitled:

An Act to amend section one of the act approved the nineteenth day of May one thousand eight hundred and ninety-seven (P. L. 77) entitled "An act granting the permission and regulating the establishment and operation of bone boiling establishments and depositories of dead animals in the Commonwealth of Pennsylvania and pro-

viding for violations of the provisions of this act" by adding the requirement that permission to erect or operate such establishments in counties which have organized a county department of health or joint-county department of health must be obtained from the county department of health or joint-county department of health

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1300, entitled:

An Act to amend sections one two three and five of the act approved the fifth day of June one thousand nine hundred and thirteen (P. L. 443) entitled "An act for the prevention of blindness by requiring the reporting of cases of ophthalmia neonatorum (inflammation of the eyes of infants) by physicians midwives and others and requiring the reporting of results of treatment of each case of said disease and fixing a penalty for violation thereof" by adding county departments of health or joint-county departments of health to the health authorities to which cases of ophthalmia neonatorum must be reported

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1301, entitled:

An Act to further amend section fifteen of the act approved the nineteenth day of June one thousand nine hundred and thirty-one (P. L. 589) entitled as amended "An act to promote the public health and safety by providing for the examination and licensure of those who desire to engage in the occupation of barbering regulating barber shops and barber schools and apprentices and students therein regulating compensation for service rendered conferring certain powers and duties on the Department of Public Instruction and providing penalties" by adding counties which have established a county department of health or joint-county department of health to the political subdivisions empowered to regulate barber shops by ordinances or regulations not inconsistent with law

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1303, entitled:

An Act to provide revenue for State purposes by imposing a property tax, for a limited period of time, on the net incomes derived from sources within the Commonwealth of certain corporations, joint-stock associations and limited partnerships; excluding certain income; providing for the assessment, collection, settlement and resettlement of taxes, and reviews and appeal therefrom; conferring powers, and imposing duties on certain persons, corporations, joint-stock associations, limited partnerships, State, and county officers, boards, and departments; making an appropriation; and providing penalties.



And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### REPORT FROM COMMITTEE

Mr. HOLLAND. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HOLLAND, from the Committee on Appropriations, re-reported as committed, House Bill No. 718, entitled:

An Act making a deficiency appropriation to aid certain school districts.

### PERMISSION TO ADDRESS SENATE

Mr. HALUSKA asked and obtained unanimous consent to address the Senate.

Mr. HALUSKA. Mr. President, today we found a shining example of what takes place in local districts when public officials fail to do their duty. This afternoon my colleague from Allegheny County, Mr. Holland, spoke sincerely upon the distressed condition of the schoolteachers in Schuylkill County and rightfully so, but, Mr. President, we find that condition was created by men. Schuylkill County is not broke; the county itself is prospering. Thousands upon thousands of tons of coal are mined daily, and I had the privilege back in the year of 1937, with Senator Reed and at that time Senator Watkins, to sit in the Court House to try to determine what was wrong in Schuylkill County, and despite our honest effort, we found that coal lands were being transferred from man to man, from company to company, and we could not seem to find the owner, and that day I predicted that some day we will find this community broke. They will not be in position to pay the schoolteachers and other obligations. The day has arrived today.

Mr. President, I am in sympathy with schoolteachers who reside and teach in any distressed district. They must be paid, they should be paid, but the County of Schuylkill is not distressed. The County Commissioners and the Judges, if you please, should be surcharged for neglect in not performing their duties. If every county in the Commonwealth would do likewise, this Commonwealth would be broke tomorrow. We could not function. Why should people back in my county assess their coal lands, and Westmoreland County, and Washington County, and Lackawanna County and so on, to help pay this bill, and Schuylkill County and Northumberland County have taken the position that they will get a free ride? I say it is a political steal, if ever we had one in the Commonwealth, for we to sit here today and give them \$750,000 to meet obligations that they have failed to do themselves. If there were no coal mines in Schuylkill County, if they had no way of raising funds, then it is our obligation to help pay these teachers, but Schuylkill County is prospering, and when County Commissioners go to the courts and try to assess an evaluation upon the coal lands, the Judges in Schuylkill County uphold the coal operator and they have failed to do their duty.

Now, Mr. President, I will go along with this present bill but before we adjourn, mark my words, you will have another bill to obligate thousands upon thousands of dollars for Schuylkill County again for the next biennium. Now, how long can we continue this? You are setting a

pattern, Mr. President, that is going to spread a blueprint to be copied by other counties, and rightfully so, and by the next two years every coal county in the Commonwealth will come before this body with the same cry that they are broke, and they have a right to. If you are going to appropriate that type of money to Schuylkill County, because the officials are not doing their duty, you have the same right to make an appropriation to my county and other coal counties. I never saw the like of it.

I say again, the Judges and the County Commissioners should be called in before a Committee of the Senate to determine the facts as to why they cannot assess these coal lands. The coal is being mined daily, it is being sold daily. It is not a case of being shut down. They are shipping coal out every hour, but no one gets any taxation from it. I say it is a warning that is going to spread, and you will find yourself confronted with the same condition two years from now in other counties as you have in Schuylkill County. It is not fair for us to lean backwards and spend the Commonwealth's money for a county that will do nothing for itself. No wonder they vote Republican, they should. No wonder they go out and make huge appropriations, they should. It is coming out of this till. They certainly are paying their political debts, and I say it is not fair. It is not right, and before you pass your next bill, I am asking this Senate to call in the powers that be and have them give a reason why they cannot arrive at the ownership for these coal lands, and assess them in Schuylkill County in the same manner as they are assessed in my county and other counties in the Commonwealth.

### PERMISSION TO ADDRESS SENATE

Mr. WALKER asked and obtained unanimous consent to address the Senate.

Mr. WALKER. Mr. President, I would like to take the privilege of answering the gentleman from Cambria, and I certainly know that the distinguished gentleman from Schuylkill, who is champing at the bit, desires to do so, and the activity which has so suddenly broke out from this animated stagnation that we have been in for some time would indicate that there are other Members of the Senate that would like to comment on the subject matter of the bill that was just referred from Committee.

Now, Mr. President, may I, in all respect and fairness, suggest that if you just will let us finish the Second Reading Calendar, we can then revert to bills that are not before us and debate them.

I have a lot of things I would like to say in defense of Schuylkill County. I probably will not say them as well or as enthusiastically as Senator Wagner. I ask the gentlemen to yield until we finish the Second Reading Calendar. We have had the desk here all afternoon, and many of us have been up here on the Hill since eight o'clock this morning. I did not know it was going to drag out this late or I would have recessed in order to give the desk a chance to eat. So, if you will just bear with me until we finish the Second Reading Calendar and give the desk some relief, then we will all discuss Schuylkill County.

### PERMISSION TO ADDRESS SENATE

Mr. WAGNER asked and obtained unanimous consent to address the Senate.



Mr. WAGNER. Mr. President, I reluctantly agree to that very logical suggestion, but I would like to call the attention of the Senate to the fact that I have just been summoned to an office down stairs on a matter that is very vital to the Senate and the people of the Commonwealth. Whether I will be back in time to enjoy the remainder of this I do not know, but in case I am not, I should like the privilege to revert to this subject at a later date and discuss it a little more fully.

#### PERMISSION TO ADDRESS SENATE

Mr. WALKER ask and obtained unanimous consent to address the Senate.

Mr. WALKER. Mr. President, I assure the gentleman from Schuylkill that this bill will be open from now until we adjourn sine die. It is not that Schuylkill County needs any long-winded defense, but you are certainly entitled to have a word of defense against those who besmirch the honor of Schuylkill County.

#### SECOND READING CALENDAR

#### BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1309, entitled:

An Act to amend sections one and two as amended sections four five six seven and eight and sections nine and ten as amended of the act approved the twenty-eighth day of June one thousand nine hundred and twenty-three (P. L. 888) entitled "An act to safeguard human life and health throughout the Commonwealth by providing for the reporting quarantining and control of diseases declared communicable by this act or by regulations of the Department of Health providing for the prevention of infection therefrom and prescribing penalties" by changing the method of approval of communicable disease regulations by the advisory health board and by adding counties which have established a county department of health or joint-county department of health to the political subdivisions required or empowered to perform certain duties relating to the reporting quarantining and control of diseases declared communicable by law or regulation

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1310, entitled:

An Act to improve local health administration throughout the Commonwealth by authorizing the creation establishment and administration of single-county or joint-county departments of health in all counties except counties of the first class exempting certain municipalities from the jurisdiction of single-county or joint-county departments of health permitting the dissolution of departments or boards of health in certain municipalities authorizing State grants to counties which establish departments of health and to certain municipalities if they meet prescribed requirements conferring powers and duties upon the State Department of Health in connection with the certain establishment and administration of single-county or joint-county departments of health the administration

of the health laws in parts of certain municipalities not subject to the jurisdiction of single-county or joint-county departments of health and the administration of State grants and repealing an act which confers health powers upon counties of the first class

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1311, entitled:

An Act to amend section four hundred forty-seven of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by deleting those provisions which require such counties to cooperate with the State Department of Health and boroughs and first class townships and deleting those provisions which prescribe the appointment of health officers the approval of appointments by the State Department of Health and the powers and duties of appointees

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1333, entitled:

An Act to amend sections five and eighteen of the act approved the second day of July one thousand nine hundred and thirty-five (P. L. 589) entitled "An act to safeguard human health and life by providing for the issuance of permits to and regulation of persons and entities selling milk and milk products conferring powers and imposing duties on the Secretary of Health the Advisory Health Board and otherwise providing for the administration of the act and imposing penalties" by adding counties which have established or joined in establishing county departments of health to those municipalities which may be constituted agents of the Secretary of Health for the purpose of issuance of milk permits and by adding county department of health regulations to those municipal ordinances not affected by the act

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1334, entitled:

An Act to amend section one of the act approved the seventh day of April one thousand nine hundred and twenty-seven (P. L. 144) entitled "An act authorizing boards of health to require roving bands or bands of nomads commonly called gypsies declared to be nuisances or menaces to health to leave municipalities and providing penalties" by adding county departments of health and joint-county departments of health as alternate health authorities which may make findings and issue orders under the act



And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1346, on second reading, entitled:

An Act to amend the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by clarifying certain provisions thereof and correcting grammatical and typographical errors therein

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1347, on second reading, entitled:

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by making corrections and conforming certain provisions to existing practice

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

### BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1348, entitled:

An Act to amend Section 1 of the act, approved the eighth day of May, one thousand nine hundred one (P. L. 150) entitled "An act providing for the raising of revenue for State purposes, by imposing upon certain foreign corporations, limited partnership and joint stock associations a bonus of one-third of one per centum upon the capital actually employed in Pennsylvania, and requiring the filing of certain reports in the office of the Auditor General," by exempting from the provisions thereof foreign nonprofit corporations.

And said bill having been read at length the second time and agreed on,

Ordered, To be transcribed for a third reading.

### BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1370, on second reading, entitled:

An Act to further amend Section 2004 of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and con-

solidating the law relating thereto" by limiting to forty-eight hours the work week of police officers except in emergencies

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

### BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1376, entitled:

An Act to further amend subsection (a) of section two hundred seven and subsection (f) of section four hundred forty-eight and to amend section two thousand one hundred eleven of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" by prescribing the qualifications for the Secretary of Health and by reconstituting the Advisory Health Board further prescribing its powers and duties

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1377, entitled:

An Act to amend sections two four five and six of the act approved the second day of July one thousand eight hundred and ninety-five (P. L. 428) entitled "An act to regulate and license public lodging-houses in the different cities in this Commonwealth" by adding county departments of health and joint-county departments of health to the health authorities empowered by the act to render certificates make inspections and adopt rules and regulations

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1378, on second reading, entitled:

An Act providing for the examination licensure and registration of persons firms or corporations engaged in the business or work of plumbing or house and building



drainage and prescribing certain rules regulations and requirements for the construction of plumbing house and building drainage and cesspools in cities of the second class second class A and third class and imposing fines penalties and forfeitures for violation thereof and providing for administration of this act by county departments of health or joint-county departments of health in cities of the second class second class A and third class which are within the jurisdiction of such departments of health and repealing certain laws

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1379, on second reading, entitled:

An Act to authorize the revival of judgments entered in favor of the Commonwealth of Pennsylvania by filing a suggestion of nonpayment

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1380, on second reading, entitled:

An Act to amend the title and to further amend section four of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2045) entitled as amended "An act relating to the support of indigent persons providing for the support of such persons by certain relatives and for the recovery of public moneys expended for care and assistance from the property and estates of such persons providing for guardians of the person and property of such persons providing for the arrest and seizure and sale of the property of deserters and providing procedure" by further defining the liability of property for expenses incurred for support maintenance assistance and burial

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1431, on second reading, entitled:

An Act providing for the licensure and regulation of commercial boarding homes for the aged conferring certain powers and duties upon the Department of Welfare imposing license fees and providing penalties

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1432, on second reading, entitled:

An Act to further amend Section 1 of the act approved the eleventh day of July one thousand nine hundred twenty-three (P. L. 1032) entitled "An act providing for the abatement of nuisances caused by the improper grading or defective paving or encroaching fences in alleys in cities of the first class for the establishment of lines and grades for and grading paving or repaving of said alleys and the grading of private alleys hereafter laid out and for apportioning the cost and for the filing of liens therefor" by giving property owners a longer period of time in which to abate nuisances

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1449, on second reading, entitled:

An Act to amend the act approved the twelfth day of June one thousand nine hundred fifty-one (Act Number 141) entitled "An act relating to mental health including mental illness mental defect epilepsy and inebriety and amending revising consolidating and changing the laws relating thereto" by further defining "qualified physician" and "medical examiner"

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1463, on second reading, entitled:

An Act to repeal the act approved the twenty-sixth day of February one thousand nine hundred three (P. L. 8) entitled "An act providing for the appointment of boards of visitation for institutions societies and associations caring for dependent neglected and delinquent children"

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1470, on second reading, entitled:

An Act to repeal the act approved the thirteenth day of April one thousand eight hundred sixty-eight (P. L. 1017) entitled "An act to provide for the collection of state county poor and military taxes in the county of Bedford" so far as it relates to Bedford County

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1476, on second reading, entitled:

An Act to further amend Article III of the act approved the seventh day of March one thousand nine hundred one (P. L. 20) entitled "An act for the government of cities of the second class" by fixing maximum hours of service for patrolman and providing for compensation for extra services in emergencies.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

## BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1487, entitled:

An Act to provide for the expenses of the Joint State Government Commission of the General Assembly beginning June first one thousand nine hundred and fifty-one and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and fifty-one.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

## BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1504, on second reading, entitled:



An Act to amend the act approved the twenty-sixth day of May one thousand nine hundred forty-nine (P. L. 1828) entitled "An act concerning the investment powers and duties of guardians committees trustees and other fiduciaries except personal representatives and prescribing the nature and kind of investments which may be made and retained by such fiduciaries" by declaring the obligations of Redevelopment Authorities issued pursuant to the law of Pennsylvania to be legal investments for fiduciaries.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1512, on second reading, entitled:

An Act relating to records of governmental departments or agencies or private business institutions professions or callings authorizing the reproduction or recording thereof by any photographic photostatic microfilm micro-card miniature photographic or other similar process providing for the admissibility of such reproductions in evidence and the disposition of the original records.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1535, on second reading, entitled:

An Act to amend clauses (r) and (s) of subsection B of section four of the act approved the second day of May one thousand nine hundred forty-five (P. L. 382) entitled "An act providing for the incorporation as bodies corporate and politic of "Authorities" for municipalities counties and townships prescribing the rights powers and duties of such Authorities heretofore or hereafter incorporated authorizing such Authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such authorities authorizing such Authorities to enter in contracts with and to accept grants from the Federal Government or any agency thereof and conferring exclusive jurisdiction on certain courts over rates" by clarifying and correcting the provisions of said clauses authorizing Authorities to charge the cost of sewer construction against properties benefited improved or accommodated thereby and providing for the enforcement of such charges.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1574, on second reading, entitled:

An Act to further amend the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by changing certain provisions relating to contracts recreation places highways and expense accounts of delegates to conventions

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1578, on second reading, entitled:

An Act to further amend Section 4 of the act approved the twenty-eighth day of May one thousand nine hundred

thirty-seven (P. L. 1019) entitled "An act relating to statutory laws prescribing an enacting clause for statutes fixing the effective date and time of statutes hereafter enacted providing for notice of application for local and special legislation for the correction of errors in statutes and for the printing and publication of statutes prescribing rules for the interpretation of statutes defining certain words and phrases when used in statutes and prescribing rules for the construction and operation of amendments reenactments and appeals of statutes" by changing the effective date of laws in certain cases.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

#### FIRST READING CALENDAR

#### BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 587, on second reading, entitled:

An Act providing a method for the reestablishment of townships of the first class from any city to which they have been annexed regulating the proceedings pertaining thereto and reestablishing the same as separate school districts.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

#### BILLS ON FIRST READING

Mr. WALKER. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. WADE. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 718, entitled:

An Act making a deficiency appropriation to aid certain school districts.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1057, entitled:

An Act to add Section 6.1 to the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1216) entitled "An act to define real estate brokers and real estate salesmen and providing for the licensing regulation and supervision of resident and nonresident real estate brokers and real estate salesmen and their business" by authorizing the issuance of limited real estate prokers' and salesmen's licenses within a limited field or branch of the real estate business and conferring powers and imposing duties upon the Department of Public Instruction and the State Real Estate Commission with respect to examination for and the issuance of such licenses

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1605, entitled:



An Act authorizing allocations to the Treasury Department and the Department of the Auditor General from the appropriation to the Department of Public Assistance Act 27-A approved June thirtieth one thousand nine hundred fifty-one for the administrative expenses in auditing and disbursing the appropriations made by said act during the month of August one thousand nine hundred fifty-one.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1611, entitled:

An Act making an appropriation to the Department of Welfare for the purpose of administering the "Pennsylvania Hospital Survey and Construction Act of 1947."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1612, entitled:

An Act making an appropriation for the payment of expenses incurred by the State Council of Civil Defense.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1613, entitled:

An Act making an appropriation to the Department of Public Instruction including proceeds of publications sold for the purpose of revising the curricula of elementary secondary and vocational schools.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1614, entitled:

An Act making an appropriation to the State Tax Equilization Board for payment of necessary expenses.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1615, entitled:

An Act making an appropriation to the State Veterans' Commission for the expenses of the commission furnishing certain assistance to needy Pennsylvania veterans of any war or their dependents for participation in certain defense activities for the rehabilitation and care of veterans including the acquisition of land by purchase condemnation or gift and construction of buildings for such purpose.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1616, entitled:

An Act making an appropriation to the Department of Mines for the purpose of administering the provisions of "The Coal Mine Sealing Act of 1947."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1617, entitled:

An Act making an appropriation for the maintenance repair and improvement of the Port of Philadelphia.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1618, entitled:

An Act making an appropriation to aid certain school districts.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1619, entitled:

An Act making an appropriation to the Department of Labor and Industry to meet the obligation of the Commonwealth to pay a part of the compensation payable for certain occupational diseases.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1620, entitled:

An Act making an appropriation to the Department of Labor and Industry for the payment of additional workmen's compensation in cases of second injuries.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1621, entitled:

An Act making an appropriation to The Brandywine Battlefield Park Commission for the payment of necessary expenses.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

### BILLS SIGNED

The President (Lieutenant-Governor Lloyd H. Wood) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 190, entitled:

An Act relating to the change of corporate names of churches or religious corporations as a result of the union, merger or consolidation of the national or international church body of which such corporation is an affiliate, subsidiary or component part; providing for the filing of a certificate of change of name by such corporations with the Department of State and the effect thereof.



## Senate Bill No. 236, entitled:

An Act to further amend subsection (a) of Section 722 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by including Philippine Pacific War Veterans, Navy Club of the United States, and the United States Army Ambulance Corps among the organizations exempt from payment of registration fees of vehicles used by such organizations.

## Senate Bill No. 379, entitled:

An Act to add section 4.1 to the act, approved the twentieth day of July, one thousand nine hundred seventeen (P. L. 1143), entitled "An act relating to free, public, nonsectarian libraries and branch libraries within this Commonwealth; providing for their establishment, maintenance, and regulation, and for the maintenance and regulation of such free, public, nonsectarian libraries as may have been already established by the several counties, cities, boroughs, towns, and townships; and providing that all library property, and all gifts, devises, grants, or endowments for library purposes, shall be exempt from taxation; and providing that the several counties, cities, boroughs, towns, and townships may levy taxes, condemn private property, and borrow money for library purposes; and imposing penalties for injuring library property and for violations of library regulations; and repealing existing laws in relation to the above subjects," by further regulating county libraries, permitting cities, boroughs, towns and townships to withdraw from county library districts and payment of county library tax.

## Senate Bill No. 418, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the court of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and state departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by permitting the Department of State to copy and destroy or return certain

documents permitting corporations to borrow money acquire and dispose of real estate and make alter amend and repeal by-laws with the approval of a majority of the members present and entitled to vote thereon permitting a change of registered office pursuant to action of directors permitting directors to fill vacancies in the board of directors resulting from an increase in the number of directors deleting certain requirements as to the appointment compensation and duties of agents providing that meetings of members at which directors are to be elected may be adjourned for periods of fifteen days each fixing the method of cumulative voting in cases where directors are elected separately by the members of different classes providing that foreign corporations which shall have done business in Pennsylvania without procuring a certificate of authority to do so shall be conclusively presumed to have appointed the Secretary of the Commonwealth their agent to accept service of process in cases arising out of acts of omissions of such corporations in the Commonwealth and specifying the duties of the Secretary upon receipt of such process

## Senate Bill No. 508, entitled:

An Act to amend Sections 1 and 2 of the act approved the eighteenth day of April one thousand nine hundred forty-five (P. L. 253, No. 114) entitled "An act relating corporation domestic or foreign to enforce a secondary to suits by shareholders against officers or directors in a right because the corporation refuses to enforce rights which may be asserted by it requiring that plaintiff be a shareholder at the time of the transaction of which he complains or that his shares thereafter devolved upon him by operation of law requiring security for defendant's expenses including attorneys' fees and providing for the assessment and recovery of such expenses including attorneys' fees" by extending the provisions thereof to corporation having no capital stock and authorizing corporations to indemnify directors officers and other persons against certain expenses

## Senate Bill No. 733, entitled:

An Act concerning mutual military aid and assistance by and between the Commonwealth of Pennsylvania and other states, in an emergency; and agreeing to, approving, and authorizing and empowering the Governor to enter into, a compact with the State of New Jersey and the State of New York and any other state concurring therein or otherwise approving thereof, for such purpose.

## Senate Bill No. 739, entitled:

An Act creating Mercy-Douglas State Hospital in Philadelphia County and authorizing the Department of Property and Supplies to sublease said Hospital to Mercy-Douglass Hospital, and providing for the management thereof by the Board of Trustees of Mercy-Douglass Hospital.

Whereupon,

The President (Lieutenant-Governor Lloyd H. Wood) in the presence of the Senate signed the same.

## PERMISSION TO ADDRESS SENATE

Mr. LANE asked and obtained unanimous consent to address the Senate.

Mr. LANE. Mr. President, I would like to express my opinion on this legislation which was just reported from the Committee on Education, and deficiency appropriation bill calling for the sum of \$750,000 to take care of the salaries of the destitute school districts in Schuylkill County and Northumberland County.

Now, Mr. President, in my experience there are just two things wrong, either the assessed properties do not exist or it is a question of bad administration. Here we



are searching for money to try to balance the budget of this Commonwealth, and one district or one county in particular, or two, comes in and asks for \$750,000. I say this, the schoolteachers should be paid, yes, but, Mr. President, we as Members of this Senate have a responsibility to the public and, if this is applicable to Schuylkill and Northumberland Counties, it is applicable to every county in this Commonwealth. What is wrong with our Tax Equalization Board? Not long ago we voted an increase in salary for this group. How does it come that they have not taken the action to bring about a proper equalization of those assessed valuations? That must be the trouble because Schuylkill is a rich county. That is the trouble there. They have not taken the proper action or it is the Board of Commissioners' fault for not collecting the taxes, and they tell me this \$750,000 is in addition to their regular appropriation which they receive from this State. Education is costing this State a tidy sum. I am all for it, but I say that the taxpayers of this Commonwealth should share this burden equally, that Schuylkill County and Northumberland County do not have the right to come in here and ask the State for \$750,000 unless they have a just and reasonable cause, and they should prove to this Senate and to the Committee on Appropriations that they have exhausted every means of revenue before we hand over a sum like that to one district.

Mr. President, I just received a list here. Do you mean to tell me that all these districts are destitute due to the fact that the natural resources have been depleted? Here is Blythe Township, Branch Township, Butler, Cass Township, Delano Township, Gilberton Borough, Girardville Borough, Kline, McAdoo Borough, New Castle Township, New Philadelphia, West Mahanoy Township.

Mr. President, I think every thinking Member of this Senate realizes something is wrong, something is radically wrong. They tell me that the County Commissioners cannot do anything because the Judges would not sustain their actions in increasing the assessments. Why, Mr. President, any fool knows that they have the right to appeal to the Superior Court. They can take that to the Superior Court and make sure those people pay the taxes. What is wrong, what is wrong that they do not sell these coal properties? Even under the old Treasury Sale Act they had five years, and the five years expired a long time ago. They can go in and sell those properties on tax liens. It should be done. I would say to you that maybe I should tell the people of our county not to pay their taxes, that the State of Pennsylvania is going to finance the school districts in Washington County. It is the same language as other people would use here. I say to you, Mr. President, that each and every Member of this Senate should demand an explanation from those school districts as to the reason that they need \$750,000 in deficiency appropriations at this particular time.

#### PERMISSION TO ADDRESS SENATE

Mr. YOSKO asked and obtained unanimous consent to address the Senate.

Mr. YOSKO. Mr. President, I just want to supplement the remarks made by Senator Haluska as well as Senator Lane, and I am just going to turn here to some of the counties in the coal regions and tell you what they have received.

Mr. President, Cambria County got \$48,000 (seven districts); Carbon County (five districts) got \$59,000; Fayette (thirteen districts) got \$264,000; Lackawanna County got \$5,000. Incidentally, I might say that in Lackawanna County I understand they have a real depression up there for lack of industry, and yet they seem to be able to collect their taxes for school purposes. They got but \$5,000. Luzerne County, in comparison, which is a neighboring county, got \$161,990.14; Northumberland County (three districts)—three districts got \$88,800, and one of the districts I understand is one of the wealthiest in Pennsylvania. Coal Township got \$50,000. Schuylkill, of course, I did say, got \$264,840.64. Somerset County got \$11,750; Westmoreland County got \$26,000 (two districts).

Mr. President, I agree with Senator Lane, Members of the Senate, that before we approve any appropriations to so-called distressed school districts, we ought to make sure that they are actually in distress. It seems to me from the statistics I have here that these forty counties, representing one hundred sixty-eight school districts, received in many instances nothing more than political handouts, and it is about time that we do something about it. There has been too much emphasis here during this Session on spending and taxes and not enough emphasis on the curtailment of expenses and expenditure control. Here a short time ago we introduced bills setting up an accountant general. They were out here on the floor for a couple of days and back to committee they went, and why? I know why, because every department on this Hill, every department head on this Hill, I am told, was opposed to the passage of those bills because they want a free spending hand and that is exactly what they have right now.

Mr. President, I heard somebody say something here a few minutes ago about assessments, and you know what is wrong with your local assessment setup. The school districts have not anything to say about assessments, not one thing to say. They have got to take the assessments of either the county or they have got to take the assessments of the city. The Tax Equalization Board comes along and makes the assessment on a market value basis, and right down in my county just recently they raised the market value assessment up twelve million dollars, and when I asked the Tax Equalization Board for the reason, they come along and they say, "New construction." New construction has not even been completed and yet they raise the market value assessment twelve million dollars which, of course, reduces the subsidy from the Department of Public Instruction in proportion.

Mr. President, there were a series of school districts down in my neighborhood that had a meeting a short time ago, and they complained about the fact that they have no right, they have no say in the assessment of properties. They suggested a bill be drafted here and I took the suggestion over to the Legislative Reference Bureau and I had a bill drafted that would set up a Board of Assessment and Revision of Taxes. It would give the city representation on that board, and it would give the school district representation on that board, and the city and the school district would get together and select an outsider as the third member of the board, and in that manner make their assessments and revise their taxes. The bill was introduced, went to the Committee on Edu-



cation and there it lays, and everybody that I have talked to that is interested in this assessment problem tells me that it is something that ought to be done. They tell me that the school districts ought to have something to say about assessments, but yet the bill lies up there and it just will not be reported out. We have got to do something about those things. That is why we are here. You can go to a school district if you want to and complain about assessments, and what is the first thing they say? They say, "Why complain to us about the assessments? We have nothing to say about it."

Mr. President, I happen to live in Bethlehem, the home of one of the twenty-seven billion dollar industries of the United States, the Bethlehem Steel Company. It has its biggest plant in Bethlehem and I am happy about that. It has its main offices in Bethlehem, and up until a short time ago they had been paying an assessment for school purposes on \$16,000,000. Just imagine that, and just recently they raised it, I think, to \$24,000,000. They ought to be paying on an assessment of not a nickel less than \$50,000,000, but the school district has nothing to say about it. They say, "Take an appeal." Sure, take an appeal and you know how much red tape there is attached to taking an appeal. Why make school districts take an appeal when you could give them a direct say in these assessments? These school districts are in the plight they are in because of lack of action on the part of this Legislature, and the sooner we give them a right to say something about assessments, the quicker we are going to solve or help to solve their problems, and do away with these handouts and do away with distressed school districts throughout Pennsylvania.

Mr. President, I think we ought to take action on some kind of a bill. If it is still in committee because I am the sponsor, I will withdraw my sponsorship and somebody else can sponsor it, but let us give these school districts a hand in saying something about these assessments so that they can go out and collect their money.

Mr. President, I just want to say one more thing. In my school district at Bethlehem, they were short about \$60,000 of what they did not collect on the tax puplicate. They did not run up to the Department of Public Instruction and say, "Give us a handout." They went to the bank and they borrowed between sixty and eighty-five thousand dollars to tide them over until the end of the fiscal year. Then they brought in a professional tax collector and they turned over all of the delinquent accounts to this delinquent tax collector, and as he collects these taxes, they apply it to the loan that they made from the

bank, and I see absolutely no reason, just from looking at this statement, why some of these other school districts could not have done the same thing. Some of them get as low as five hundred dollars and I do not believe there is a school district in Pennsylvania that cannot go to a bank and borrow five hundred dollars. This is nothing more than a handout, it is nothing more than political patronage, and while I am at it, I may as well say just one more thing because I have gone into this thing a little bit. Over in the House, a bill was sponsored by a Democrat and a Republican. "Hy" Andrews is on the bill, and if I am not mistaken it is House Bill No. 1134, that defines just what a distressed school district is, and defines just what is to be done after the school district establishes itself as a distressed school district. It passed the House, it came over here and it is up in Committee, and I am assuming that is where it is going to stay. So, I say again that we here in this Legislature are responsible for the plight of these school districts, and the sooner we do something about it, the better off we are going to be, and the sooner we discontinue these handouts, the sooner we are going to eliminate these billion dollar budgets.

#### PERMISSION TO ADDRESS SENATE

Mr. WALKER asked and obtained unanimous consent to address the Senate.

Mr. WALKER. Mr. President, as I said awhile ago, there will be a day when a voice is raised on the floor of the Senate to defend Schuylkill County. I do not want to do it now, Mr. President, for three reasons. One is I must call a Republican Caucus as soon as we adjourn. Secondly, out in the country we are accustomed to eating before eight o'clock. You city folks have us spoiled down here, and if there is nothing else to come before the Senate at this time except further castigation of Schuylkill County I would like to make a motion at this time.

#### ADJOURNMENT

Mr. WALKER. Mr. President, I move that the Senate do now adjourn until Tuesday, August 14, 1951, at 12:00 o'clock, m., Eastern Standard Time.

Mr. CROWE. Mr. President, I second the motion. The motion was agreed to.

The Senate adjourned at 7:04 o'clock, p. m., Eastern Standard Time, until Tuesday, August 14, 1951, at 12:00 o'clock, m., Eastern Standard Time.



## HOUSE OF REPRESENTATIVES

MONDAY, August 13, 1951

The House met at 3:30 p. m. EST.

The SPEAKER (Herbert P. Sorg) in the Chair.

## PRAYER

The Reverend John Yates, guest Chaplain and Pastor of the Presbyterian Church, Harrisburg, offered the following prayer:

We acknowledge our belief in Thee and our allegiance to Thee. Grant Thy blessing this day upon this House. Guide the members of this Assembly so that all that may be enacted may bring honour and well-being to this Commonwealth. In Christ's Name we pray. Amen.

## JOURNAL APPROVED

The SPEAKER. Are there any corrections to the Journal of Tuesday, August 7, 1951? If not, and without objection, the Journal is approved.

## COMMUNICATIONS FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS Nos. 35, 48, 52, 98, 121, 444, 633, 690, 724, 793, 802, 860, 946, 1059, 1095, 1104, 1174, 1192, 1204, 1295, 1306, 1327, 1358, and 1489

Commonwealth of Pennsylvania,

Governor's Office, Harrisburg, August 10, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 35, Printer's No. 287, entitled "An Act providing temporarily for the grant without examination of certificates of licensure to practice medicine and surgery to certain persons who become members of the armed forces of the United States and suspending inconsistent laws."

JOHN S. FINE.

August 10, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 48, Printer's No. 755, entitled "An Act relating to and defining chiropractic and the right to practice chiropractic requiring licensure conferring powers and imposing duties upon the State Board of Chiropractic Examiners and the Department of Public Instruction providing for the granting suspension and revocation of licenses issued by the board preserving the rights of existing licensees and giving them certain personal choice as to jurisdiction conferring jurisdiction upon the Court of Common Pleas of Dauphin County and prescribing penalties."

JOHN S. FINE.

August 10, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 52, Printer's No. 712, entitled "An Act empowering cities of the first class of the Commonwealth within a limited time period to make and enforce by ordinances fire prevention codes regulating the occupation and use of buildings and structures

and the conduct of trades or businesses which due to the nature thereof create a fire hazard or danger to life or property by fire or explosion and providing penalties."

JOHN S. FINE.

August 10, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 98, Printer's No. 734, entitled "An Act regulating the appointment promotion suspension reduction removal and reinstatement of employees (except superintendents assistant superintendents inspectors and chief clerks) in bureaus of police in cities of the second class and defining the power and duties of civil service commissions in such cities for such purposes."

JOHN S. FINE.

August 10, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 121, Printer's No. 583, entitled "An Act to further amend Section 903 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled 'An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto' by clarifying the provision allowing directors expenses at annual conventions and special meetings."

JOHN S. FINE.

August 10, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 444, Printer's No. 660, entitled "An Act to protect the blind pedestrians on public streets and highways requiring vehicles to come to a full stop in certain cases restricting the use of certain colored canes by other pedestrians and imposing penalties."

JOHN S. FINE.

August 10, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 633, Printer's No. 518, entitled "An Act to amend Section 3 and 4 of the act approved the twenty seventh day of June one thousand nine hundred thirty-nine (P. L. 1184) entitled 'An act requiring all employable persons receiving public assistance with certain exceptions to perform certain work or be refused further assistance conferring powers and imposing duties on county boards of assistance and on certain State and local officers and employees and on charitable institutions persons copartnerships associations corporations and State and Federal employment officers and requiring payments to the Commonwealth on account of certain work performed' by imposing additional duties on county boards of public assistance permitting non-profit cemetery associations fire companies public libraries and other similar organizations supported totally or partially by public subscriptions donations or gifts to furnish employment to certain persons and changing the requirements for furnishing transportation."

JOHN S. FINE.



August 10, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 690, Printer's No. 478, entitled "An Act to further amend section 2 of the act approved the twenty-sixth day of May one thousand nine hundred twenty-one (P. L. 1172) entitled 'A supplement to the act approved the seventeenth day of May one thousand nine hundred seventeen (P. L. 208) entitled 'An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words 'drug' and 'poison' and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity" requiring permits to conduct pharmacies providing for the revocation thereof and prescribing penalties' by raising fees for permits to conduct a pharmacy."

JOHN S. FINE.

August 10, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 724, Printer's No. 446, entitled "An Act to add subsection (c) to Section 2503 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled 'An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto' by supplying an omission from former law providing for reimbursement for nonresident children and validating such reimbursements heretofore made."

JOHN S. FINE.

August 10, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 793, Printer's No. 753, entitled "An Act to further amend Section 12 of the act approved the eleventh day of June one thousand nine hundred seventeen (P. L. 758) entitled 'An act for the protection of the public health by regulating the possession control dealing in giving away delivery dispensing administering prescribing and use of certain drugs and keeping records thereof by regulating the use of drugs in the treatment of the drug habit by providing for the revocation and suspension of licenses of physicians dentists veterinarians pharmacists druggists and registered nurses for certain courses and by providing for the enforcement of this act and penalties' by changing the penalties for the illegal sale dispensing or giving away of drugs."

JOHN S. FINE.

August 10, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 802, Printer's No. 581, entitled "An Act to add a new section 1309 to the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled 'An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing

the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined' by creating a Bureau of Higher Education in the Department of Public Instruction."

JOHN S. FINE.

August 10, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 860, Printer's No. 331, entitled "An Act concerning devises bequests or gifts in trust for the care and maintenance of cemeteries burial grounds or cemetery lots trustees and substituted trustees thereof sureties of said trustees the investment of such trust funds accounts of said trustees approving actions and proceedings prior to this act and repealing conflicting laws."

JOHN S. FINE.

August 10, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 946, Printer's No. 329, entitled "An Act to amend Article X of the Act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled 'An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto' by further providing for the appointment and removal of supervisors their qualifications term of office duties salary and method of filling vacancies."

JOHN S. FINE.

August 10, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1059, Printer's No. 716, entitled "An Act to further amend subsections (a) and (b) of Section 411 and to amend Section 506 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled 'An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and provid-



ing for refunds' by providing for the transfer or registration of motor vehicles trailers and semi-trailers involving a husband and wife and the assignment of registration plates in such cases."

JOHN S. FINE.

August 10, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1095, Printer's No. 488, entitled "An Act reappropriating the Episcopal Hospital Philadelphia certain moneys heretofore appropriated to the University of Pennsylvania for the maintenance of the Episcopal Hospital."

JOHN S. FINE.

August 10, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1104, Printer's No. 778, entitled "An Act to amend subsection (a) of Section 1402 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled 'An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto' by authorizing the giving of medical and dental examinations to children prior to enrollment in the first grade."

JOHN S. FINE.

August 10, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1174, Printer's No. 441, entitled "An Act to repeal the act approved the twentieth day of May one thousand eight hundred seventy-one (P. L. 1037) entitled 'An act to limit the power and authority of the borough authorities of the borough of Emporium in the county of Cameron over the streets therein and to authorize the setting out of shade trees along the streets.'"

JOHN S. FINE.

August 10, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1192, Printer's No. 708, entitled "An Act to further amend Section 1 of the act approved the twenty-first day of March one thousand nine hundred forty-five (P. L. 51) entitled 'An act defining and regulating the practice of Chiropractic and providing penalties' by further defining Chiropractic."

JOHN S. FINE.

August 10, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1204, Printer's No. 707, entitled "An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled 'An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto' by clarifying the procedure in reference to rating of professional employees and temporary professional em-

ploies and designating the persons authorized to do the same."

JOHN S. FINE.

August 10, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1295, Printer's No. 574, entitled "An Act to repeal certain parts of acts relating to the keeping of alphabetical lists and indexes by the Department of Revenue and Auditor General of persons reported to them as being interested in escheatable property and certain unclaimed funds."

JOHN S. FINE.

August 10, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1306, Printer's No. 782, entitled "A Supplement to the act approved the twelfth day of June one thousand nine hundred thirty-one (P. L. 575) entitled 'An act providing for joint action by Pennsylvania and New Jersey in the development of the ports on the lower Delaware River and the improvement of the facilities for transportation across the river authorizing the Governor for these purposes to enter into an agreement with New Jersey creating The Delaware River Joint Commission and specifying the powers and duties thereof including the power to finance projects by the issuance of revenue bonds transferring to the new commission all the powers of the Delaware River Bridge Joint Commission and making an appropriation' by authorizing the Governor on behalf of the Commonwealth of Pennsylvania to enter into a compact or agreement with the State of New Jersey amending and supplementing the compact and agreement between the State of New Jersey and the Commonwealth of Pennsylvania authorizing and empowering The Delaware River Joint Commission to construct finance operate maintain and own a vehicular tunnel under or an additional bridge across the Delaware River and defining certain functions powers and duties of said Commission authorizing the Governor to apply on behalf of the Commonwealth of Pennsylvania to the Congress of the United States for its consent to such supplemental compact or agreement."

JOHN S. FINE.

August 10, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1327, Printer's No. 597, entitled "An Act to amend Section 901 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled 'An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto' by providing for authorization by county conventions of activities and services to be administered by county boards of school directors."

JOHN S. FINE.

August 10, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1358, Printer's No. 599, entitled "An Act to further amend Section 1188 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled 'An act re-



lating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto by extending provisions for compensation for attendance at meetings of teachers."

JOHN S. FINE.

August 10, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1489, Printer's No. 654, entitled "An Act making an appropriation to The Brandywine Battlefield Park Commission for the payment of necessary expenses."

JOHN S. FINE.

## SENATE MESSAGE

### HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

#### HOUSE BILL No. 829.

To amend clause (b) of Section 1 of the act approved the thirtieth day of June one thousand nine hundred forty-seven (P. L. 1183) entitled "An act relating to strikes by public employes prohibiting such strikes providing that such employes by striking terminate their employment providing for reinstatement under certain conditions providing for a grievance procedure and providing for hearings before civil service and tenure authorities and in certain cases before the Pennsylvania Labor Relations Board" by requiring panel to be set up within five days after the receipt of a request therefor

#### HOUSE BILL No. 900.

An Act to further amend section one thousand and twenty-seven of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by changing the requirements that certain vehicles stop at railway grade crossings

#### HOUSE BILL No. 1173.

An Act to amend the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by authorizing

the Pennsylvania Game Commission to issue special permits to certain disabled veterans with service connected disabilities and permitting them to hunt under commission regulations from automobiles

#### HOUSE BILL No. 1293.

An Act to amend the act approved the first day of June one thousand nine hundred forty-five (P. L. 1340) entitled "An act relating to the financial responsibility of operators and owners of motor vehicles and to make uniform the law with reference thereto requiring owners and operators in certain cases to furnish proof of financial responsibility providing for the suspension of operator's licenses and motor vehicle registration certificates in certain cases regulating insurance policies which may be accepted as proof of financial responsibility imposing duties upon the Secretary of Revenue the State Treasurer and prothonotaries and prescribing penalties" by clarifying and extending the provisions of the act to include certain vehicles of the tractor type and making editorial changes

#### HOUSE BILL No. 1294.

An Act to amend the title of and the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1005) entitled "An act relating to and regulating tractors and trailers and their operation providing for their registration and the licensing of certain operators by the Department of Revenue upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of tractors and trailers providing that records are admissible as evidence imposing upon owners counties cities borough incorporated towns and townships within the Commonwealth liability for damages caused by the negligent operation of tractors and trailers imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by deleting from said act all provisions relating to operators operators' licenses and trailers and further providing for the equipment of tractors

#### HOUSE BILL No. 1324.

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by changing the registration year for commercial motor vehicles motor buses motor omnibuses and trailers and certain exemptions in accordance therewith



## HOUSE BILL No. 1384.

An Act to repeal the act approved the thirteenth day of April one thousand eight hundred sixty-eight (P. L. 1017) entitled "An act to provide for the collection of state county poor and military taxes in the county of Bedford" so far as it relates to Bedford County

## HOUSE BILL No. 1404.

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parohial schools amending revising consolidating and changing the laws relating thereto" by providing for the addition to the tax duplicates of school districts of the third and fourth class of properties occupied during the fiscal year of the school district in certain cases

## HOUSE BILL No. 1424.

An Act to further amend Section 1101 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances a legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by changing the provisions relating to restrictions of the right to use highways

## HOUSE BILL No. 1477.

An Act to further amend Section 1 of the act approved the thirtieth day of March one thousand nine hundred fifteen (P. L. 34) entitled "An act to promote the health and efficiency of firemen in cities of the second class by providing for a two-platoon system for firemen in the department of public safety of such cities" by further regulating the hours of duty of firemen in cities of the second class

## HOUSE BILL No. 1479.

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners

counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by requiring certain vehicles and combinations of vehicles to be constructed or equipped to prevent throwing of road surface substances from their rear wheels beyond certain limits

With the information that the Senate has passed the same without amendment.

## BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

## HOUSE BILL No. 829.

An Act to amend clause (b) of Section 1 of the act approved the thirtieth day of June one thousand nine hundred forty-seven (P. L. 1183) entitled "An act relating to strikes by public employes prohibiting such strikes providing that such employes by striking terminate their employment providing for reinstatement under certain conditions providing for a grievance procedure and providing for hearings before civil service and tenure authorities and in certain cases before the Pennsylvania Labor Relations Board" by requiring panel to be set up within five days after the receipt of a request therefor

## HOUSE BILL No. 900.

An Act to further amend section one thousand and twenty-seven of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by changing the requirements that certain vehicles stop at railway grade crossings

## HOUSE BILL No. 1173.

An Act to amend the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by authorizing the Pennsylvania Game Commission to issue special permits to certain disabled veterans with service connected disabilities and permitting them to hunt under commission regulations from automobiles.

## HOUSE BILL No. 1293.

An Act to amend the act approved the first day of June one thousand nine hundred forty-five (P. L. 1340)



entitled "An act relating to the financial responsibility of operators and owners of motor vehicles and to make uniform the law with reference thereto requiring owners and operators in certain cases to furnish proof of financial responsibility providing for the suspension of operator's licenses and motor vehicle registration certificates in certain cases regulating insurance policies which may be accepted as proof of financial responsibility imposing duties upon the Secretary of Revenue the State Treasurer and prothonotaries and prescribing penalties" by clarifying and extending the provisions of the act to include certain vehicles of the tractor type and making editorial changes

#### HOUSE BILL No. 1294.

An Act to amend the title of and the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1005) entitled "An act relating to and regulating tractors and trailers and their operation providing for their registration and the licensing of certain operators by the Department of Revenue upon payment of prescribed fees prescribing and limiting the power of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of tractors and trailers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns and townships within the Commonwealth liability for damages caused by the negligent operation of tractors and trailers imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by deleting from said act all provisions relating to operators operators' licenses and trailers and further providing for the equipment of tractors

#### HOUSE BILL No. 1324.

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by changing the registration year for commercial motor vehicles motor buses motor omnibuses and trailers and certain exemptions in accordance therewith

#### HOUSE BILL No. 1384.

An Act to repeal the act approved the thirteenth day of April one thousand eight hundred sixty-eight (P. L. 1017) entitled "An act to provide for the collection of state county poor and military taxes in the county of Bedford" so far as it relates to Bedford County

#### HOUSE BILL No. 1404.

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for the addition to the tax duplicates of school districts of the third and fourth class of properties occupied during the fiscal year of the school district in certain cases

#### HOUSE BILL No. 1424.

An Act to further amend Section 1101 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by changing the provisions relating to restrictions of the right to use highways

#### HOUSE BILL No. 1477.

An Act to further amend Section 1 of the act approved the thirtieth day of March one thousand nine hundred fifteen (P. L. 34) entitled "An act to promote the health and efficiency of firemen in cities of the second class by providing for a two-platoon system for firemen in the department of public safety of such cities" by further regulating the hours of duty of firemen in cities of the second class

#### HOUSE BILL No. 1479.

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by requiring certain vehicles and combinations of vehicles to be constructed or equipped to prevent throwing of road surface substances from their rear wheels beyond certain limits



Whereupon,  
The SPEAKER, in the presence of the House, signed the same.

### COMMUNICATIONS FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

#### VETO OF HOUSE BILL NO. 80.

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, August 11, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I return herewith, without my approval, House Bill No. 80, Printer's No. 754, entitled "An Act to further amend section four thousand three hundred two of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled 'An act relating to cities of the third class and amending revising and consolidating the law relating thereto' by prescribing a minimum period of continuous service and in certain cases a minimum age for police retirement."

This bill would amend Section 4302 of The Third Class City Code, relating to pensions for police in cities of the third class, by requiring the cities to prescribe a minimum twenty-year period of continuous service before retirement, in lieu of the present minimum period of not less than twenty years. Where the city ordinance prescribes a minimum age, this bill would require such age to be fifty years rather than a minimum age of fifty years, as the act now provides. Stated otherwise, a retirement ordinance could not provide for minimum continuous service in excess of twenty years nor fix the minimum retirement age at more than fifty years.

The present law, in permitting the cities to prescribe minimums of twenty years of continuous service and an age of fifty years, is ample authority for all such cities to confer the same benefits as those provided by this bill. Thus the police of third class cities get nothing under this bill which they cannot now get from the cities under the provisions of The Third Class City Code approved by me June 28, 1951. Heretofore, it has been the policy to permit each city to determine, within the minimums fixed in Section 4302 of The Code, the period of continuous service and the age requisite for the retirement of its police. I see no reason to change this policy which was so recently reasserted in The Code.

For this reason, the bill is not approved.

JOHN S. FINE.

### COMMUNICATION AND BILL LAID ON TABLE

Mr. DALRYMPLE. Mr. Speaker, I move that the communication from the Governor together with the bill be laid on the table.

The motion was agreed to.

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

#### VETO OF HOUSE BILL NO. 1052.

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, August, 10, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I return herewith, without my approval, House Bill No. 1052, Printer's No. 661, entitled "An Act to further amend the title and Section 1 of the act approved the sixteenth day of April one thousand nine hundred seven (P. L. 92) entitled as amended 'An act defining the duty of coroners

where death is sudden or violent or is of a suspicious nature and character and of police and health authorities in this Commonwealth in reference to the disposition of bodies of persons whose cause of death may be the subject of inquiry by the coroner but where it appears the cause of death is not surrounded by suspicious circumstances' by prescribing duties of coroners and deputy coroners when death occurs to an inmate of any institution for juvenile delinquents and dependents."

Under existing law, coroners or their deputies have the duty to cause a careful investigation of the facts to be made in all cases where the death of a person is sudden, violent, or of a suspicious nature and character. Within the scope of this duty are such cases of death of inmates of institutions for juvenile delinquents.

With respect to such institutions, this bill would enlarge the duties of coroners and deputy coroners and require them to cause an investigation to be made in the case of every death of an inmate occurring therein. The bill would also require that the coroner or deputy coroner have present at any autopsy of a deceased inmate of such institution, the physician designated by the immediate family of the deceased inmate, if such family exists, and if such family chooses to designate such physician.

Within the Commonwealth there are many institutions for juvenile delinquents which are private institutions or which are under the administration of various church authorities. Inasmuch as coroners already have the power and duty to cause investigations to be made of the death of inmates of such institutions in a proper case, I deem it unnecessary to provide for a further extension of the scope of such power and duty so as to include all deaths of inmates occurring therein. Moreover, the exercise of such power and duty, as thus enlarged, might well result in an unwarranted interference in the orderly administration of such institutions.

For these reasons, the bill is not approved.

JOHN S. FINE.

### COMMUNICATION AND BILL LAID ON TABLE

Mr. FILO. Mr. Speaker, I move that the communication from the Governor together with the bill be laid on the table.

The motion was agreed to.

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

#### VETO OF HOUSE BILL NO. 205.

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, August, 10, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I return herewith, without my approval, House Bill No. 205, Printer's No. 735, entitled "An Act changing the procedure in civil actions hereafter brought in the courts of common pleas in counties of the third class providing for trial without jury and for the filing of agreements therefor providing for the payment of jury fees."

This bill would provide that in all civil actions hereafter brought in the court of common pleas of any county of the third class, if neither plaintiff nor defendant demands a jury trial, the decision of the court shall be rendered by the trial judge in the nature of a verdict at the end of the testimony.

The purpose of this bill is to dispense with the necessity of the trial judge making findings of fact and conclusions of law, as is provided by the Act of April 22, 1874.

The bill as originally introduced applied to all courts of common pleas of the Commonwealth. By an amendment the provisions of the bill were limited to courts in counties of the third class only.

The effect of limiting its provisions to courts of common pleas in counties of the third class, would render this bill, if enacted, a local and special law in violation of



Article III, Section 7 of the Pennsylvania Constitution, which provides that the General Assembly shall not pass any local or special law "regulating the practice or jurisdiction of, or changing the rules of evidence in, any judicial proceeding or inquiry before courts \* \* \*"

The bill, if enacted, would also violate the provisions of Article V, Section 26, which provides: "All laws relating to courts shall be general and of uniform operation, and the organization, jurisdiction and powers of all courts of the same class or grade, so far as regulated by law, and the force and effect of the process and judgments of such courts, shall be uniform \* \* \*." See *Ruan Street*, 132 Pa. 257, 260 (1890); *Wyoming Street*, Pittsburgh, 137 Pa. 494, 504, 507 (1891); *Gottshall v. Campbell*, 234 Pa. 347, 351 (1912); *Chadwick v. Hepburn*, 151 Pa. Super. Ct. 459, 466 (1943).

For these reasons, the bill is not approved.

JOHN S. FINE.

#### COMMUNICATION AND BILL LAID ON TABLE

Mr. ROBERTSON. Mr. Speaker, I move that the communication from the Governor together with the bill be laid on the table.

The motion was agreed to.

#### LEAVE OF ABSENCE

By consent of the House leave of absence was granted as follows:

Mr. Naugle for Mr. WHALLEY for the week because of illness.

#### REPUBLICAN CAUCUS

The SPEAKER. Immediately upon call of a recess there will be a very important caucus of the Republican members in the new House Caucus room.

Immediately after the recess the Chair will take up today's calendar.

#### RECESS

The SPEAKER. If there is no objection the Chair will declare a recess for two hours. The Chair hears none and a recess is declared.

#### AFTER RECESS

The time of recess having expired the House was called to order.

The SPEAKER (Herbert P. Sorg) in the Chair.

#### SENATE MESSAGES

##### AMENDED HOUSE BILL RECALLED FROM GOVERNOR CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

##### HOUSE BILL NO. 678.

An Act to further amend Section 1803 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor

Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and others assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by authorizing the Department of Forests and Waters to grant certain rights of way to utility companies

Said bill having been recalled from the Governor for the purpose of amendment, the vote had on final passage and third reading on said bill was reconsidered in the House and the bill amended, in which amendments the Senate has concurred.

##### HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

##### HOUSE BILL NO. 1538.

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto section twenty-two

With the information that the Senate has passed the same without amendment.

##### AMENDED SENATE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate bill numbered and entitled as follows:

##### SENATE BILL NO. 190.

An Act relating to the change of corporate names of churches or religious corporations as a result of the union merger or consolidation of the national or international church body of which such corporation is an affiliate subsidiary or component part providing for the filing of a certificate of change of name by such corporations with the Department of State and the recording thereof in the county of incorporation and the effect thereof

##### SENATE BILL NO. 236.

An Act to further amend subsection (a) of Section 722 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for re-



funds" by including Philippine Pacific War Veterans Navy Club of the United States and the United States Army Ambulance Corps among the organizations exempt from payment of registration fees of vehicles used by such organizations

#### SENATE BILL NO. 379.

An Act to add section 4.1 to the act approved the twentieth day of July one thousand nine hundred seventeen (P. L. 1143) entitled "An act relating to free public nonsectarian libraries and branch libraries within this Commonwealth providing for their establishment maintenance and regulation and for the maintenance and regulation of such free public nonsectarian libraries as may have been already established by the several counties cities boroughs towns and townships and providing that all library property and all gifts devices grants or endowments for library purposes shall be exempt from taxation and providing that the several counties cities boroughs towns and townships may levy taxes condemn private property and borrow money for library purposes and imposing penalties for injuring library property and for violations of library regulations and repealing existing laws in relation to the above subjects" by further regulating county libraries permitting cities boroughs towns and townships to withdraw from county library districts and payment of county library tax

#### SENATE BILL NO. 418.

An Act to further amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by permitting the Department of State to copy and destroy or return certain documents permitting corporations to borrow money acquire and dispose of real estate and make alter amend and repeal by-laws with the approval of a majority of the members present and entitled to vote thereon permitting a change of registered office pursuant to action of directors permitting directors to fill vacancies in the board of directors resulting from an increase in the number of directors deleting certain requirements as to the appointment compensation and duties of agents providing that meetings of members at which directors are to be elected may be adjourned for periods of fifteen days each fixing the method of cumulative voting in cases where directors are elected separately by the members of different classes defining "doing business" by foreign corporations and further providing for service of process on the Secretary of the Commonwealth with respect to such corporations

#### BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1286, entitled:

An Act authorizing the Commonwealth to negotiate

temporary emergency loans to defray current and other expenses of the State government during any fiscal biennium evidenced by tax anticipation notes secured by and payable from current revenues of any current biennium levied assessed collectible and accruing during such fiscal biennium defining the powers and duties of the Governor the Auditor General and the State Treasurer in relation thereto providing for the payment of interest on and the repayment of such loans and making an appropriation

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1559, entitled:

An Act providing that chattel mortgage and conditional sale contracts filed in the prothonotary's office shall be surrendered upon satisfaction of record to the person causing such satisfaction

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1645, entitled:

An Act transferring money from the World War II Veterans' Compensation Fund to the World War II Veterans' Compensation Sinking Fund for the purpose of meeting interest and sinking fund requirements on World War II Veterans' Compensation Bonds

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1654, entitled:

An Act to provide for the expenses of the Joint State Government Commission of the General Assembly for the two fiscal years beginning June first one thousand nine hundred and fifty-one and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and fifty-one

The first section was read.

On the question,

Will the House agree to the section?

Mr. ROYER offered the following amendment:

Amend Section 1, page 2, line 1, by striking out the words and figures "three hundred thousand dollars (\$300,000)" and inserting in lieu thereof the following: "three hundred fifty thousand dollars (\$350,000)".

It was agreed to.

The section was agreed to as amended.

The second section and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,



The House proceeded to the second reading and consideration of Senate Bill No. 110, entitled:

An Act to facilitate traffic in the northern section of the Commonwealth by providing for the construction operation and maintenance of a turnpike from a point on the Erie extension to a point on the Scranton extension of the Pennsylvania Turnpike or to a point on the northeastern extension of the Pennsylvania Turnpike at such points as the Pennsylvania Turnpike Commission may decide are the most feasible and practicable for the further extension of the Pennsylvania Turnpike from or near the City of Erie County to or near the City of Scranton in Lackawanna County or to a point on the northeastern extension of the Pennsylvania Turnpike conferring powers and imposing duties on the Pennsylvania Turnpike Commission authorizing the issuance of turnpike revenue bonds of the Commonwealth payable solely from tolls to pay the cost of such turnpike and to issue notes or other evidences of indebtedness providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act providing for the collection of tolls for the payment of such bonds notes or other evidences of indebtedness and for the cost of maintenance operation and repair of the turnpike making such turnpike bonds notes or other evidences of indebtedness exempt from taxation constituting such bonds legal investments in certain instances requiring suits against the commission to be brought in Dauphin County prescribing conditions on which such turnpike shall become free providing for grade separations grade changes relocations restoration and vacation of public roads and State highways affected by the turnpike providing for the purchasing or condemnation of land and procedure for determining damages in condemnation granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the commission and authorizing the issuance of turnpike revenue refunding bonds

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 249, entitled:

An Act to amend subsection (a) of section 411 of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1053) entitled "An act relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utility business by prescribing defining and limiting their duties powers and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale method of regulating rates providing for the supervision of financial and contractual relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commis-

sion the exclusive power to regulate or order the construction alteration relocation protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulation the cost of administering this act prescribing and regulating practice and procedure before the commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" by relieving cities of the second class A and third class and the counties in which they are located from payment of damages occasioned by and costs of construction reconstruction repair and maintenance of certain bridges and viaducts

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 499, entitled:

An Act to add Section 15.1 to the act approved the eighth day of July one thousand nine hundred forty-one (P. L. 298) entitled "An act authorizing the creation of and providing for and regulating the maintenance and operation of a county employees' retirement system in counties of the fourth class imposing certain charges on counties and fixing penalties" by providing for optional minimum retirement allowances under certain conditions.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

#### BILL PASSED OVER

There being no objection,

Senate Bill No. 598, Printer's No. 497, was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 615, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evi-



dence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by increasing annual registration fees for certain commercial motor vehicles truck tractors trailers and semi-trailers prescribing additional equipment requirements for certain vehicles increasing the maximum gross weights and axle loads allowed for certain vehicles changing the requirements for weighing vehicles and removal of excess loads and prescribing and changing penalties

The first section was read.

On the question,

Will the House agree to the section?

Mr. DENNISON offered the following amendments:

Amend Section 1 (Sec. 703), page 4, line 18, by striking out the numeral "49.00" and inserting in lieu thereof the following: "50.00."

Amend Section 1 (Sec. 703), page 4, line 19, by striking out the numeral "77.00" and inserting in lieu thereof the following: "80.00."

Amend Section 1 (Sec. 703), page 5, line 1, by striking out the numeral "109.00" and inserting in lieu thereof the following: "110.00."

Amend Section 1 (Sec. 703), page 5, line 2, by striking out the brackets before and after the numeral "9000," and by striking out the numeral "10000."

Amend Section 1 (Sec. 703), page 5, line 3, by striking out the brackets before and after the numeral "9000," and by striking out the numeral "10000."

Amend Section 1 (Sec. 704), page 6, line 11, by striking out the brackets before and after the numeral "9000," and by striking out the numeral "10000."

Amend Section 1 (Sec. 704), page 6, line 12, by striking out the brackets before and after the numeral "9000," and by striking out the numeral "10000."

Amend Section 1 (Sec. 704), page 7, line 13, by striking out the brackets before and after the numeral "9000," and by striking out the numeral "10000."

Amend Section 1 (Sec. 704), page 7, line 14, by striking out the brackets before and after the numeral "9000," and by striking out the numeral "10000."

They were agreed to.

The section was agreed to as amended.

The second to fourth sections inclusive were separately read and agreed to.

The fifth section was read.

On the question,

Will the House agree to the section?

Mr. DENNISON offered the following amendments:

Amend Section 5 (Sec. 903), page 13, line 3, by striking out the brackets before and after the numeral "9000," and by striking out the numeral "10000."

Amend Section 5 (Sec. 903), page 13, line 4, by striking out the brackets before and after the numeral "9000," and by striking out the numeral "10000."

Amend Section 5 (Sec. 903), page 20, line 3, by enclosing the designation "(1)" within brackets, and inserting after the second bracket the following: "(i)."

Amend Section 5 (Sec. 903), page 20, line 5, by striking out the words "for all purposes."

Amend Section 5 (Sec. 903), page 22, lines 5, 6 and 7, by striking out all of said lines, and inserting in lieu thereof the following:

Any fines and costs of prosecution imposed for violation of clause (a), (b), (c), (d), (f) or (g) of this section shall constitute and be a first lien upon the vehicle or combination of vehicles, which lien shall continue until the fine and costs of prosecution and all reasonable costs attendant upon or arising out of the enforcement

of the lien are paid. It shall be the duty of the operator or owner of any such vehicle or combination of vehicles to drive or cause the same to be driven to such off-the-highway parking area or storage facility, as the magistrate may designate, and except for such movement or any movement that may be required in the performance of the duties hereinafter imposed upon the sheriff, no vehicle or combination of vehicles subject to a lien as herein provided for shall be operated on the highways of this Commonwealth, or be registered, or the title thereof transferred, either voluntarily or by operation of law as long as said lien remains unsatisfied. Any operator or owner who fails, neglects or refuses to comply with an order of a magistrate to deliver a vehicle or combination of vehicles to a parking area or storage facility designated by said magistrate, or a person who operates or causes or permits to be operated a vehicle or combination of vehicles or who procures the registration or transfer of title of a vehicle knowing the same to be subject to the lien herein provided for, shall, upon summary conviction before a magistrate, be sentenced to pay a fine of two hundred (\$200.00) dollars and costs of prosecution, and, in default of the payment thereof, shall be sentenced to undergo imprisonment for thirty (30) days. If the fine and costs of prosecution for violation of clause (a), (b), (c), (d), (f), or (g), of this section, and all other costs incidental to the enforcement of the lien shall not be paid within ten (10) days, the magistrate shall forthwith issue an order directed to the sheriff of the county commanding him to sell at public sale any vehicle or combination of vehicles subject to such lien. Within five (5) days following receipt of such an order of sale, the sheriff shall send by registered mail to the owner, conditional vendor, bailor, lessor or mortgagee, as disclosed in official registration certificates accompanying the vehicle, or conspicuously displayed on the dash of a motor vehicle, or the lower front left side of the exterior of a trailer or semi-trailer, at the address set forth therein, a notice of the sale, free and clear of all liens and encumbrances, stating, inter alia: (1) the date, time and place of the sale, (2) the amount of the fine and all costs, including those incidental to the enforcement of the lien, which have accrued to the date of the notice, and (3) a statement that the vehicle may be repossessed at any time prior to the sale, upon payment of the fine and all costs which have accrued up to the date of the satisfaction of the lien. The posting of such notice by registered mail, addressed as aforesaid, shall constitute notice to the addressee. The sale shall be advertised once each week for three (3) successive weeks in a newspaper of general circulation in the county, and shall be held not less than thirty (30) days following the date of the first advertisement. The sale shall operate to divest any and all existing liens or encumbrances on such vehicle or combination of vehicles. Provided, That the owner, or the conditional vendor, bailor, lessor or mortgagee shall have the right to repossess the same upon payment of the fine and all costs accrued at any time prior to the sale. The magistrate and sheriff shall be entitled to the same fees to which they are entitled by law for similar services: Provided, That the magistrate's fee for arranging for a parking or storage facility shall be five (\$5.00) dollars for each vehicle, and for each order of sale directed to the sheriff, five (\$5.00) dollars; and Provided further, That the sheriff's fee for the preparation and transmission of the notice of sale shall be five (\$5.00) dollars each. The proceeds of sale shall be distributed in the following order, viz.: (1) costs of sale, (2) storage costs, (3) costs of prosecution, (4) fine, (5) equitable owners as their interests may appear, (6) owner. Neither the peace officer, magistrate nor sheriff shall incur any liability whatsoever by virtue of any act done hereunder.

They were agreed to.

The section was agreed to as amended.

The sixth section was read.

On the question,



Will the House agree to the section?

Mr. DENNISON offered the following amendments:

Amend Section 6 (Sec. 904), page 23, line 16, by striking out the word "this," and inserting in lieu thereof the following: "This."

Amend Section 6 (Sec. 904), page 23, line 17, by striking out the designation "(1)," and inserting in lieu thereof the following: "(i)."

Amend Section 6 (Sec. 904), page 24, line 1, by enclosing the words "person violating any of" within brackets, and inserting after the second bracket the following: "operator who shall fail, neglect or refuse to comply with the requirements of a peace officer given pursuant to."

They were agreed to.

The section was agreed to as amended.

The seventh section was read.

On the question,

Will the House agree to the section?

Mr. DENNISON offered the following amendments:

Amend Section 7, page 24, line 8, by inserting after the word "one" the following: "and."

Amend Section 7, page 24, line 8, by inserting after the word "two" the following: "of this act."

They were agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the House agree to the title?

Mr. DENNISON offered the following amendments:

Amend Title, page 2, the 19th line, by placing brackets before and after the word "and" at the end of said line.

Amend Title, page 2, the 20th line, by adding after the word "penalties" the following: "providing that certain penalties shall be enforced by liens upon vehicles and the sale of such vehicles free of all liens and encumbrances, and imposing duties upon operators, owners, magistrates and sheriffs."

They were agreed to.

The title was agreed to as amended.

On the question,

Will the House agree to the bill on second reading as amended?

Mr. TOOMEY. Mr. Speaker, I would like to interrogate the gentleman from Jefferson, Mr. Dennison.

The SPEAKER. Will the gentleman from Jefferson, Mr. Dennison permit himself to be interrogated?

Mr. DENNISON. Mr. Speaker, I shall.

Mr. TOOMEY. Mr. Speaker, has your committee on Motor Vehicles consulted or called in the Highway Department before your committee with respect to effects of damage that this extra weight might have on our highways?

Mr. DENNISON. Mr. Speaker, I am not clear just what the gentleman means. Did you ask if we called the Highway Department before the Committee on Motor Vehicles before considering this bill? Is that the question?

Mr. TOOMEY. Mr. Speaker, that is the question.

Mr. DENNISON. Mr. Speaker, no one was called before the Committee, either the Highway Department, the Revenue Department or the proponents of the bill.

Mr. TOOMEY. Mr. Speaker, has your committee on Motor Vehicles called in or consulted the State Police as to enforcement of the policies under this bill, as to enforcing the rules which will be set up under this bill; have they been consulted?

Mr. DENNISON. Mr. Speaker, I have as Chairman of the Committee on various occasions consulted with the head of the State Police in regard to the provisions of the bill.

Mr. TOOMEY. Mr. Speaker, would the gentleman tell us what he was informed?

Mr. DENNISON. Mr. Speaker, I was informed that the functions of the State Police are to enforce the laws as passed by the Legislature.

Mr. TOOMEY. Mr. Speaker, I thank the gentleman.

#### MOTION TO RECOMMIT

Mr. TOOMEY. Mr. Speaker, I move that this bill be recommitted to the Committee on Highways for further study.

On the question,

Will the House agree to the motion?

Mr. DENNISON. Mr. Speaker, I ask permission to interrogate the gentleman from Perry, Mr. Toomey.

The SPEAKER. Will the gentleman from Perry, Mr. Toomey permit himself to be interrogated?

Mr. TOOMEY. Mr. Speaker, I shall.

Mr. DENNISON. Mr. Speaker, I would like to ask the gentleman what his motive is in moving to recommit this bill to the Committee on Highways, a Committee to which the bill has never been referred in at least the six sessions at which I have been present. It has always been in the Motor Vehicles Committee. Perhaps he has an ulterior motive and if he has I would like to have him explain it.

Mr. TOOMEY. Mr. Speaker, I certainly have no ulterior motives, I assure you. However, I do not believe that the bill was considered by unbiased interests. I know that all my information has come from two particular groups and I feel that perhaps our Highway Department, and our highways and byways of Pennsylvania will be affected by this bill more than any other Department and it affects the taxpayers throughout the state of Pennsylvania.

Mr. DENNISON. Mr. Speaker, I would like to ask the gentleman if at any time during the time this bill has been under consideration he has been contacted by any member of the Highway Department asking him to oppose this bill?

Mr. TOOMEY. Mr. Speaker, I have not.

Mr. DENNISON. Mr. Speaker, does the gentleman think that by re-referring this bill to the Committee on Highways additional information which is not already available will be divulged?

Mr. TOOMEY. Mr. Speaker, we do have hope that we can receive some very valuable information from the engineers of our own highway system.

Mr. DENNISON. Mr. Speaker, will the gentleman tell me what the present weights, axle weights now permitted on Pennsylvania Highways are?

Mr. TOOMEY. Mr. Speaker, eighteen thousand pounds.

Mr. DENNISON. Mr. Speaker, I do not like to differ with the gentleman but I think if he will read his motor vehicle code he will find that the present axle, permissible axle weights are twenty thousand pounds, the same as permitted in this bill.

Does the gentleman feel that presently this axle weight which we have had for a number of years is unfair?

Mr. TOOMEY. Mr. Speaker, is the gentleman talking on my motion or on the bill?



The SPEAKER. The gentleman is correct. The gentleman will please confine himself to the motion to recommit.

Mr. DENNISON. Mr. Speaker, I am trying to ascertain from the gentleman his motive in asking to recommit.

Mr. TOOMEY. Mr. Speaker, I make this motion to recommit this bill to the Committee on Highways for further study and consideration which I feel that this bill deserves.

Mr. DENNISON. Mr. Speaker, I thank the gentleman.

I believe the House should not give this motion much serious consideration. This is not new legislation. This legislation has been before this House on at least four different occasions at which times this House voiced its approval of this type of legislation, and I think it is definitely unfair that the Members of this House should be deprived of voting on a measure as important as this; therefore, I ask you to vote down this motion.

Mr. TOOMEY. Mr. Speaker, the reason I moved to recommit this bill to the Committee on Highways was because of the simple fact that I am a co-sponsor of Resolution 58 in which we merely ask the Joint State Government Commission to study the effects of the weights of trucks on our highways.

I know that I am no engineer, however I do travel the highways and byways of Perry county and I know that every time we have a detour in Perry count when we are building a new road we have to rebuild our detour immediately afterward.

This study that we have requested would determine whether additional weight on our highways would be damaging to them. This is an important question. Pennsylvania has perhaps one of the greatest highways systems in the world and I hope that we can keep it that way.

We only have about a year and four months until we will come back here in a new session and I cannot see any reason for pushing this bill through the House.

Believe me, I have nothing against the truckers. I am for the trucker. I think that it is part of our economy that we are going to have to have them and I realize that. But I cannot see any reason for pushing this particular bill through at this time, and if a further study proved that our trucks, heavier trucks do not damage our highway, I can promise the truckers a vote.

I do hope that the House will vote to recommit this bill for further study and reconsideration.

Mr. DENNISON. Mr. Speaker, I would like to further interrogate the gentleman from Perry, Mr. Toomey.

The SPEAKER. Will the gentleman from Perry, Mr. Toomey permit himself to be interrogated?

Mr. TOOMEY. Mr. Speaker, I shall.

Mr. DENNISON. Mr. Speaker, in your opinion, and you were a member of the Motor Vehicles Committee, when the study was made in 1949 by a special committee, did or did not that committee develop any facts relative to damage to highways by motor transportation?

Mr. TOOMEY. Mr. Speaker, I think perhaps they did claim damaging effects.

Mr. DENNISON. Mr. Speaker, the gentleman make the suggestion that the Joint State Government made a study of the problem. However, will the gentleman tell me what the facilities of the Joint State Government are for such a study?

Mr. TOOMEY. Mr. Speaker, I believe the Joint State Government Commission, when they with expert advice, perhaps would call in engineers, they would probably consult the Federal Bureau of public roads, the automobile associations and bring in all the expert advice that they possibly can—and they do that. We as laymen, I do not believe are too good as judges on whether our trucks damage our roads or whether they do not. I know that I would hesitate to judge.

Mr. DENNISON. Mr. Speaker, is the gentleman aware that presently being conducted in Maryland is the famous Maryland Road Test?

Mr. TOOMEY. Mr. Speaker, to a certain extent.

Mr. DENNISON. Mr. Speaker, could you give me any concrete results of that test?

Mr. TOOMEY. Mr. Speaker, as far as I can ascertain by reading the reports I have, the test is not complete by any means but further study and experimentation will bring out final results.

Mr. DENNISON. Mr. Speaker, as I understand the gentleman, in the space of perhaps, shall we say fifteen months, the Joint Government will develop information which has been three years in preparation by the Maryland Road Test and their brilliance and information would be much more valuable than that test?

Mr. TOOMEY. Mr. Speaker, the test is not complete. I think perhaps, and I believe that I am correct, in reading some of the tests, they were not too favorable to big trucks so far.

Mr. DENNISON. Mr. Speaker, in court I believe we do not rest too much on conjecture and I would like to have the Members of the House judge this measure in the same way, in light of facts rather than what somebody's opinion may be.

Mr. ANDREWS. Mr. Speaker, the gentleman from Perry and the gentleman he questioned have perhaps wandered somewhat from the major issue which is simply whether this bill should be recommitted.

They have discussed the question as to whether trucks damage roads. I might interject and take a little liberty as they did, and venture the opinion that trucks damage roads when roads are built on mud. That is the extent of the technical research so far.

This bill has been discussed as no other bill in my memory has been discussed. Various powerful far-reaching organizations have showered the Members of this House with leaflets, pamphlets, arguments without end.

I know of no bill that in some quarters has aroused as much bitterness as this bill has aroused. It becomes incumbent upon the Members of this House to cut through the bitterness of the propaganda, get down to facts and resolve a very important issue, and the only way we can resolve that issue is to bring this bill to a vote.

Now the gentleman from Perry is a bit ingenious. He did not divulge any sinister motive in asking for recommitment. His design undoubtedly is to kill the bill. That is not the way a bill of this kind should be killed. We have gone too far, too much has been said to back-track at this time to send a measure of major concern back to a Committee for purposes of further consideration.

And so, irrespective of how the membership of the House may vote, of what the convictions of the individuals Members may be, I am hoping that at least a



very considerable number of the Members on this side will vote against recommitment, irrespective of what their convictions may be when we reach the point where we are finally deciding whether Senate Bill 615 shall or shall not pass the House.

On the question recurring,

Will the House agree to the motion?

The yeas and nays were required by Mr. Toomey and Mr. Kent and were as follows:

## YEAS—59

Blair,	Graybill,	Leonard, L.,	Schuster,
Boies,	Greenwood,	Light,	Scott,
Boorse,	Greer,	Madden,	Shoemaker.
Breisch,	Gutendorf,	McDermitt,	Sollenberger,
Cochran,	Hall,	Mikula,	Swope,
Cooper,	Hamilton, R. K.,	Miller, H. G.,	Taylor,
Dalrymple,	Hunter,	Moore, C. E.,	Thompson, R. L.,
Davis,	Jenkins,	Moore, H. A.,	Tompkins,
Erb,	Jones, J. M.,	Moran,	Toomey,
Ferster,	Kent,	Munley,	Watkins,
Fillip,	Kline,	Musto,	Wescott,
Fillo,	Kohl,	Polaski,	Westrick,
Flack,	Kolankiewicz,	Reagan,	Wood,
Gaffney,	Kornick,	Rigby,	Yetzer,
Good,	Lelsey,	Rovanssek,	

## NAYS—123

Amarando,	Guarnieri,	McGee,	Sarrafi,
Andrews,	Guthrie,	McInroy,	Sax,
Banker,	Hagerty,	McKinney,	Scanlon,
Barkdoll,	Hamilton, W. H.,	McMillen,	Scmidt,
Bear,	Haudenschild,	McNally,	Seyler,
Berkstresser,	Headlee,	Metz,	Shotwell,
Bloom,	Helm,	Mihm,	Smith,
Bolton,	Hersch,	Miller, J. C.,	Snider,
Bower,	Hewitt,	Mintess,	Spencer,
Brown,	Hocker,	Monroe,	Stank,
Bucchin,	Hoggard,	Muldowney,	Stimmel,
Byrne,	Johnson,	Murray,	Stoner,
Cella,	Jones, G. E.,	Najaka,	Swartz,
Clapper,	Jones, P. F.,	Naugle,	Tahl,
Clendenning,	Jones, T. H. W.,	Penglase,	Thompson, E. F.,
Conway,	Kamyk,	Peta,	Toll,
Corr,	Keller,	Petrosky,	Varallo,
Costa,	Lafore,	Pettigrew,	Varner,
Coyle,	Lederer,	Pichney,	Verona,
Dennison,	Leven,	Pitzer,	Wargo,
Dougherty,	Limper,	Polen,	Waterhouse,
Dowling,	Loftus,	Price, H. W. Jr.,	Weidner,
DuBois,	Lopresti,	Price, R. A.,	Welsh,
Duffy,	Lovett,	Readinger,	Wheeler,
Dunn,	Lutty,	Reese,	White,
Ewing,	Lyons,	Reidenbach,	Williams,
Fenrich,	Madigan,	Reilly, J. M.,	Yeakel,
Firmstone,	Markley,	Riley, R. L.,	Yester,
Frost,	Mazza,	Rosen,	Ziegler,
Gibson,	McCormack,	Royer,	Sorg,
Gleason,	McCullough,	Rubin,	Speaker

## NOT VOTING—25

Baumunk,	Goodling,	Maxwell,	Robertson,
Beaver,	Harney,	McConnell,	Rose,
Beech,	Jump,	Mills,	VanSant,
Bomberger,	Kratz,	Needham,	Wachhaus,
Breth,	Kubacki,	Olsen,	Whalley,
Geer,	Leonard, W. C.,	Praff,	Wilt,
			Young,

So the question was determined in the negative and the motion was not agreed to.

On the question recurring,

Will the House agree to the bill on second reading as amended?

It was agreed to.

Ordered, To be transcribed for third reading.

## BILLS PASSED OVER

There being no objection

Senate Bill No. 653, Printer's No. 407

Senate Bill No. 654, Printer's No. 449

Senate Bill No. 655, Printer's No. 378 and

Senate Bill No. 656, Printer's No. 405

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 708, entitled:

An Act to further amend Section 1207 of the act approved the first day of May one thousand nine hundred twenty-one (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by changing the disposition of fines and forfeitures

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

## BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1205, as follows:

An Act defining analytical biochemical and biological laboratory regulating the operation of the same requiring such laboratories to obtain permits and to be operated under the direct supervision of qualified persons imposing certain duties upon the Department of Health and providing penalties

Whereas the health and lives of the citizens of this Commonwealth are endangered by incompetent supervision of analytical biochemical and biological laboratory tests and

Whereas a due regard for public health and preservation of human life demands that none but scientists competent and properly qualified by sufficient training in the fundamental sciences and experienced in their applications in the analytical biochemical and biological laboratory shall be permitted to supervise the work of such laboratories

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Short Title This act shall be known and may be cited as "The analytical biochemical and biological Laboratory Act"

Section 2 Definitions The term analytical biochemical and biological Laboratory" means any place establishment or institution organized and operated primarily for the performance of all or any bacteriological biochemical microscopical seriological or parasitological tests by the practical application of one or more of the fundamental sciences to material originating from the human body by the use of specialized apparatus equipment and methods for the purpose of obtaining scientific data which



may be used as an aid to ascertain the state of health  
The term "Department" means the Department of Health

Section 3 Limitations A Analytical biochemical and biological laboratory shall be under the direct and personal supervision of

1 A holder of a doctor or science degree or its equivalent in the basic sciences including professional degrees in public health pharmacy dentistry and veterinary medicine from a college or university recognized by the National Committee of Regional Accrediting Agencies or the Department of Public Instruction in chemistry biology or bacteriology and who has had two years of experience in a laboratory acceptable to the department

2 The holder of a master of science degree or its equivalent in the basic sciences from a college or university recognized by the National Committee of Regional Accrediting Agencies or the Department of Public Instruction in chemistry biology or bacteriology and who has had a minimum of four years' experience in a laboratory acceptable to the department

3 The holder of a bachelor of science degree or its equivalent in the basic sciences from a college or university recognized by the National Committee of Regional Accrediting Agencies or the Department of Public Instruction in chemistry biology or bacteriology and who has had a minimum of five years' experience in laboratory work in a laboratory acceptable to the department

4 An individual who holds no degree but who has had a minimum of ten years of experience in an acceptable analytical biochemical and biological laboratory and whose experience covers all of the fields of analytical biochemical and biological laboratory work and whose individual qualifications are acceptable to the department this clause shall remain effective until December thirty-first one thousand nine hundred fifty-five

Section 4 Application for Permit All persons now operating or hereafter desiring to operate a analytical biochemical and biological laboratory shall make written application to the department for a permit to operate which application shall be accompanied by a fee of twenty-five dollars (\$25) payable to the department and shall be retained by the department

Section 5 Contents of Application The application shall contain at least the following

(a) The name and address of the persons owning the place establishment or institution in which the analytical biochemical and biological laboratory is to be or is operated

(b) The name and address of the persons operating or to operate such laboratory

(c) The name and address of the qualified person under whose direct and personal supervision such laboratory is to be or is operated

(d) The kind and nature of the laboratory work to be or is being done

(e) The description of the building its location facilities equipment apparatus and appliances to be furnished or used in the operation of such laboratory

(f) Such additional information as the department may require by any rule or regulation

The facts as set forth in the application shall be duly sworn to or affirmed by one of the owners of such laboratory

Section 6 Revocation of permit (a) Permits shall become of the laboratory to other quarters A new permit may be void upon change of director and also upon the removal issued without charge when the department has passed upon the qualifications of the new director or upon the adequacy of the new quarters and equipment

(b) A permit may be revoked at any time for failure to maintain proper standards of accuracy for unethical practice or for unethical advertising or for any other cause deemed adequate by the department

Section 7 Investigation by Department Upon the filing of any application for a permit or for renewal the department shall investigate the facts set forth in the application

Section 8 Issuance of Permit If the department finds the statements contained in the application are true the said department shall issue a permit

Section 9 Contents and Signing of Permit The permits shall contain at least the following

(a) The name and address of the laboratory and its owner

(b) The name and address of the person charged with the operation of the laboratory

(c) The name of the qualified person under whose supervision the laboratory is operated

(d) All permits shall be signed or counter-signed by the Secretary of Health

Section 10 Statement of Grounds for Denial of Permits If the department does not within six months after the filing of the application issue a permit it shall state the grounds and reasons for its refusal in writing furnishing a copy to the applicant

Section 11 Inspection The department may at any time visit enter examine and inspect the premises occupied maintained and conducted by any laboratory and may examine all matters in relation thereto

Section 12 Hearings and Appeals If an application for a permit is denied as provided in section ten hereof the applicant may request and be entitled to a hearing before the Secretary of Health if such request was made within thirty days after the permit was denied A permit issued under the provisions of this act may be revoked or suspended by the department for cause Provided That the permittee is permitted to be heard by the department either personally by counsel or both And provided further That a written copy of the causes be furnished him by registered mail ten days in advance of the date set for hearing Said notice shall fix the time and place for said hearing which shall not be more than thirty days from the date of the mailing of said notice

Any person who shall be aggrieved by any action of the department under this act or by any rule or regulation promulgated by the department shall have the right to file a complaint with the Secretary of Health and to have a hearing thereon before the Secretary of Health Such hearing shall be conducted and the decision of the Secretary of Health on the issue involved shall be rendered in accordance with the provisions of the Administrative Agency Law and its amendments approved June fourth one thousand nine hundred forty-five (P. L. 1388) relating to adjudication procedure Any person aggrieved by any adjudication of the Secretary of Health shall have the right to appeal therefrom to the Court of Common Pleas of Dauphin County and have a judicial review of such adjudication within the time and in the manner and with the same effect as is provided by the Administrative Agency Law and the Rules of Civil Procedure promulgated by the Supreme Court for judicial review of adjudications of agencies of the Commonwealth Such appeal shall not act as a supersedeas but the permittee may continue to operate the laboratory up to the date to the final decision of the court without being held to have violated the provisions of this act

Section 13 Exemptions This act shall not include nor apply to any laboratory or laboratories maintained and operated by the Federal State county or municipal government nor to any laboratory or laboratories maintained and operated purely for research or teaching purposes nor shall it apply to a laboratory operated by a physician licensed to practice in this Commonwealth or to laboratories maintained and operated in hospitals nor shall it apply to a laboratory maintained and operated by any industrial organization provided such laboratory be in charge of a duly licensed physician

Section 14 Penalty Any person operating a analytical biochemical and biological laboratory without first having obtained a permit from the Department of Health shall upon conviction thereof be sentenced to pay a fine not exceeding five hundred dollars (\$500) or to imprisonment not exceeding one (1) year or both

Section 15 Interpretation of act the provisions of this act are severable and if any of its provisions shall be



held unconstitutional the decision of the court shall not affect or impair any of the remaining provisions of this act it is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provisions not been included herein

Section 16 Effective Date This act shall become effective on the first day of January one thousand nine hundred fifty-two

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—200

Amarando,	Good,	Madigan,	Rosen,
Andrews,	Goodling	Markley,	Rovansek,
Banker,	Graybill,	Maxwell,	Royer,
Barkdoll,	Greenwood,	Mazza,	Rubln,
Baumunk,	Greer,	McConnell,	Sarra,
Bear,	Guarnieri,	McCormack,	Sax,
Beaver,	Gutendorf,	McCullough,	Scanlon,
Beech,	Guthrie,	McDermitt,	Schmidt,
Berkstresser,	Hall,	McGee,	Schuster,
Blair,	Hagerty,	McInroy,	Scott,
Bloom,	Hamilton, R. K.,	McKinney,	Seyler,
Boles,	Harney,	McMillen,	Shoemaker,
Bolton,	Haudenshield,	McNally,	Shotwell,
Bomberger,	Headlee,	Metz,	Smith,
Boorse,	Helm,	Mihm,	Snider,
Bower,	Hersch,	Mikula,	Sollenberger,
Breisch,	Hewitt,	Miller, H. G.,	Stank,
Breth,	Hooker,	Mills,	Stimmel,
Brown,	Hoggard,	Mintess,	Stoner,
Bucchin,	Hunter,	Monroe,	Swartz,
Byrne,	Jenkins,	Moore, C. E.,	Swope,
Cella,	Johnson,	Moore, H. A.,	Tahl,
Clapper,	Jones, G. E.,	Moran,	Taylor,
Clendening,	Jones, J. M.,	Muldowney,	Thompson, E. F.,
Cochran,	Jones, P. F.,	Munley,	Thompson, R. L.,
Conway,	Jones, T. H. W.,	Murray,	Toll,
Cooper,	Jump,	Musto,	Tompkins,
Corr,	Kamyk,	Najaka,	Toomey,
Costa,	Keller,	Naugle,	VanSant,
Coyle,	Kent,	Needham,	Varallo,
Dairymple,	Kline,	Olsen,	Verona,
Davis,	Kohl,	Penglase,	Wachhaus,
Dennison,	Kolankiewicz,	Peta,	Wargo,
Dougherty,	Kornick,	Petrosky,	Waterhouse,
Dowling,	Krats,	Pettigrew,	Watkins,
DuBola,	Kubacki,	Pfaff,	Weidner,
Duffy,	Lafore,	Pichney,	Welsh,
Dunn,	Lederer,	Pitzer,	Wescott,
Erb,	Leisey,	Polaski,	Westrick,
Ewing,	Leonard, L.,	Polen,	Wheeler,
Fenrich,	Leonard, W. C.,	Price, H. W. Jr.,	Williams,
Ferster,	Leven,	Price, R. A.,	Wilt,
Flip,	Light,	Readinger,	Wood,
Filo,	Limper,	Reagan,	Yeakel,
Firmstone,	Loftus,	Reese,	Yester,
Flack,	Lopresti,	Reidenbach,	Yetzer,
Frost,	Lovett,	Rigby,	Young,
Gaffney,	Lutty,	Riley, R. L.,	Ziegler,
Geer,	Lyons,	Robertson,	Sorg,
Gibson,	Madden,	Rose,	Speaker
Gleason,			

#### NAYS—6

Hamilton, W. H.,	Relly, J. M.,	Varner,	White,
Miller, J. C.,	Spencer,		

#### NOT VOTING—1

Whalley,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1356, as follows:

An Act to amend sections one eight and thirteen of the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 940) entitled "An act relating to boarding houses for children providing for the licensing and inspection thereof and the adoption of rules and regulations for the maintenance operation and conduct thereof by the Department of Welfare defining "boarding houses for children" providing for an advisory committee with which the department shall confer in adopting rules and regulations and increasing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections one eight and thirteen of the act approved the twenty-fifth day of June one thousand nine hundred forty-seven P. L. 940) entitled "An act relating to boarding houses for children providing for the licensing and inspection thereof and the adoption of rules and regulations for the maintenance operation and conduct thereof by the Department of Welfare defining offenses and prescribing penalties" are hereby amended to read as follows

Section 1 Definitions Exclusions The term "boarding house for children" as used in this act shall mean any place maintained operated and conducted [for his gain or reward] for the reception of [more than two children] any child or children between the ages of three and sixteen years of age who are unaccompanied by parent or guardian for the purpose of providing such children with full time care food and lodging The term "boarding house for children" shall not be construed to include (1) institutions maintained by the Commonwealth or any political subdivision thereof [(2) institutions boarding houses foster homes or any other places for the care of children to which the several courts of the Commonwealth or the county institution districts shall send children (3) any place conducted by or in which children may be placed by institutions and social agencies duly incorporated as nonprofit corporations whose corporate purposes include the placement and care of children (4) (2) any bona fide nonprofit educational institution whether incorporated or not [(5)] (3) any place conducted by a person or persons related to the children received therein by blood or marriage within the second degree [(6)] (4) vacation boarding houses or vacation camps caring for children for a period of time not to exceed ninety (90) consecutive days or [(7)] (5) any place selected by a parent for the temporary care of his children gratuitously or for pay during his absence or [(8)] (6) places licensed under any other law of this Commonwealth

The word "department" as used in this act shall mean the Department of Welfare of the Commonwealth

Section 8 Department to adopt rules and regulations the department is hereby authorized and empowered subject to the provisions of this section to adopt rules and regulations not inconsistent with the provisions of this act for the issuance and renewal of such licenses and the proper maintenance operation and conduct of such licensed boarding houses for children and for the effective enforcement thereof such rules and regulations shall be designed to insure normal lives for all children maintained in boarding houses for children

In adopting rules and regulations the department shall confer with an advisory committee of not less than seven or more than eleven persons to be appointed by the Governor who shall select the members of the Advisory Committee from representatives of recognized child welfare institutions agencies and religious organizations conducting boarding houses for children and from the public at large the Secretary of Welfare shall be a member ex officio of the Advisory Committee and shall act as the executive officer of the committee.

Section 13 Offenses Penalty Any person who operates a boarding house for children without having obtained a license within thirty days after being notified by the department so to do or who operates a boarding house for children after his license has been revoked shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding [two hundred dol-



lars (\$200) one thousand dollars (\$1000) or undergo imprisonment not exceeding [six months] one year or both in the discretion of the court

On the question,

Shall the bill pass finally?

Mr. ANDREWS. Mr. Speaker, when House Bill 1356 came before the House on final passage originally, I was one of those who voiced opposition to it. I believed that it needed amendment. I believed that the head of the Department of Welfare, in framing the rules and regulations that would govern his supervision and his duties under this act, should associate himself with a committee which would have more than a merely advisory capacity—a committee which would be broadly representative of the charitable and religious groups in the Commonwealth and which would, in effect, ride herd upon the Department to make certain that its rules and regulations were not in any sense objectionable to any well meaning individual or organization.

This bill has been amended and so far as I am personally concerned the amendments meet my original objections. I am, therefore, hoping that this bill will pass the House because it is a measure designed to cure an evil that has long been present in our Commonwealth.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—125

Andrews,	Frost,	Lovett,	Sax,
Banker,	Geer,	Madden,	Schmidt,
Barkdoll,	Gibson,	Madigan,	Scott,
Bear,	Gleason,	Markley,	Seyler,
Beaver,	Goodling,	McCormack,	Shoemaker,
Beech,	Graybill,	McCullough,	Shotwell,
Berkstresser,	Greenwood,	McInroy,	Smith,
Blair,	Greer,	McNally,	Snider,
Bloom,	Guthrie,	Mihm,	Sollenberger,
Boiten,	Hall,	Mikula,	Spencer,
Boorse,	Hamilton, R. K.,	Miller, H. G.,	Stimmel,
Brelsich,	Hamilton, W. H.,	Miller, J. C.,	Stoner,
Brown,	Haudenschild,	Mintess,	Swartz,
Cella,	Headlee,	Moore, H. A.,	Swope,
Clapper,	Helms,	Murray,	Tahl,
Clendening,	Hocker,	Naugle,	Taylor,
Cochran,	Hunter,	Pichney,	Thompson, E. F.,
Cooper,	Jenkins,	Pitzer,	Thompson, R. L.,
Corr,	Johnson,	Polaski,	Toomey,
Costa,	Jones, P. F.,	Polen,	VanSant,
Dalrymple,	Jones, T. H. W.,	Price, H. W. Jr.,	Varner,
Davis,	Kamyk,	Readinger,	Wachhaus,
Dowling,	Kent,	Reagan,	Watkins,
DuBois,	Kline,	Reese,	Weidner,
Erb,	Kohl,	Reilly, J. M.,	Wescott,
Ewing,	Kornick,	Rigby,	Wheeler,
Fenrich,	Lafore,	Riley, R. E.,	Williams,
Ferster,	Lelsey,	Rosen,	Wilt,
Filo,	Leonard, L.,	Royer,	Wood,
Firmstone,	Light,	Rubin,	Yeakel,
Flack,	Loftus,	Sarraf,	Yetzer,
			Ziegler,

## NAYS—54

Amarando,	Hersch,	McDermitt,	Rovanssek,
Bower,	Hewitt,	McKinney,	Scanlon,
Bucchin,	Hoggard,	McMillen,	Schuster,
Byrne,	Jones, G. E.,	Monroe,	Stank,
Conway,	Jones, J. M.,	Moore, C. E.,	Toll,
Coyle,	Keller,	Muldowney,	Tompkins,
Dougherty,	Kolankiewicz,	Munley,	Varallo,
Duffy,	Lederer,	Musto,	Wargo,
Dunn,	Leven,	Najaka,	Welsh,
Fillip,	Limper,	Penglase,	Westrick,
Gaffney,	Lopresti,	Peta,	White,
Guarnieri,	Lutty,	Petrosky,	Sorg,

Gutendorf,  
Hagerty,

Lyons,  
Mazza,

Pettigrew,  
Reidenbach,

Speaker

## NOT VOTING—28

Baumunk,  
Boles,  
Bomberger,  
Breth,  
Dennison,  
Good,  
Harney,

Jump,  
Kratz,  
Kubacki,  
Leonard, W. C.,  
Maxwell,  
McConnell,  
McGee,

Metz,  
Mills,  
Moran,  
Needham,  
Olsen,  
Pfaff,  
Price, R. A.,

Robertson,  
Rose,  
Verona,  
Waterhouse,  
Whalley,  
Yester,  
Young,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1357, as follows:

An Act to amend the act approved the fourteenth day of April one thousand nine hundred and twenty-five (P. L. 234) entitled "An act relating to Boarding Houses for Infants providing for the licensing thereof and the adoption of rules and regulations for the maintenance operation and conduct thereof by the Department of Welfare and fixing penalties" by redefining "boarding houses for infants" eliminating license fees providing for an advisory committee with which the Department shall confer in adopting rules and regulations and increasing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the fourteenth day of April one thousand nine hundred and twenty-five (P. L. 234) entitled "An act relating to Boarding Houses for Infants providing for the licensing thereof and the adoption of rules and regulations for the maintenance operation and conduct thereof by the Department of Welfare and fixing penalties" is hereby amended to read as follows

Section 1 Be it enacted &c That the term "boarding house for infants" as used in this act shall mean any place [other than institutions duly incorporated for the purpose] maintained operated and conducted [for hire or reward] for the reception of [more than one infant child] any child or children under three years of age unaccompanied by parents or guardian for the purpose of providing such children with care food and lodging for a continuous period longer than twenty-four hours unless such children are related to the person or persons maintaining and conducting such place by blood or marriage within the second degree [but] the term "boarding house for infants" shall [not] be construed to include such places as are commonly known as day nurseries where children are not lodged over night

Section 2 Sections five and six of said act as amended by the act approved the twenty-eighth day of April one thousand nine hundred and thirty-three (P. L. 95) are hereby further amended to read as follows

Section 5 Issuance of License The Department of Welfare [shall] when satisfied that the applicant or applicants for such license are proper persons and that the place sought to be used as a boarding house for infants is a fit and suitable place for such purpose and when all the requirements of this act and the rules and regulations of the department have been complied with [and upon the payment of a license fee of five dollars (\$5.00) issue such license] shall issue such license without cost and keep a record thereof and of the application therefor

Section 6 Term and Contents of License All licenses granted by the department shall be for a period of not more than one year and may be renewed upon certification by the Department of Welfare [the payment of an annual fee of five dollars (\$5.00)] The license shall state the name of the licensee or licensees the particular premises



where such boarding house may be maintained operated and conducted and the number of infants which may be boarded therein at one time [All license fees collected and received by the Department of Welfare under the provisions of this act shall be paid into the State Treasury through the Department of Revenue] No fee shall be charged for such renewal

Section 3 Sections eight and thirteen of said act are hereby amended to read as follows

Section 8 Department of Welfare to adopt rules and regulations The Department of Welfare may with the approval of the State Welfare Commission and an advisory committee as hereinafter provided make and adopt rules and regulations not inconsistent with this act for the issuance and renewal of such licenses and the proper maintenance operation and conduct of such boarding houses for infants and for the effective enforcements thereof

In adopting rules and regulations the Department of Welfare shall confer with an advisory committee of not less than seven nor more than eleven persons to be appointed by the Governor who shall select the members of the advisory committee from representatives of recognized child welfare institutions agencies and religious organizations conducting boarding houses for infants and from the public at large the Secretary of Welfare shall be a member ex officio of the advisory committee and shall act as the executive officer of the committee

Section 13 Penalty Any person violating any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one [hundred] thousand dollars or to undergo imprisonment not exceeding one year or both in the discretion of the court

On the question,

Shall the bill pass finally?

Mr. PRICE. Mr. Speaker, inasmuch as these are companion bills (H.B. 1356) and they were both amended to take care of objections, I would suggest that we use the same roll call for both bills.

The SPEAKER. If there are no objections, the Chair will accept the gentleman's suggestion. Are there objections?

Mr. ANDREWS. Mr. Speaker, I believe that various Members who might have been opposed to the other bill have no objections to this bill. I think it would in those instances be an injustice to the Members to automatically record them against a bill that they may favor.

The SPEAKER. The Chair will be governed accordingly. The Chair hears objections. The Clerk will call the roll.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—113

Andrews,	Frost,	Lyons,	Sax,
Banker,	Geer,	Madden,	Schmidt,
Barkdoll,	Gibson,	Madigan,	Scott,
Baumunk,	Gleason,	Markley,	Seyler,
Bear,	Goodling,	McCormack,	Shoemaker,
Beaver,	Graybill,	McCullough,	Shotwell,
Beech,	Greenwood,	McInroy,	Smith,
Berkstresser,	Greer,	McKinney,	Snider,
Blair,	Guthrie,	McNally,	Sollenberger,
Bloom,	Hall,	Metz,	Spencer,
Boiton,	Hamilton, R. K.,	Mihm,	Stimmel,
Boorne,	Hamilton, W. H.,	Mikula,	Stoner,
Breisch,	Haudenshield,	Miller, H. G.,	Swartz,
Brown,	Headlee,	Miller, J. C.,	Swope,
Cella,	Helm,	Mintess,	Tahl,
Clapper,	Hocker,	Moore, H. A.,	Thompson, E. F.,
Clendenning,	Hunter,	Moran,	Thompson, R. L.,

Cochran,  
Cooper,  
Corr,  
Costa,  
Dalrymple,  
Davis,  
Denilson,  
Dowling,  
DuBois,  
Erb,  
Ewing,  
Fenrich,  
Ferster,  
Filo,  
Firmstone,  
Flack,  
Jenkins,  
Johnson,  
Jones, F. F.,  
Jones, T. H. W.,  
Kamyk,  
Kent,  
Kline,  
Kohl,  
Kolankiewicz,  
Kornick,  
Latore,  
Lelsey,  
Leonard, L.,  
Light,  
Loftus,  
Lovett,

Murray,  
Naugle,  
Pichney,  
Pitzer,  
Polaski,  
Polen,  
Price, H. W. Jr.,  
Readinger,  
Reese,  
Reilly, J. M.,  
Rigby,  
Riley, R. L.,  
Rosen,  
Royer,  
Rubin,  
Sarraf,

Toomey,  
VanSant,  
Varner,  
Wachhaus,  
Waterhouse,  
Watkins,  
Weldner,  
Wescott,  
Wheeler,  
White,  
Williams,  
Wilt,  
Wood,  
Yeakel,  
Yester,  
Yetzer,  
Ziegler,

#### NAYS—49

Amarando,  
Bower,  
Byrne,  
Conway,  
Coyle,  
Dougherty,  
Duffy,  
Dunn,  
Fillip,  
Gaffney,  
Guarnieri,  
Gutendorf,

Hagerty,  
Hersch,  
Hewitt,  
Hoggard,  
Jones, G. E.,  
Jones, J. M.,  
Jump,  
Keller,  
Lederer,  
Leven,  
Limper,  
Lopresti,  
Lutty,  
Mazza,  
McDermitt,  
McMillen,  
Monroe,  
Muldowney,  
Munley,  
Musto,  
Penglase,  
Peta,  
Petrosky,  
Pettigrew,  
Price, R. A.,

Reagan,  
Reidenbach,  
Scanlon,  
Schuster,  
Stank,  
Toll,  
Tompkins,  
Varallo,  
Wargo,  
Welsh,  
Westrick,  
Sorg,  
Speaker,

#### NOT VOTING—25

Boies,  
Bomberger,  
Breth,  
Bucclin,  
Good,  
Harney,

Kratz,  
Kubacki,  
Leonard, W. C.,  
Maxwell,  
McConnell,  
McGee,  
Mills,  
Moore, C. E.,  
Najaka,  
Needham,  
Olsen,  
Pfaff,

Robertson,  
Rose,  
Rovansek,  
Taylor,  
Verona,  
Whalley,  
Young,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

#### BILL PASSED OVER

There being no objection

House Bill No. 1557, Printer's No. 860, was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the consideration on final passage of Senate Bill No. 11, as follows:

An Act to amend subsection (a) of Section 9 of the act approved the twenty-sixth day of May one thousand nine hundred forty-nine (P. L. 1828) entitled "An act concerning the investment powers and duties of guardians committees trustees and other fiduciaries except personal representatives and prescribing the nature and kind of investments which may be made and retained by such fiduciaries" authorizing investments in common stocks meeting certain qualifications and eliminating the requirement that stock must be listed on an exchange as to the stock of banks and insurance companies

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (a) of Section 9 of the act approved the twenty-sixth day of May one thousand nine hundred forty-nine (P. L. 1828) entitled "An act concerning the investment powers and duties of guardians committees trustees and other fiduciaries except personal representatives and prescribing the nature and kind of investments which may be made and retained by such fiduciaries" is hereby amended to read as follows

Section 9 Stocks

(a) Preferred and Common Stock Preferred and com-



mon stock of any corporation organized under the laws of the United States or of any commonwealth or state thereof or of the District of Columbia shall be an authorized investment if

(1) purchased in the exercise of that degree of judgment and care under the circumstances then prevailing which men of prudence discretion and intelligence exercise in the management of their own affairs not in regard to speculation but in regard to the permanent disposition of their funds considering the probable income to be derived therefrom as well as the probable safety of their capital

(2) in the case of preferred stock the corporation issuing the stock has earned a net profit in eight of the preceding ten fiscal years as reflected in its statements and during each of the preceding ten fiscal years has paid dividends in the specified amounts upon all its preferred stock if any outstanding during such year [and]

(3) in the case of common stock the corporation issuing the stock has earned a net profit in twelve of the preceding sixteen fiscal years as reflected in its statements and during each of the preceding sixteen fiscal years has paid dividends in the specified amounts upon all its preferred stock if any outstanding during said year and in each of at least twelve of the preceding sixteen fiscal years has paid dividends in some amount upon all its common stock if any outstanding during such year

(4) in the case of any stock other than stock of a bank or insurance company the stock is listed or traded (or if unlisted or not entitled to trading privileges shall be eligible for listing and application for such listing shall have been made) on the New York Stock Exchange or any other exchange approved by the Secretary of Banking

No investment in common stock shall be made at this time would cause the market value of the investments in common stocks to exceed one third of the market value of the estate not including in such market value the value of any participation in a common trust fund No sale or other liquidation of any investment shall be required solely because of any change in market values whereby the percentages of stocks hereinabove set forth exceeded In determining the market value of an estate a fiduciary may rely upon published market quotations as to those investments for which such quotations are available and upon such valuations of other property as in his best judgment seem fair and reasonable according to available information

When a corporation has acquired a substantial part of its property within sixteen years immediately preceding the investment by consolidation or merger or by the purchase of a substantial part of the property of any other corporation or corporations the earnings of the predecessor or constituent corporations shall be consolidated so as to ascertain whether the requirements of this section have been satisfied

"Corporation" as used in this section shall include a voluntary association a joint-stock association or company a business trust a Massachusetts trust a common-law trust and any other organization organized and existing for any lawful purpose and which like a corporation continues to exist notwithstanding changes in the personnel of its members or participants and conducts its affairs through a committee a board or some other group acting in a representative capacity

Section 2 The provisions of this act shall become effective immediately upon final enactment

On the question,

Shall the bill pass finally?

Mr. SCHMIDT. Mr. Speaker, I rise in opposition to Senate Bill 11. This bill, for the information of the Members of the House, would permit the investment of funds of a trust fund or other funds held by a fiduciary in certain types of common stocks.

The bill would limit the investment to 35 percent of the capital fund in such stocks which, I believe, have a record

of having paid dividends over a period of 12 years out of the past 16 years.

This bill would only apply where, for instance, someone dies and leaves money that would go to orphans, minors and a guardian were appointed and the guardian would be permitted to make these trust fund investments in common stock up to 35 percent of the capital of the estate.

We had a sad experience following the stock market crash with funds of persons, who were perfectly capable, so they thought, of managing their own affairs and investing their own funds in common stocks.

The primary purpose of a trust fund is the preservation of the capital of the estate, and secondly, of course, the income that may be derived from the investment. At this time the laws of the Commonwealth have limited the investment of these funds to certain first mortgages, municipal, state and federal bonds, and other investments considered sort of gild edge investments.

I feel that we should be primarily interested in the protection of the capital funds of an estate, particularly those of minors and those for whom trust funds have been created. I, therefore, hesitate at this time to deviate from that rule. I am perfectly satisfied that the 2.9 percent investment that can be made in government bonds or in mortgages is much, much safer than to permit fiduciaries to make their investments in common stock. For that reason I ask this House to vote down Senate Bill 11.

Mr. TOMPKINS. Mr. Speaker, this bill provides, as the gentleman from Allegheny has stated, that fiduciaries be permitted to invest fiduciary funds in common stocks, which qualify on a certain basis as defined in the act.

The purpose of this bill, is of course the limitation that is placed upon stocks which have had a dividend-paid record during 12 of the last 16 years, in order to give some stability to the investment.

It also provides that no more than one-third of the market value of the estate may be invested in such securities.

The purpose of this bill has been brought about by the financial conditions of our country today in this respect: when money was paying a good rate of interest of 5 or 6 percent, investments in mortgage bonds and other legal securities such as government securities and so forth, which are today authorized as legal investments; when they were producing on an average of 5 and 6 percent for the estate, you had enough with which that estate could carry out the purposes for which it was created.

However, many estates are in existence where today the purposes for which they were created are being defeated because of the fact that not sufficient return is coming in from the investments which are authorized to carry on the purposes of the fund.

I realize some of the things which the gentleman from Allegheny, Mr. Schmidt, has said, but nevertheless, we must face the reality of also taking care of those who are in need of that care.

We have thrown safeguards around the nature of the common stock which may be invested. The argument might arise that we might have a stock market crash, therefore, the value of those investments would be wiped out. I stand here to ask you if we have a stock market



crash, what do you think is going to happen to the value of some of the real estate bonds which they were authorized to invest today? We are going to be faced with the same situation. Therefore we are not in my opinion opening the door too far to permit these funds to operate on a basis for which they were created.

The second argument which might be advanced on this thing is that every man that wants to can provide by his will that his trustee or guardian may invest in such funds as they want to, including common stocks. That is very true.

I am here to ask every member of the bar who is a Member of this House, how many do not make their wills? Irrespective of all the effort which is made by trust companies, members of the bar, all those who are interested in matters of that kind, how many people still die without having gone to consult their lawyer to get that will made?

When an estate is left and children have to be educated and they find it impossible to touch the corpus of a trust perhaps; should they not be permitted to enlarge their investment to a point where that child can be taken care of properly? Because after all that is what the purpose of the estate is.

For that reason and with big returns that today are coming in from your common stocks, the return to these trusts will be of sufficient nature that they will maintain the purposes for which they were created.

Now bear in mind we can only invest one-third of the total amount of the estate in this way and they are still bound on the remaining two-thirds for those low income investments.

If any of you are connected with trust work, if you examined trusts which you perhaps had to do with ten, fifteen and twenty years ago and still the same corpus is being maintained, you know what has happened to the income of those trust funds. The purposes of those trust funds are being very seriously defeated.

This bill has been gone over very thoroughly by those who are qualified, or should be qualified to be able to answer this question as to the safety of such investments. They advise that opening the common stock deal on the basis as defined in this bill would be a reasonably safe investment for those purposes. For that reason we would ask that this bill be passed by the House.

Mr. SCHMIDT. Mr. Speaker, as a Member of the bar, the same as the gentleman Mr. Tompkins from Cameron, I feel safe in stating in my many years of practice where I have had occasion to consult with clients relative to the preparation of their estates, their will and so forth, in many, many instances when I have inquired as to whether or not they desire to permit the fiduciary, who is to handle the estate, the privilege of investing in other than those investments now allowed by law, the answer has always been an absolute no.

I believe that each and every one of us sitting here today, if we think of what is to happen to our estates after we pass on we would say that we would not want our fiduciaries to make these investments in common stock.

The sad experience that I stated happened after the crash of the stock market in 1929 and 1930, where estates were wiped out in their entirety has made me feel that I should argue against this bill as I am doing now. We

are primarily interested, I say, in preserving the corpus of the estate.

Take the example of an estate for instance of ten thousand dollars. Under the present investment practices, you can get a return of approximately 2.9 percent as against a possible 5 or 6 percent that you may receive on some stock that has for the past twelve years or twelve out of the last sixteen years earned a dividend.

Is that risk the risk of an additional 3 percent in income which in a ten thousand dollar estate may mean three hundred dollars a year, worth permitting the investment of that estate in common stocks? I feel each and everyone of us here today would say no if our lawyer were to ask us whether or not we would permit this in our will.

I ask you, therefore, not to break down the barrier and defeat this bill.

Mr. ROBERTSON. Mr. Speaker, in going over this bill, I, as an Attorney—apparently this is purely an attorney's ball game just about now—when a client comes in and asks me to draw a will, the purpose of the will is to protect the devisee who later might not have sufficient, shall we say, background, to invest the money properly, or to protect the particular person in case that person is a minor.

I suspect that probably 75 percent of the wills that go through the court are wills in which the administrations of the fiduciaries are less than approximately twenty years. A trust that was set up in 1930 let us say, will probably end today. The child or children will be able to obtain their money and spend it as they see fit. My own personal opinion is that I object to permitting any trustee or guardian to invest in what is known as common stock. There are a lot of blue chip common stocks, we all know of them.

The one thing that bothers me mostly about this bill is, why is it that the bill states that the common stock which they are now permitting trustees and guardians to invest in, do not have to have a dividend record of 100 percent. Why is the variance there? Why is it that this bill will permit stock which you are permitting a trustee or a guardian to invest in, is stock that does not pay dividends every year?

It seems to me rather peculiar that you have to take less than 100 percent, because if the establisher of the trust, the person who made the trust was interested in retaining the corpus of the estate the value of the estate, he would probably check and determine absolutely that the investment proceeds of the particular corporation will return something to him each and every year.

The argument that it is a larger return does not hold water in that situation because in the very essence of the bill which you are now attempting to put through this House you have stated that sometime during the past years this particular corporation, or what have you, has not paid dividends.

Mr. Speaker, I arise to oppose this bill because I feel that the purposes behind a trust or a guardian's estate is to save the corpus for the minor or the adult. I ask the House to vote down this bill.

Mr. TOMPKINS. Mr. Speaker, I would like to interrogate the gentleman from Delaware, Mr. Robertson.

The SPEAKER. Will the gentleman from Delaware Mr. Robertson permit himself to be interrogated?



Mr. ROBERTSON. I shall Mr. Speaker.

Mr. TOMPKINS. Mr. Speaker, I would like to ask the gentleman from Delaware if mortgage bonds are a legal investment today?

Mr. ROBERTSON. If they are first mortgage bonds I understand they are.

Mr. TOMPKINS. Mr. Speaker, if we should have one of the crashes that have been talked about on the floor of this House today, do you think such a crash would also carry with it the value of a mortgage bond?

Mr. ROBERTSON. Mr. Speaker, I believe that it would, but you could only foreclose on the mortgaged premises and you have the premises. If the crash goes down your stock interest is usually about five, six or seventh in line for any return from the investment.

Mr. TOMPKINS. Municipal bonds today are a legal investment as they not?

Mr. ROBERTSON. That is correct.

Mr. TOMPKINS. If we should have such a crash, Mr. Speaker, does the gentleman from Delaware think that some municipal bonds might default?

Mr. ROBERTSON. Mr. Speaker, I suspect that probably in a very, very few instances where the bond issue is not properly backed by the agreement of the taxing authority they may be in default, but I rather doubt that there would be a very large percentage if any.

Mr. TOMPKINS. The gentleman is talking about the continuity of the return and why it is not 100 percent. He is talking about the preservation of the corpus of the estate. Now in estates there is no limitation on the amounts which an estate can invest in mortgage bonds, first mortgage bonds. There are no limitations upon the amounts which they can invest in municipal bonds, government bonds and so forth.

Supposing we have an estate—let us take the mythical estate of ten thousand dollars that the gentleman from Allegheny has mentioned. I want to point out to you first, that the amount which the fiduciary is allowed to invest under that particular setup is not the full ten thousand dollars but only one-third of that or \$3333. The balance of it is bound by the terms of the legal investments.

Supposing we take that full ten thousand dollar estate and we invest it in first mortgage bonds and there is a crash. We need to foreclose on the property that will bring only five thousand dollars. What has the ward or the beneficiary to go on? Instead of ten thousand dollars he has five thousand dollars. He has the property that is sure. But suppose there is a market crash and your stocks depreciate by fifty percent from ten thousand dollars to five thousand dollars. He still has stock worth five thousand dollars the same as he has real estate worth five thousand dollars. We have the same situation going down the line in connection with municipal bonds that should they default on the payment of them, that you have such a financially distressed condition in your country, how do you suppose they will be able to carry their interest load for years and years to come, and maybe eventually the bonds themselves default?

Now we are talking about security. I am afraid we are talking about something which is impossible of attainment. What we are looking at here is something whereby we can project a return for the benefit of those for whom these things are supposed to be created. I

believe that opening the door to common stocks under the circumstances which this bill provides is just as safe as the other investments which have been discussed here today.

Mr. GUARNIERI. Mr. Speaker, I wish to make one observation on Senate Bill 11. If you read the bill you will notice that in the case of common stock all that is required is that there be a return in "some" amount. No specific amount. Not one quarter of one percent or one percent, one-eighth of one percent, two percent, just some amount—it can be any little amount. There must be a return in some amount for at least twelve of the preceding fifteen years.

In the case of preferred shares or preferred stock, generally we accept preferred shares to be a better type of investment, it is required that there be a return only of the stated amount, that is, whatever the preferred shares are: six percent, seven percent, five percent, whatever it may be; the stated amount on preferred shares issued for a period of eight out of ten years.

Is it not strange that in a case of a more reliable type of stock they require a return of a stated amount for a greater number of years, eight out of ten and that in the case of common stock all that is required is a return in some amount in at least twelve out of sixteen years.

I say, Mr. Speaker, this is a poor bill and I wish you would vote against it.

Mr. TAHL. Mr. Speaker, as a member of the bar for a good many years I can endorse the statements made by the gentleman from Delaware, that it is more important to preserve the principal of the estate than to make a few extra per cent in interest. It has been shown by past experience that where investments are made in stocks there is bound to be a total loss. But where there is an investment made in first mortgages, there will always be something left particularly when the investment is carefully made.

I think that it is more important to protect those who are dependent upon the corpus of the estate, in other words it is more important to protect the principal of the estate than to make a little bit more interest. As a matter of fact, any careful investor does not look so much to making a great deal as he does to protect the principal. I think under this bill it would be a dangerous precedent to permit trust companies particularly to invest in common stocks. I think this is a bad bill and should be defeated.

Mr. LOVETT. Mr. Speaker, I would like to interrogate the gentleman from Cameron, Mr. Tompkins.

The SPEAKER. Will the gentleman from Cameron, Mr. Tompkins, permit himself to be interrogated?

Mr. TOMPKINS. Mr. Speaker, I shall.

Mr. LOVETT. Mr. Speaker, as a gentleman who does not know very much about trust funds I would like to ask you, if I created a trust fund in the interest of my son or daughter of \$50,000 and I died and my debts were \$35,000, whether those debts would be paid out of that trust fund?

Mr. TOMPKINS. Mr. Speaker, you could not set up a trust fund very well in defeat of your creditors. You would only have \$15,000 left to turn into a trust fund.

Mr. LOVETT. Mr. Speaker, may I ask the gentleman



if that is correct, that you cannot create a trust fund that would save you from paying your honest debts at the time of your death?

Mr. TOMPKINS. Mr. Speaker, that is right. You cannot do so.

Mr. LOVETT. Mr. Speaker, I thank the gentleman.

I have proven of course that I am a layman in this argument, but I was informed that such trust funds could be set up and if such trust funds can be set up where the father protects the son even against his own debts, then we certainly should not allow the trustees to spend that man's money foolishly.

Mr. ANDREWS. Mr. Speaker, as a layman I also would like some information. Do I understand the gentleman from Cameron to say that if twenty years before a man dies he creates a trust fund for his wife—twenty years before he dies—do I understand the gentleman from Cameron to say that the creditors when the man dies can levy upon that trust fund?

Mr. TOMPKINS. Mr. Speaker, let us get this thing down to the proper basis. If he creates that in his will to take effect upon his death, no, he cannot maintain that trust fund against his creditors. However, if he sets that trust fund up as what we call an inter vivos trust it sets the fund apart, creates an instrument that he cannot touch himself during his lifetime, then that trust fund is not subject to creditors upon his death.

Mr. ANDREWS. Mr. Speaker, I thank the gentleman. That is what I thought it was, and I am glad to hear it from such a distinguished authority.

Mr. LOVETT. Mr. Speaker, I would like to ask the gentleman, Mr. Tompkins, just one more question.

The SPEAKER. Will the gentleman from Cameron, Mr. Tompkins, permit himself to be interrogated?

Mr. TOMPKINS. Mr. Speaker, I shall.

Mr. LOVETT. Mr. Speaker, would such a fund be subject to this act that we are now acting upon, that was created twenty years before the man's death?

Mr. TOMPKINS. Mr. Speaker, under ordinary circumstances no, because the provisions of the trust instrument would define the powers of the fiduciary.

Mr. LOVETT. Mr. Speaker, does it necessarily have to define those powers?

Mr. TOMPKINS. Mr. Speaker, it is not necessary but I have never known of a case where it has not.

Mr. LOVETT. Mr. Speaker, I think the gentleman.

Mr. SCHMIDT. Mr. Speaker, I rise only to answer two statements made by the gentleman from Cameron, Mr. Tompkins; one to the effect where he sets up the situation of a mortgage.

Under the investment powers of a fiduciary mortgage the investment is based upon a fifty percent valuation of the property at the time of the placing of the mortgage, so that when you start out you start out with a benefit right there, so that if there is a decrease in the value of the property you still have plenty of security and equity in the property to protect that mortgage.

Finally I say this, if it is a gamble—and I call it a gamble to only permit up to one third of the estate being invested in common stock—then I say if you consider it as a gamble why should you be permitted to invest even one percent of the estate?

Mr. CORR. Mr. Speaker, for the sake of the record,

Mr. Schmidt is from Allegheny County and I am also practicing law there.

I want to go on record in favor of this bill. They are making a big fuss about nothing.

Most of the estates that will participate or will be concerned with this bill are under \$10,000. Under the present law there is a return of two or three percent, and this will enable those minors and widows to eat for years to come; not to wait, in case the minors may be ten or fifteen years of age, to get a lump sum to buy an automobile. I think it is a good bill and it should pass.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—106

Amarando,	Geer,	Lafore,	Riley, R. L.,
Andrews,	Gibson,	Leisey,	Rovansek,
Banker,	Goodling,	Light,	Royer,
Bear,	Graybill,	Lopresti,	Sax,
Beaver,	Greenwood,	Madigan,	Scanlon,
Beech,	Greer,	Markley,	Scott,
Bolton,	Gutendorf,	McCullough,	Shoemaker,
Bower,	Guthrie,	McDermitt,	Smith,
Brown,	Hall,	McGee,	Sollenberger,
Bucchin,	Hamilton, W. H.,	McInroy,	Spencer,
Clapper,	Haudenshield,	McKinney,	Stank,
Clendening,	Helm,	McMillen,	Stimmel,
Conway,	Hersch,	Miller, H. G.,	Stoner,
Cooper,	Hewitt,	Miller, J. C.,	Swope,
Corr,	Hoeker,	Monroe,	Thompson, R. L.,
Costa,	Hunter,	Moore, H. A.,	Toll,
Dalrymple,	Jenkins,	Murray,	Tompkins,
Davis,	Johnson,	Musto,	VanSant,
Dennison,	Jones, J. M.,	Naugle,	Varner,
Dowling,	Jones, P. F.,	Penglase,	Wargo,
DuBois,	Jones, T. H. W.,	Peta,	Westrick,
Erb,	Jump,	Pichney,	Wilt,
Ewing,	Kamyk,	Pitzer,	Yetzer,
Ferster,	Keller,	Polaski,	Ziegler,
Firmstone,	Kent,	Reisinger,	Sorg,
Frost,	Kline,	Reidenbach,	Speaker
Gaffney,	Kohl,	Reilly, J. M.,	

## NAYS—66

Barkdoll,	Headlee,	Mihm,	Seyler,
Berkstresser,	Hoggard,	Mikula,	Shotwell,
Bloom,	Jones, G. E.,	Mintess,	Snider,
Boorne,	Kolankiewicz,	Moore, C. E.,	Swartz,
Byrne,	Kornick,	Muldowney,	Tahl,
Cella,	Lederer,	Najaka,	Taylor,
Cochran,	Leonard, L.,	Petrosky,	Thompson, E. F.,
Dougherty,	Leven,	Pettigrew,	Varallo,
Duffy,	Limper,	Polen,	Weidner,
Dunn,	Loftus,	Price, H. W. Jr.,	Welsh,
Fenrich,	Lovett,	Reese,	Wescott,
Fillip,	Lutty,	Robertson,	Wheeler,
Filo,	Lyons,	Rosen,	White,
Flack,	Madden,	Rubin,	Williams,
Guarnieri,	Mazza,	Schmidt,	Wood,
Hagerty,	McCormack,	Schuuster,	Yester,
Hamilton, R. K.,	McNally,		

## NOT VOTING—35

Baumunk,	Harney,	Munley,	Toomey,
Blair,	Kratz,	Needham,	Verona,
Boles,	Kubacki,	Olsen,	Wachhaus,
Bomberger,	Leonard, W. C.,	Pfaff,	Waterhouse,
Breisch,	Maxwell,	Price, R. A.,	Watkins,
Breth,	McConnell,	Reagan,	Whalley,
Coyle,	Metz,	Rigby,	Yeakel,
Gleason,	Mills,	Rose,	Young,
Good,	Moran,	Sarraf,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate



with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

### PERMISSION TO ADDRESS HOUSE

Mr. SMITH asked and obtained unanimous consent to address the House.

Mr. Speaker, I would like to put the Members of the House on notice that the gentleman from Cameron has notified me that bills for expert legal advice will be in the mail as of September 1st.

### BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of Senate Bill No. 54, as follows:

An Act to provide for an additional law judge of the court of common pleas in the seventh judicial district. The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 In addition to the judges provided for in the act approved the twenty-first day of May one thousand nine hundred thirty-one (P. L. 167) entitled "An act to designate the several judicial districts of the Commonwealth as required by the Constitution and to provide for the election and commissioning of judges learned in the law for the said districts" an additional law judge is hereby authorized and provided for the court of common pleas of the seventh judicial district who shall possess the same qualifications which are required by the Constitution and laws for the president judge of the court of common pleas of said district and who shall hold his office for a like term and by the same tenure and shall have the same power authority and jurisdiction and shall be subject to the same duties restrictions and penalties and shall receive the same compensation provided for by law for judges learned in the law as if the same office had been established in the time of and subject to the provisions of the act approved the seventh day of July one thousand nine hundred forty-seven (P. L. 1410) entitled "An act to fix the salaries and compensation of the judges of the Supreme Court the judges of the Superior Court the judges of the courts of Common Pleas the judges of the Orphan's Courts the judges of the Municipal Court of Philadelphia and the judges of the County Court of Allegheny County and certain associate judges not learned in the law and repealing certain acts inconsistent herewith"

Section 2 At the municipal election in November one thousand nine hundred fifty-three the qualified electors of the said seventh judicial district shall elect in the same manner prescribed by law for the election of the president judge of the court of common pleas of said district a competent person learned in the law to serve as said additional law judge of the court of common pleas of said seventh judicial district from the first Monday in January one thousand nine hundred fifty-four for a term of ten years Vacancies in the office hereby created whether caused by death resignation expiration of term or otherwise shall be filled in the same manner as is required by law in case of a similar vacancy in the office of president judge of said court

Section 3 The Governor is hereby authorized to appoint a competent person learned in the law as such additional law judge of the court of common pleas of the said seventh judicial district to serve until the first Monday of January one thousand nine hundred fifty-four

Section 4 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

### YEAS—205

Amarando,	Graybill,	Maxwell,	Royer,
Andrews,	Greenwood,	Mazza,	Rubin,
Banker,	Greer,	McConnell,	Sarra,
Barkdoll,	Guarnieri,	McCormack,	Sax,
Baurauk,	Gutendorf,	McCullough,	Scanlon,
Bear,	Guthrie,	McDermitt,	Schmidt,
Beaver,	Hagerty,	McGee,	Schuster,
Beech,	Hall,	McInroy,	Scott,
Berkstreser,	Hamilton, R. K.,	McKinney,	Seyler,
Blair,	Hamilton, W. H.,	McMillen,	Shoemaker,
Bloom,	Harney,	McNally,	Shotwell,
Boles,	Haudenshield,	Metz,	Smith,
Bolton,	Headlee,	Mihm,	Snider,
Bombberger,	Helm,	Mikula,	Sollenberger,
Boorse,	Hersch,	Miller, H. G.,	Spencer,
Bower,	Hewitt,	Miller, J. C.,	Stank,
Brelsch,	Hocker,	Mills,	Stimmel,
Breth,	Hoggard,	Mintess,	Stoner,
Brown,	Hunter,	Monroe,	Swartz,
Bucchin,	Jenkins,	Moore, C. E.,	Swope,
Byrne,	Johnson,	Moore, H. A.,	Tahl,
Cella,	Jones, G. E.,	Moran,	Taylor,
Clapper,	Jones, J. M.,	Muldowney,	Thompson, E. F.,
Clendening,	Jones, P. F.,	Munley,	Thompson, R. L.,
Cochran,	Jones, T. H. W.,	Murray,	Toll,
Conway,	Jump,	Musto,	Tompkins,
Cooper,	Kamyk,	Najaka,	Toomey,
Corr,	Keller,	Naugle,	VanSant,
Costa,	Kent,	Needham,	Varallo,
Coyle,	Kline,	Olsen,	Varnar,
Dalrymple,	Kohl,	Penglase,	Verona,
Davis,	Kolankiewicz,	Peta,	Wachhaus,
Dennison,	Kornick,	Petrosky,	Wargo,
Dougherty,	Kratz,	Pettigrew,	Waterhouse,
Dowling,	Kubacki,	Paft,	Watkins,
Duffy,	Lafore,	Pichney,	Weidner,
Dunn,	Lederer,	Pitzer,	Welsh,
Erb,	Leisey,	Polaski,	Wescott,
Ewing,	Leonard, L.,	Polen,	Westrick,
Fenrich,	Leonard, W. C.,	Price, H. W. Jr.,	Wheeler,
Ferster,	Leven,	Price, R. A.,	White,
Filip,	Light,	Readinger,	Williams,
File,	Limper,	Reagan,	Wilt,
Firmstone,	Loftus,	Reese,	Wood,
Flack,	Lopresti,	Reidenbach,	Yeakel,
Frost,	Lovett,	Reilly, J. M.,	Yester,
Gaffney,	Lutty,	Rigby,	Yetzer,
Geer,	Lyons,	Riley, R. L.,	Young,
Gibson,	Madden,	Robertson,	Ziegler,
Gleason,	Madigan,	Rose,	Sorg,
Good,	Markley,	Rosen,	Speaker,
Goodling,		Rovansek,	

### NAYS—1

DuBois,

### NOT VOTING—1

Whalley,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the consideration on final passage of Senate Bill No. 636, as follows:

An Act to amend subsection (a) of Section 9 of the act approved the twenty-sixth day of May one thousand nine hundred forty-nine (P. L. 1828) entitled "An act concerning the investment powers and duties of guardians committees trustees and other fiduciaries except personal representatives and prescribing the nature and kind of investments which may be made and retained



by such fiduciaries" by authorizing investments in common stocks and similar securities of unincorporated associations meeting certain qualifications and eliminating the requirement that stock and similar securities must be listed on an exchange as to the stock and securities of banks and insurance and investment companies

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (a) of Section 9 of the act approved the twenty-sixth day of May one thousand nine hundred forty-nine (P. L. 1828) entitled "An act concerning the investment powers and duties of guardians committees trustees and other fiduciaries except personal representatives and prescribing the nature and kind of investments which may be made and retained by such fiduciaries" is hereby amended to read as follows

#### Section 9 Stocks

(a) Preferred and Common Stock Preferred and common stock of any corporation organized under the laws of the United States or of any commonwealth or state thereof or of the District of Columbia shall be an authorized investment if

(1) purchase in the exercise of that degree of judgment and care under the circumstances then prevailing which men of prudence discretion and intelligence exercise in the management of their own affairs not in regard to speculation but in regard to the permanent disposition of their funds considering the probable income to be derived therefrom as well as the probable safety of their capital

(2) in the case of preferred stock the corporation issuing the stock has earned a net profit in eight of the preceding ten fiscal years as reflected in its statements and during each of the preceding ten fiscal years has paid dividends in the specified amounts upon all its preferred stock if any outstanding during such year [and]

(3) in the case of common stock the corporation issuing the stock has earned a net profit in twelve of the preceding sixteen fiscal years as reflected in its statements and during each of the preceding sixteen fiscal years has paid dividends in the specified amounts upon all its preferred stock if any outstanding during said year and in each of at least twelve of the preceding sixteen fiscal years has paid dividends in some amount upon all its common stock if any outstanding during such year and

(4) in the case of any stock other than stock of a bank or insurance company or of an investment company (as hereinafter defined) the stock is listed or traded (or if unlisted or not entitled to trading privileges shall be eligible for listing and application for such listing shall have been made) on the New York Stock Exchange or any other exchange approved by the Secretary of Banking

No investment in common stock shall be made which at that time would cause the market value of the investments in common stocks to exceed one third of the market value of the estate not including in such market value the value of any participation in a common trust fund No sale or other liquidation of any investment shall be required solely because of any change in market values whereby the percentages of stocks hereinabove set forth are exceeded In determining the market value of an estate a fiduciary may rely upon published market quotations as to those investments for which such quotations are available and upon such valuations of other property as in his best judgment seem fair and reasonable according to available information

When a corporation has acquired a substantial part of its property within sixteen years immediately preceding the investment by consolidation or merger or by the purchase of a substantial part of the property of any other corporation or corporations the earnings of the predecessor or constituent corporations shall be consolidated so as to ascertain whether the requirements of this section have been satisfied

"Corporation" as used in this section shall include a voluntary association a joint-stock association or company a business trust a Massachusetts trust a common-law trust and any other organization organized and existing for any lawful purpose and which like a corporation continues to

exist notwithstanding changes in the personnel of its members or participants and conducts its affairs through a committee a board or some other group acting in a representative capacity

"Investment Company" as used in this section shall mean a corporation which is registered as an investment company under the Federal Investment Company Act of 1940 as from time to time amended and which has no preferred stock bonds loans or any other outstanding securities having preference or priority as to assets or earnings over its common stock

"Common stock" as used in this section shall include the stock certificates of beneficial interests or trust participation certificates issued by any corporation or unincorporated association included under the definition of "corporation" in the preceding paragraph

Section 2 The provisions of this act shall become effective immediately upon final enactment

On the question,

Shall the bill pass finally?

Mr. ANDREWS. Mr. Speaker, the House in its wisdom having passed Senate Bill 11, by the miraculous margin of one, can hardly logically reject Senate Bill 636. I realize that a margin of one, though not as wide as a barn door or as deep as a well, nevertheless for the purposes at hand will do.

My understanding is that under Senate Bill 11 the trustees of a trust, maybe three of them, or I do not know how many, would pick out some common stocks. You would have the judgment of whoever the trustees happen to be; but they most certainly would not be men who made investment a business.

The bill we have to do with opens the door to investment trusts. Now there are investment trusts and investment trusts. To meet objections this bill has been drastically amended The amendments have been a great improvement. They have narrowed the range of investment trusts in which trust funds could be invested.

My understanding is that the restrictions in the bill are so binding, so conclusive that only about a dozen investment trusts would qualify under the bill I submit to the Members of the House that if the trustees of a trust fund can invest in one common stock and have one common stock carry the risk, that it is a safer procedure to invest in a portfolio of common stocks that has been as carefully selected as the one common stock could possibly be. Therefore, since we have passed Senate Bill 11, I cannot see any logical ground upon which we could reject Senate Bill 636.

Mr. SCHMIDT. Mr. Speaker, I heartily concur in the remarks made by the Minority Leader. As you know, I did oppose Senate Bill 11 but I feel that inasmuch as the House has seen fit to pass that bill, then on the same theory Senate Bill 636 should receive the approval of this House. I, therefore, ask those who opposed Senate Bill 11 to go along with us on Senate Bill 636.

Mr. GUARNIERI. Mr. Speaker, I also concur with the remarks of the Majority Leader, Mr. Andrews, and although I opposed the preceding bill, Senate Bill 11, for the reasons stated by me at the time, by the extraordinary vote of the House, it has passed; I think we should, therefore, vote in favor of Senate 636.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:



## YEAS—93

Amarando,	Hall,	McNally,	Sarraf.
Andrews,	Hamilton, W. H.	Mikula,	Sax,
Barkdoll,	Hersch,	Miller, J. C.,	Scanlon.
Beech,	Hoggard,	Mintess,	Schmidt,
Bolton,	Hunter,	Muldowney,	Shoemaker,
Breisch,	Jenkins,	Munley,	Shotwell,
Brown,	Jones, G. E.,	Murray,	Smith,
Bucchin,	Jones, J. M.,	Musto,	Sollenberger.
Clapper,	Jones, P. F.,	Najaka,	Stank,
Clendenning,	Jones, T. H. W.,	Naugle,	Stimmel,
Conway,	Jump,	Penglass,	Swope,
Corr,	Kamyk,	Peta,	Tahl,
Costa,	Kline,	Pettigrew,	Toll,
Coyle,	Kornick,	Pichney,	Toomey,
Dougherty,	Lafore,	Price, R. A.,	VanSant,
DuBois,	Leven,	Readinger,	Varallo,
Duffy,	Loftus,	Reidenbach,	Wachhaus,
Gaffney,	Lopresti,	Reilly, J. M.,	Wargo,
Geer,	Markley,	Rigby,	Weidner,
Gleason,	McConnell,	Riley, R. L.,	Welsh,
Greenwood,	McCormack,	Rosen,	White,
Guarnieri,	McGee,	Royer,	Wood,
Guthrie,	McInroy,	Rubin,	Yetzer,
Hagerty,			

## NAYS—83

Banker,	Frost,	Lyons,	Schuster,
Baumunk,	Gibson,	Madigan,	Scott,
Bea,	Goodling,	Mazza,	Seyler,
Berkstresser,	Graybill,	McCullough,	Snider,
Bloom,	Greer,	McDermitt,	Spencer,
Boorse,	Gutendorf,	McKinney,	Stoner,
Bower,	Hamilton, R. E.,	McMillen,	Swartz,
Byrne,	Haudenshield,	Metz,	Taylor,
Cochran,	Headlee,	Mihm,	Thompson, E. F.,
Cooper,	Helm,	Miller, H. G.,	Thompson, R. L.,
Dalrymple,	Hewitt,	Monroe,	Tompkins,
Davis,	Hocker,	Moore, C. E.,	Varnier,
Dennison,	Johnson,	Petrosky,	Westrick,
Dowling,	Keller,	Pitzer,	Wheeler,
Dunn,	Kent,	Polaski,	Williams,
Erb,	Kohl,	Polen,	Wilt,
Ewing,	Lederer,	Price, H. W. Jr.,	Yeakel,
Fenrich,	Leonard, L.,	Reagan,	Yester,
Ferster,	Light,	Reese,	Ziegler,
Filip,	Limper,	Robertson,	Sorg,
Filo,	Lovett,	Rovansek,	
Flack,	Lutty,		Speaker

## NOT VOTING—31

Beaver,	Harney,	Maxwell,	Rose,
Blair,	Kolankiewicz,	Mills,	Verona,
Boles,	Kratz,	Moore, H. A.,	Waterhouse,
Bomberger,	Kubacki,	Moran,	Watkins,
Breth,	Leisey,	Needham,	Wescott,
Cella,	Leonard, W. C.,	Olsen,	Whalley,
Firmstone,	Madden,	Pfaff,	Young,
Good,			

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. STONER.

The House resumed the consideration on third reading of House Bill No. 1085, as follows:

An Act to amend the act approved the twelfth day of April one thousand nine hundred fifty-one (P. L. Act No. 21) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the

establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" by making the establishment and operation of Pennsylvania Liquor Stores and the granting of malt and brewed beverage distributors licenses subject to local option and providing where tie vote occurs on local option question the status quo obtains

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections 432 and 472 of the act approved the twelfth day of April one thousand nine hundred fifty-one (P. L. Act No. 21) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" are hereby amended to read as follows

Section 432 Malt and Brewed Beverages Retail Licenses (a) Subject to the restrictions hereinafter provided in this act and upon being satisfied of the truth of the statements in the application that the premises and the applicant meet all the requirements of this act and the regulations of the board that the applicant seeks a license for a reputable hotel eating place or club as defined in this act the board shall in the case of a hotel or eating place grant and issue and in the case of a club may in its discretion issue or refuse the applicant a retail dispenser's license

(b) In the case of hotels and eating places licenses shall be issued only to reputable persons who are citizens of the United States and have for two years been residents of the Commonwealth of Pennsylvania at the date of their application or to reputable corporations organized or duly registered under the laws of the Commonwealth of Pennsylvania all of whose officers and directors are citizens of the United States In the case of incorporated clubs licenses shall be issued only to those incorporated under the laws of Pennsylvania

(c) No retail dispenser's [license] licenses shall be granted or renewed upon their expiration in any municipality in which the electors shall vote as hereinafter provided [have voted] against the licensing therein of places where malt or brewed beverages may be sold for consumption on the premises where sold

(d) The board shall in its discretion grant or refuse any new license or the transfer of any license to a new location if such place proposed to be licensed is within three hundred feet of any church hospital charitable institution school or public playground or if such new license or transfer is applied for a place where the principal business conducted is the sale of liquid fuels and oil The board shall not issue new licenses except as herein otherwise provided in any license district more than twice each license year effective from specific dates fixed by the board and new licenses shall not be granted unless the application therefor is filed at least thirty days before the effective date of the license

(e) Every applicant for a new or for the transfer of an existing license to another premises not then licensed shall post for a period of at least fifteen days beginning with the day the application is filed with the board in a conspicuous place on the outside of the premises or in a window plainly visible from the outside of the premises for which the license is applied a notice of such applica-



tion in such form of such size and containing such provisions as the board may require by its regulations Proof of the posting of such notice shall be filed with the board

Section 472 Local Option In any municipality an election may be held on the date of the primary election immediately preceding any municipal election but not oftener than once in four years to determine the will of the electors with respect to the granting of liquor licenses to hotels restaurants and clubs [or] not oftener than once in four years with respect to the granting of licenses to retail dispensers of malt and brewed beverages not oftener than once in four years with respect to granting of licenses to distributors or not more than once in four years with respect to the establishment operation and maintenance by the Board of Pennsylvania Liquor Stores within the limits of such municipality under the provisions of this act Provided however Where an election shall have been held at the primary preceding a municipal election in any year another election may be held under the provisions of this act at the primary occurring the fourth year after such prior election Whenever electors equal to at least twenty-five per centum of the highest vote cast for any office in the municipality at the last preceding general election shall file a petition with the county board of elections of the county for a referendum on the question of granting [either] any of said classes of licenses or the establishment of Pennsylvania liquor stores the said county board of elections shall cause a question to be placed on the ballots or on the voting machine board and submitted at the primary immediately preceding the municipal election occurring at least sixty days thereafter Said proceedings shall be in the manner and subject to the provisions of the election laws which relate to the signing filing and adjudication of nomination petitions insofar as such provisions are applicable

When the question is in respect to the granting of liquor licenses it shall be in the following form

Do you favor the granting of liquor licenses for the sale of liquor in of	Yes	
	No	

When the question is in respect to the granting of licenses to retail dispensers of malt and brewed beverages it shall be in the following form

Do you favor the granting of malt and brewed beverage retail dispenser licenses for consumption on premises where sold in the of	Yes	
	No	

When the question is in respect to the granting of licenses to distributors of malt or brewed beverages it shall be in the following form

Do you favor the granting of malt and brewed beverage distributor's licenses not for consumption on premises where sold in the of	Yes	
	No	

When the question is in respect to the establishment operation and maintenance of Pennsylvania liquor stores it shall be in the following form

Do you favor the establishment operation and maintenance of Pennsylvania liquor stores in the of	Yes	
	No	

In case of a tie vote [or if] the status quo shall obtain If a majority of the voting electors on any such question vote "yes" then liquor licenses shall be granted by the board to hotels restaurants and clubs or malt and brewed beverage retail dispenser licenses or distributor's license for the sale of malt or brewed beverages shall be granted by the board or the board may establish operate and maintain Pennsylvania liquor stores as the case may be in such municipality as provided by this act but if a majority of the electors voting on any such question vote "no" then the board shall have no power to grant or to renew upon their expiration any licenses of the class so voted upon in such municipality or if the negative vote is on the question in respect to the establishment operation and maintenance of Pennsylvania liquor stores the Board shall not open and operate a Pennsylvania liquor store in such municipality nor continue to operate a then existing Pennsylvania liquor store in the municipality for more than two years thereafter or after the expiration of the term of the lease on the premises occupied by such store whichever period is less unless and until at a later election a majority of the voting electors vote "yes" on such question

On the question recurring,  
Shall the bill pass finally?

Mr. PETROSKY. Mr. Speaker, I noticed the date on House Bill No. 1085 is listed as July 30, 1951. Is that a correct date, Mr. Speaker?

The SPEAKER. The Chair will examine the record. The Chair is informed that House Bill 1085, Printer's No. 666, was placed on the postponed calendar July 30th.

Mr. PETROSKY. Mr. Speaker, would not the time limit for its being on the calendar have elapsed by now?

The SPEAKER. For the information of the gentleman, not a sufficient number of legislative days have elapsed to disqualify the bill.

Mr. PETROSKY. I thank the Speaker.

Mr. Speaker, the measure that is before this House we considered sometime ago and it was defeated by a decisive majority. The bill was then resurrected and comes before us for action again.

I am not going to take the time of the House to debate at length upon this matter. I wish to advise the membership of this House that we are now voting upon placing under local option the matter of taking away from dry areas their distributors and state liquor stores.

The membership of the House was at that time well versed on the merits of the bill. I am asking the Members to sustain their original position, inasmuch as nothing has happened in the interim to warrant acceptance of the features incorporated within the bill. I request those who voted against this measure at a prior time to vote against it this evening.

Mr. ZIEGLER. Mr. Speaker, I wish to call to the attention of the gentleman that at the time the previous vote was taken there were many Members missing from the House.

The bill at hand is House Bill 1085, Printer's No. 666. It is one of the package of so-called liquor bills. The bill changes the present law in just two respects. At the pres-



ent time a community may vote on whether or not it wishes to retain a liquor license or whether or not it wishes to retain a dispenser or beverage license.

House Bill 1085 would give those same people in a community an opportunity to vote on the question of whether or not they wish to remove a state liquor store and whether or not they wish to remove a distributor's license.

The bill is drawn very clearly. It is very simple; there can be no confusion when the voters vote upon the question. At the time they vote they may vote upon one question, they may vote upon two, three or four. If that question is defeated, it may not be again brought up for four years. If the vote should be a tie vote, the status quo of the licensee or the state liquor store will remain as it was prior to the vote.

As I recall, a great number of gentlemen on the other side of the House have always stressed home rule. I believe this bill is very clearly, very plainly, very simply a matter of home rule. I request all the Members of the House to vote in support of this bill.

Mr. BLAIR. Mr. Speaker, in regards to the remarks of the gentleman from Dauphin, Mr. Ziegler, I wish to make this brief statement.

I think perhaps everything he said was true, but on the other hand, if what he mentions is true, I think there should be a vote of the area, not just of the community.

I live in a small community. We in that community may vote out a liquor store or a distributor, and we deny the people of the area the privilege and the right to buy the legal beverages that are sold in the state of Pennsylvania. This I cannot subscribe or agree to. Why should we in the small community in which I live deny the privilege, the right of the people of the area to do the things that our Constitution provides for?

For that reason, Mr. Speaker, I am opposed to this bill in every sense of the word, because I feel that we will not give the people of the area the chance to vote on whether or not they would subscribe to this particular piece of legislation.

Mr. READINGER. Mr. Speaker, if this bill also contained a provision for a local vote on the question of whether or not the people in that community may or may not drink liquor or beer, I think this bill would have some sense. But I fail to see any sense in outlawing a liquor store or a beer distributor system in a community when all the people who desire to buy beer or liquor need do is to cross a township or a borough or a city line, buy it there and bring it back home.

I agree that if people in a community find tap rooms or restaurants which have liquor licenses offensive to their taste they should be entitled to vote to eliminate them. But for the life of me I do not see what we are going to accomplish by this, even if we make it the law of Pennsylvania.

I live in the city of Reading, and we are surrounded by boroughs. If the city of Reading should by any chance vote in favor of eliminating the liquor stores, the beer distributors, in five minutes anybody who wanted to could cross into West Reading or Shillington or some other borough and buy what he wanted and bring it back home.

Home rule is a fine principle, but we should remember that the people back home should not be given silly things

to vote upon. If we think they are stupid and silly we should not say to them, home rule says that you may vote on this. I think it is our obligation here to pass sensible legislation and if we want to eliminate beer and liquor from the state of Pennsylvania let us do it on a state wide basis, as other states have done in the past, but not on a community basis.

Mr. LOPRESTI. Mr. Speaker, I object to this bill also on several grounds.

First of all I believe that the Pennsylvania Liquor Control Board is a state monopoly, and properly so. As such in locating their liquor stores I presume they have taken into consideration the population centers, and as a result they have established stores in communities where they would be available to the most people in the general neighborhood. Not every township, not every borough has a state store, and while the people of one little community may not want that state store, it may be surrounded by a dozen communities who do want the services of that state store, who otherwise might be forced to drive fifty miles to the nearest state store. That I think would be an injustice to the people in the community surrounding the one in which the state store is located.

Then in addition to that, when this bill was up on the last occasion, I called attention to this fact also, that there are many communities in which we have a beer distributor, communities which are you might say border line communities, having perhaps only one distributor. It is possible now since the quota law has been passed for existing distributors to gang up in areas which are almost dry, and by lending financial assistance to the dries to drive out of business the legitimate distributor in that community. You would have an alliance between the dries and the distributor to the detriment of some small fellow trying to carry on a successful business.

For these two reasons I believe this is bad legislation and I intend to vote against it.

Mr. ZIEGLER. Mr. Speaker, I believe that the gentlemen on the other side of the House blow hot and cold on the question.

I do not recall of any legislation having been introduced to repeal the question of whether or not they will vote on liquor license, whether or not they may vote on a beverage license. That is still the law, so that all this bill does is to add two additional elements, or permitting two additional questions to be placed on the ballot: whether or not the stores may be ousted and whether or not the distributor may be ousted.

I also think they lose sight of the primary fact that only by reason of the vote of the people of the Commonwealth of Pennsylvania do we have liquor at all. So if the industry is brought in here solely by reason of the people, I think they have every right to regulate the industry.

Mr. BLAIR. Mr. Speaker, we have a liquor store in our own community at home and we also have a highway garage. I wonder why, according to the remarks of the gentleman from Dauphin, Mr. Ziegler, that somebody hasn't introduced legislation to outlaw that. We have a number of people that are heartily in favor of the way the program is being conducted. After all the state maintains these items in their own community which are very beneficial and helpful to the area. Let us keep them both.



Mr. STONER. Mr. Speaker, in my opinion this is legislation which the people thought they had back in 1934 under local option.

On the question recurring,  
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken.

A verification of the roll was requested by Messrs. Schmidt, Sarraf and Mihm.

The roll was verified and was as follows:

YEAS—118

Amarando,	Gibson,	McCormack,	Royer,
Banker,	Goodling,	McCullough,	Rubin,
Barkdoll,	Graybill,	McGee,	Sax,
Baumunk,	Greenwood,	McInroy,	Scott,
Beaer,	Greer,	McKinney,	Smith,
Beaver,	Gutendorf,	McMillen,	Snider,
Beech,	Guthrie,	Metz,	Sollenberger,
Berkstresser,	Hagerty,	Mikula,	Spencer,
Bloom,	Hall,	Miller, H. G.,	Stimmel,
Boorse,	Hamilton, R. K.,	Miller, J. C.,	Stoner,
Bower,	Hamilton, W. H.,	Mintess,	Swartz,
Brelsch,	Haudenshield,	Monroe,	Thompson, E. F.,
Brown,	Headlee,	Moore, C. E.,	Thompson, R. L.,
Cella,	Helm,	Moore, H. A.,	Toll,
Clapper,	Hersch,	Muldowney,	Tompkins,
Clendenning,	Hewitt,	Najaka,	Toomey,
Conway,	Hocker,	Naugle,	VanSant,
Corr,	Johnson,	Peta,	Varallo,
Costa,	Jones, G. E.,	Pettigrew,	Varnier,
Coyle,	Jones, T. H. W.,	Pichney,	Wachhaus,
Dairymple,	Keller,	Pitzer,	Weidner,
Davis,	Kent,	Poleh,	Wescott,
Dennison,	Kline,	Price, H. W. Jr.,	White,
Dowling,	Kohl,	Reagan,	Williams,
Dunn,	Lelsey,	Reese,	Wilt,
Ewing,	Light,	Reilly, J. M.,	Wood,
Ferster,	Madden,	Rigby,	Yeakel,
Flack,	Madigan,	Riley, R. L.,	Ziegler,
Frost,	Markley,	Robertson,	Sorg,
Geer,	McConnell,		Speaker

NAYS—64

Andrews,	Guarnieri,	Lovett,	Rovansek,
Blair,	Hoggard,	Lutty,	Sarraf,
Bolton,	Hunter,	Lyons,	Scanlon,
Bucchin,	Jenkins,	Mazza,	Schmidt,
Byrne,	Jones, J. M.,	McDermitt,	Schuster,
Cochran,	Jones, P. F.,	McNally,	Seyler,
Dougherty,	Kamyk,	Mihm,	Shotwell,
DuBois,	Kolankiewicz,	Moran,	Stank,
Duffy,	Kornick,	Munley,	Swope,
Erb,	Lafore,	Penglase,	Taylor,
Fenrich,	Lederer,	Petrosky,	Wargo,
Fillip,	Leonard, L.,	Poiaski,	Welsh,
Filo,	Leven,	Price, R. A.,	Westrick,
Firmstone,	Limper,	Readinger,	Wheeler,
Gaffney,	Loftus,	Reidenbach,	Yester,
Gleason,	Lopresti,	Rosen,	Yetzer,

NOT VOTING—25

Boles,	Jump,	Murray,	Shoemaker,
Bomberger,	Kratz,	Musto,	Tahl,
Breth,	Kubacki,	Needham,	Verona,
Cooper,	Leonard, W. C.,	Olsen,	Waterhouse,
Good,	Maxwell,	Pfaff,	Watkins,
Harney,	Mills,	Rose,	Whalley,
			Young,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

(During the verification of the roll)

PARLIAMENTARY INQUIRY

Mr. PETTIGREW. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. PETTIGREW. On the verification of a roll can you change your vote?

The SPEAKER. Before the verification is completed the gentleman is in order.

Mr. PETTIGREW. I would like to change my vote from "no" to "aye."

The SPEAKER. Was the gentleman in the Hall of the House when the roll was called?

Mr. PETTIGREW. I was.

The SPEAKER. The gentleman will be recorded on the affirmative roll.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 163, as follows:

An Act to further amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing school districts of the second third and fourth classes to levy additional taxes to pay rentals to municipality authorities authorizing boards of school directors to make additional appropriations or to increase appropriations authorizing school districts singly or jointly with other school districts to convey or lease property and appropriate money including proceeds of general obligation bonds to municipality authorities to acquire additional property for authority projects to lease school projects from and pay rentals to municipality authorities to make all other contracts or agreements with municipality authorities deemed necessary or convenient in connection with projects providing for annual payments by the Commonwealth to school districts paying rentals to municipality authorities or non-profit corporations and further providing for annual payments by the Commonwealth to school districts making payments to the State Public School Building Authority

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 672 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" as amended by the act approved the ninth day of May one thousand nine hundred forty-nine (P. L. 1017) and as amended in part by the act approved the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1722) is hereby further amended to read as follows

Section 672 Tax Levy Limitations (a) In all school districts of the second third and fourth class all school taxes shall be levied and assessed by the board of school directors therein during the month of April or May each year for the ensuing fiscal year except in districts of the second class where the fiscal year begins on the first day of January in which the school taxes shall be levied and assessed during the month of October or November of each year In school districts of the second class the tax rate shall not exceed twenty mills on the dollar and in school districts of the third and fourth class shall not exceed twenty-five mills on the dollar on the total amount



of the assessed valuation of all property taxable for school purposes therein Each school district of the second third or fourth class may also collect a per capita tax on each resident or inhabitant of such district over twenty-one years of age as herein provided

(b) Boards of school directors of school districts of the second third and fourth classes are hereby authorized and directed to levy annually a tax on each dollar of the total assessment of all property assessed and certified for taxation therein (1) To pay the minimum salaries and increments of the teaching and supervisory staff provided for herein and (2) to pay rentals due any municipality authority or due the State Public School Building Authority Neither of said taxes shall be invalidated or affected by reason of the fact that it may increase the total annual school tax levy of any school district beyond the millage fixed or limited by this section Provided That in districts of the fourth class the tax herein authorized to pay minimum salaries and increments together with all other school taxes except taxes to pay rentals due any municipality authority or due the State Public School Building Authority levied in the district shall not exceed thirty-five (35) mills on each dollar of the assessed valuation thereof and the tax to pay rentals due any municipality authority or due the State Public School Building Authority together with the maximum rate permitted by this section for purposes other than to pay minimum salaries and increments shall not exceed thirty-five (35) mills on each dollar of the assessed valuation thereof and in cases of emergency with the approval of the Superintendent of Public Instruction an additional five (5) mills to provide for obligations due any municipality authority or due the State Public School Building Authority under a lease or contract previously entered into

Section 2 Subsection (c) of Section 687 of said act as amended by the act approved the ninth day of May one thousand nine hundred forty-nine (P. L. 1017) is hereby further amended to read as follows

Section 687 Annual Budget Additional or Increased Appropriations Transfer of Funds

\* \* \* \* \*

(c) The board of school directors may during any fiscal year make additional appropriations or increase existing appropriations to meet emergencies such as epidemics floods fires or other catastrophies or to provide for the payment for rental under leases or contracts to lease from the State Public School Building Authority or any municipality authority entered into subsequent to the date of the adoption of the budget The funds therefor shall be provided from unexpended balances in existing appropriations from unappropriated revenue if any or from temporary loans Such temporary loans when made shall be approved by a two-thirds vote of the board of school directors

Section 3 Article VII of said act is hereby further amended by adding at the end thereof a new subdivision to read as follows

#### (g) Municipality Authorities

Section 790 Grants Conveyances Appropriations to Contracts with and Leases from Municipality Authorities Whenever the board of any municipality authority shall have undertaken a school project or projects for use by a school district individually or for use by two or more school districts jointly such school district or school districts shall have the power upon written approval of the Department of Public Instruction

(1) To sell lease lend grant or convey to such municipality authority individually or jointly with or without consideration any lands easements or rights in lands which may be deemed necessary for the project together with any buildings structures or improvements thereon erected as well as furnishings and equipment used or useful in connection therewith

(2) To purchase or otherwise acquire additional lands or interests in lands which may be deemed necessary for the project and to finance such acquisition by the issue

ance and sale of general obligation bonds according to law

(3) To transfer assign and set over to such municipality authority any contract which may have been awarded for such project or projects

(4) To make appropriations to such municipality authority out of its or their general funds or out of any other available funds including proceeds of insurance on school property the proceeds of bonds of the school district or districts issued for building purposes and not so used and moneys set aside or otherwise available for building purposes Any such funds which represent the proceeds of any general obligation bonds heretofore or hereafter issued by the school district shall be used by such municipality authority for or towards the purpose or purposes for which such bonds were issued and in the event that any such bonds were issued pursuant to a vote of the electors any appropriation of such proceeds as above set forth shall not be deemed such a change of purpose from that for which such bonds were authorized as shall require the question to be again submitted to a vote of the electors under any existing law

(5) To lease individually or jointly from such municipality authority such school project or projects for a term not exceeding forty (40) years at such rental or rentals payable out of current revenues and upon such terms and conditions as may be authorized by the board of such municipality authority and the board or boards of school directors of such school district or school districts and in case of joint leases to agree upon the manner of sharing as between the school districts the rental or rentals and any other sums payable to the municipality authority and the casts and expenses of insuring operating maintaining and repairing the school property leased

(6) To make all other contracts or agreements with such municipality authority or with other school districts as may be deemed necessary or convenient in connection with the project

Section 4 Section two thousand five hundred eleven point one of said act as added by the act approved the twenty-sixth day of May one thousand nine hundred forty-nine (P. L. 1879) is hereby amended to read as follows

Section 2511.1 Payments on Account of Obligations to State Public School Building Authority and on Account of Rentals Payable to Municipality Authorities and Non-profit Corporations (A) The Commonwealth shall pay annually to each school [districts] district erecting or sharing in the erection of a building or buildings or providing educational [facilities] equipment under the provisions of the State Public School Building Authority Act an amount to be determined (1) by multiplying the school district's standard reimbursement fraction by fifty one-hundredths (50-100) and by the annual rental charge as fixed by the State Public School Building Authority or (2) if the district's standard reimbursement fraction is greater than five thousand nine hundred ninety-nine ten-thousandths (.5999) by multiplying the standard reimbursement fraction by itself and by the annual rental charge fixed by the State Public Building Authority.

(b) The Commonwealth shall also pay commencing with the school year one thousand nine hundred fifty-one one thousand nine hundred fifty-two (1951-1952) and annually in each school year thereafter to each school district which shall have entered into an approved lease with a municipality authority or with a non-profit corporation for the rental of a school building or buildings or providing education equipment an amount to be determined (1) by multiplying the school district's standard reimbursement fraction by fifty one-thousandths (50-100) and by the rental or share thereof paid by the school district during the prior school year under its leave with such municipality authority or non-profit corporation or (2) if the district's standard reimbursement fraction is greater than five thousand nine hundred ninety-nine ten thousandths (.5999) by multiplying the standard reimbursement fraction by itself and by the annual rental or share thereof



paid by the school district during the prior school year under its lease with such municipality authority or non-profit corporation no payment shall be made to any school district on account of any lease entered into with any municipality authority or nonprofit corporation unless such lease is approved by the Department of Public Instruction. The Department of Public Instruction shall give its approval if it shall find that the leased project is in conformance with general county and State plans for an orderly development of improved attendance areas and administrative units and for the improved housing of public schools in the Commonwealth that the school building will conform with standards and regulations prescribed by the Department with respect to educational design location usefulness for community activities safety comfort and convenience and that the school district or school districts to which the project is to be leased will have the ability to meet from current revenues the rental or their respective shares of rental to be paid to the municipality authority or non-profit corporation under the proposed lease and to defray the cost of their respective shares of the cost of operation and maintenance of the project.

(c) The standard reimbursement fraction used for the above purposes shall be the actual fraction as determined by the Department of Public Instruction as provided in clause (6) of section two thousand five hundred one of the act to which this is an amendment without reference to the minimum value of such reimbursement fraction.

Payments to a school district shall be determined and approved by the Department of Public Instruction. The amount so approved shall be included in and be payable from any future appropriations made to the Department of Public Instruction [during the term that a lease exists between the school district and the Authority or so long as such school district is indebted to the Authority under said lease].

Section 5 The sum of seven hundred fifty thousand dollars (\$750,000) or as much thereof as shall be necessary is hereby appropriated to the Department of Public Instruction for the two fiscal years beginning June first one thousand nine hundred fifty-one for the purpose of making payments to school districts on account of obligations to the State Public School Building Authority and on account of rentals payable to municipality authorities and non-profit corporations. The appropriation made hereby shall be in addition to any other sums appropriated or made available for said purposes during said period.

Section 6 The provisions of this act shall become effective immediately upon final enactment.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—206

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarraff,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenshield,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Brelsach,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchin,	Hunter,	Moore, C. E.,	Swope,

Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendening,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varner,
Dalrymple,	Kline,	Penglase,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
DuBois,	Kubacki,	Pichney,	Weidner,
Duffy,	Lafore,	Pitzer,	Welsh,
Dunn,	Lederer,	Polaski,	Wescott,
Erb,	Lelsey,	Polen,	Westrick,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Wheeler,
Fenrich,	Leonard, W. C.,	Price, R. A.,	White,
Ferster,	Leven,	Readinger,	Williams,
Filip,	Light,	Reagan,	Wilt,
Filo,	Limper,	Reese,	Wood,
Firmstone,	Loftus,	Reidenbach,	Yeakel,
Flack,	Lopresti,	Reilly, J. M.,	Yester,
Frost,	Lovett,	Rigby,	Yetzer,
Gaffney,	Lutty,	Riley, R. L.,	Young,
Geer,	Lyons,	Robertson,	Ziegler,
Gibson,	Madden,	Rose,	Sorg,
Gleason,	Madigan,	Rosen,	Speaker
Good,	Markley,	Rovanssek,	

NAYS—0

NOT VOTING—1

Whalley.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 185, as follows:

An Act making an appropriation to the Department of Agriculture for the payment of the compensation and expenses of the Expert Tree Crop Advisor and other incidental expenses relative thereto.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1 The sum of twenty thousand dollars (\$20,000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Agriculture for the payment of the compensation and expenses of the Expert Tree Crop Advisor and other incidental expenses necessary to carry out the duties and powers conferred on said Expert Tree Crop Advisor by existing law for the fiscal biennium commencing the first day of June one thousand nine hundred fifty-one.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—201

Amarando,	Graybill,	Maxwell,	Royer,
Andrews,	Greenwood,	Mazza,	Rubin,
Banker,	Greer,	McConnell,	Sarraff,
Barkdoll,	Guarnieri,	McCormack,	Sax,
Baumunk,	Gutendorf,	McCullough,	Scanlon,
Bear,	Guthrie,	McDermitt,	Schmidt,
Beaver,	Hagerty,	McGee,	Schuster,
Beech,	Hall,	McInroy,	Scott,
Blair,	Hamilton, R. K.,	McKinney,	Seyler,



Bloom,	Hamilton, W. H.,	McMillen,	Shoemaker,
Boles,	Harney,	McNally,	Shotwell,
Bolton,	Haudensfield,	Metz,	Smith,
Bombberger,	Headlee,	Mihm,	Snider,
Boorse,	Helm,	Mikula,	Sollenberger,
Bower,	Hersch,	Miller, H. G.,	Spencer,
Breisch,	Hewitt,	Mills,	Stank,
Breth,	Hocker,	Mintess,	Stimmel,
Brown,	Hoggard,	Monroe,	Stoner,
Byrne,	Hunter,	Moore, C. E.,	Swartz,
Cella,	Jenkins,	Moore, H. A.,	Swope,
Clapper,	Johnson,	Moran,	Tahl,
Clendenning,	Jones, G. E.,	Muldowney,	Taylor,
Cochran,	Jones, J. M.,	Munley,	Thompson, E. F.,
Conway,	Jones, P. F.,	Murray,	Thompson, R. L.,
Cooper,	Jones, T. H. W.,	Musto,	Toll,
Corr,	Jump,	Najaka,	Tompkins,
Costa,	Kamyk,	Naugle,	Toomey,
Coyle,	Keller,	Needham,	VanSant,
Dalrymple,	Kent,	Olsen,	Varallo,
Davis,	Kline,	Penglase,	Varnier,
Dennison,	Kohl,	Peta,	Verona,
Dougherty,	Kolankiewicz,	Pettigrew,	Wachhaus,
Dowling,	Kornick,	Pfaff,	Wargo,
DuBois,	Kratz,	Pichney,	Waterhouse,
Duffy,	Kubacki,	Pitzer,	Watkins,
Dunn,	Lafore,	Polaski,	Weidner,
Erb,	Lederer,	Polen,	Welsh,
Ewing,	Lelsey,	Price, H. W. Jr.,	Wescott,
Fenrich,	Leonard, L.,	Price, R. A.,	Westrick,
Ferster,	Leonard, W. C.,	Readinger,	Wheeler,
Filip,	Leven,	Reagan,	Williams,
Filo,	Light,	Reese,	Wilt,
Firmstone,	Limper,	Reidenbach,	Wood,
Flack,	Loftus,	Reilly, J. M.,	Yeakel,
Frost,	Lopresti,	Rigby,	Yester,
Gaffney,	Lovett,	Riley, R. L.,	Yetzer,
Geer,	Lutty,	Robertson,	Young,
Gibson,	Lyons,	Rose,	Ziegler,
Gleason,	Madden,	Rosen,	Sorg,
Good,	Madigan,	Rovansek,	Speaker
Goodling,	Markley,		

## NAYS—5

Berkstresser, Miller, J. C., Petrosky, White,  
Buechin,

## NOT VOTING—1

Whalley.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 248, as follows:

An Act to further amend subsection (a) of Section 722 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures

fees and miscellaneous receipts making an appropriation and providing for refunds" by exempting certain motor vehicles of war amputees from the payment of title or registration fees

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (a) of Section 722 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the act approved the second day of May one thousand nine hundred forty-nine (P. L. 822) and the act approved the tenth day of May one thousand nine hundred forty-nine (P. L. 1072) is hereby further amended to read as follows

## Section 722 Exemptions from Fees

(a) No fee shall be charged for a certificate of title or registration of motor vehicles fire department equipment trailers and semi-trailers owned by and used exclusively in the performance of the duties of (a) the Federal Government (b) any state other than Pennsylvania which issues titles or registrations to this Commonwealth without charge (c) the Commonwealth of Pennsylvania (d) any city borough incorporated town township county poor or school district of this Commonwealth (e) any duly authorized volunteer fire force in the extinguishment and prevention of fires or in rescue work hospital humane society or anticruelty society in this Commonwealth (f) the American Red Cross (g) churches (h) Girl Scouts of America (i) Boy Scouts of America (j) Salvation Army (k) duly chartered post or organization of the American Legion Veterans of Foreign Wars American Veterans of World War II (Amvets) the Marine Corps League Military Order of the Purple Heart Jewish War Veterans Catholic War Veterans Inc or United Spanish War Veterans of this Commonwealth or La Societe Des Forty Hommes et Eight Chevaux and organizations and units of the Pennsylvania National Guard (l) mine or industrial ambulances (m) ambassadors ministers foreign consuls general consuls and vice consuls who are nationals of the country appointing them and who are assigned to foreign consulates in this Commonwealth Provided That American consular officers of equal rank who are citizens of the United States and who exercise their official functions at American consulates in such foreign country are granted reciprocal exemptions No fee shall be charged for [certificates of title or registration of motor vehicles owned and used by war amputees which were obtained through the Veterans' Administration] A certificate of title or registration of a specially equipped motor vehicle not exceeding one such vehicle at any one time owned and used by a war amputee All such vehicles except those owned and used by the Federal Government shall be titled and registered and shall display registration plates as is now provided for privately owned motor vehicles trailers and semi-trailers

And said bill having been read at length the third time, considered and agreed to.

On the question,



Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—205

Amarando,	Graybill,	Mazza,	Royer,
Andrews,	Greenwood,	McConnell,	Rubin,
Banker,	Greer,	McConnack,	Sarra,
Barkdoll,	Guarnieri,	McCullough,	Sax,
Baumunk,	Gutendorf,	McDermit,	Scanlon,
Beal,	Guthrie,	McGee,	Schmidt,
Beaver,	Hagerty,	McInroy,	Schuster,
Beach,	Hall,	McKinney,	Scott,
Berkstresser,	Hamilton, R. K.,	McMillen,	Seyler,
Blair,	Hamilton, W. H.,	McNally,	Shoemaker,
Bloom,	Harney,	Metz,	Shotwell,
Boles,	Haudensfield,	Mihm,	Smith,
Bolton,	Headlee,	Mikula,	Snider,
Bomberger,	Helm,	Miller, H. G.,	Sollenberger,
Boorse,	Hersch,	Miller, J. C.,	Spencer,
Bower,	Hewitt,	Mills,	Stank,
Brelsach,	Hocker,	Mintess,	Stimmel,
Breth,	Hoggard,	Monroe,	Stoner,
Brown,	Hunter,	Moore, C. E.,	Swartz,
Bucchin,	Jenkins,	Moore, H. A.,	Swope,
Byrne,	Johnson,	Moran,	Tahl,
Cella,	Jones, G. E.,	Muldowney,	Taylor,
Clapper,	Jones, J. M.,	Munley,	Thompson, E. F.,
Clendening,	Jones, P. F.,	Murray,	Thompson, R. L.,
Cochran,	Jones, T. H. W.,	Musto,	Toll,
Conway,	Jump,	Najaka,	Tompkins,
Cooper,	Kamyk,	Naugle,	Toomey,
Corr,	Keller,	Needham,	VanSant,
Costa,	Kent,	Olsen,	Varallo,
Coyle,	Kline,	Penglase,	Verner,
Dairymple,	Kohl,	Peta,	Verna,
Davis,	Kolankiewicz,	Petrosky,	Wachhaus,
Dennison,	Kornick,	Pettigrew,	Wargo,
Dougherty,	Kratz,	Pfaff,	Waterhouse,
Dowling,	Kubacki,	Pichney,	Watkins,
Duffy,	Lafore,	Pitzer,	Weidner,
Dunn,	Lederer,	Polaski,	Welsh,
Erb,	Lelsey,	Polen,	Wescott,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Westrick,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Fenster,	Leven,	Readinger,	White,
Filip,	Light,	Reagan,	Williams,
Filo,	Limper,	Reese,	Wilt,
Firmstone,	Loftus,	Reidenbach,	Wood,
Flack,	Lopresti,	Reilly, J. M.,	Yeakel,
Frost,	Lovett,	Rigby,	Yester,
Gaffney,	Lutty,	Riley, R. L.,	Yetzer,
Geer,	Lyons,	Robertson,	Young,
Gibson,	Madden,	Rose,	Ziegler,
Gleason,	Madigan,	Rosen,	Sorg,
Good,	Markley,	Rovanssek,	Speaker
Goodling,	Maxwell,		

## NAYS—1

## NOT VOTING—1

DuBois,

Whalley,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

## BILL PASSED OVER

There being no objection

House Bill No. 488, Printer's No. 476 was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 682, as follows:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation

of vehicles tractors street cars trackless omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by changing the registration fee of certain motor buses and motor omnibuses and prohibiting the use of metal or solid rubber or cushion rubber tires on such vehicles

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 707 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as amended by the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 751) is hereby further amended to read as follows

Section 707 Motor Buses and Motor Omnibuses with Pneumatic Tires

The fee for annual registration of each motor bus and motor omnibus with pneumatic tires shall be according to seating capacity and the following classes

Class	Seating Capacity	Fee
A	Five (5) passengers or less	\$25.00
B	More than five (5) passengers and less than eight (8) passengers	\$30.00
C	More than seven (7) passengers and not more than twenty-six (26) passengers	\$40.00 plus \$4.00 for each seat over seven seats
D	In excess of twenty-six (26) passengers	\$40.00 plus \$4.00 for each seat over seven seats to and including twenty-six seats plus \$10.00 \$5.00 for each seat over twenty-six The maximum fee to



be charged for a  
two (2) axle bus  
shall be \$192.00

E In excess of fifty-three (53) passengers  
when operated exclusively in cities \$300.00

Section 2 Section 708 of said act is hereby repealed

Section 3 Section 820 of said act is hereby amended by  
adding after subsection (d) thereof a new subsection and  
the penalty clause thereof is hereby amended to read  
as follows

Section 820 Chains and Tires

(e) It shall be unlawful for any motor bus or motor  
omnibus equipped with metal solid rubber or cushion  
rubber tires to be hereafter registered and operated upon  
any highway road or street of this Commonwealth

Penalty Any person violating any of the provisions  
of subsections (a) (b) [or] (c) or (e) of this section shall  
upon summary conviction before a magistrate be sen-  
tenced to pay a fine of ten (\$10) dollars and costs of  
prosecution and in default of the payment thereof shall  
undergo imprisonment for not more than five (5) days

And said bill having been read at length the third time,  
considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas  
and nays were taken and were as follows:

YEAS—206

Amarando.	Goodling.	Maxwell.	Royer.
Andrews.	Graybill.	Mazza.	Rubin.
Banker.	Greenwood.	McConnell.	Sarra.
Barkdoll.	Greer.	McCormack.	Sax.
Baumunk.	Guarnieri.	McCullough.	Scanlon.
Bear.	Gutendorf.	McDermitt.	Schmidt.
Beaver.	Guthrie.	McGee.	Schuster.
Beech.	Hagerty.	McInroy.	Scott.
Berkstresser.	Hall.	McKinney.	Seyler.
Blair.	Hamilton, R. K.	McMillen.	Shoemaker.
Bloom.	Hamilton, W. H.	McNally.	Shotwell.
Boice.	Harney.	Metz.	Smith.
Bolton.	Haudenschild.	Mihm.	Snider.
Bomberger.	Headlee.	Mikula.	Sollenberger.
Boorse.	Heim.	Miller, H. G.	Spencer.
Bower.	Hersch.	Miller, J. C.	Stank.
Bresch.	Hewitt.	Mills.	Stimmel.
Breth.	Hocker.	Mintess.	Stoner.
Brown.	Hoggard.	Monroe.	Swartz.
Buechin.	Hunter.	Moore, C. E.	Swope.
Byrne.	Jenkins.	Moore, H. A.	Tahl.
Cella.	Johnson.	Moran.	Taylor.
Clapper.	Jones, G. E.	Muldowney.	Thompson, E. F.
Clendening.	Jones, J. M.	Munley.	Thompson, R. L.
Cochran.	Jones, P. F.	Murray.	Toil.
Conway.	Jones, T. H. W.	Musto.	Tompkins.
Cooper.	Jump.	Najaka.	Toomey.
Corr.	Kamyk.	Naugle.	VanSant.
Costa.	Keller.	Needham.	Varner.
Coyle.	Kent.	Olsen.	Varallo.
Dalrymple.	Kline.	Penglase.	Verona.
Davis.	Kohl.	Peta.	Wachhaus.
Dennison.	Kolankiewicz.	Petrosky.	Wargo.
Dougherty.	Kornick.	Pettigrew.	Waterhouse.
Dowling.	Kratz.	Pfaff.	Watkins.
DuBois.	Kubacki.	Pichney.	Weidner.
Duffy.	Lafore.	Pitzer.	Welsh.
Dunn.	Lederer.	Polaski.	Wescott.
Erb.	Leisey.	Poien.	Westrick.
Ewing.	Leonard, L.	Price, H. W. Jr.	Wheeler.
Fenrich.	Leonard, W. C.	Price, R. A.	White.
Fenster.	Leven.	Readinger.	Williams.
Filip.	Light.	Reagan.	Wilt.
Filo.	Limper.	Reese.	Wood.
Firmstone.	Loftus.	Reidenbach.	Yeakel.
Flack.	Lopresti.	Reilly, J. M.	Yester.
Frost.	Lovett.	Rigby.	Yetzer.
Gaffney.	Lutty.	Riley, R. L.	Young.
Geer.	Lyons.	Robertson.	Ziegler.
Gibson.	Madden.	Rose.	Sorg.
Gleason.	Madigan.	Rosen.	Speaker
Good.	Markley.	Rovansek.	

NAYS—0

NOT VOTING—1

Whalley.

The majority required by the Constitution having  
voted in the affirmative, the question was determined in  
the affirmative.

Ordered, That the Clerk present the same to the Sen-  
ate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consid-  
eration of House Bill No. 769, as follows:

An Act to further amend clause (a) of section one thou-  
sand eight hundred three and clause (e) of section one  
thousand eight hundred six of the act approved the  
ninth day of April one thousand nine hundred twenty-  
nine (P. L. 177) entitled "An act providing for and re-  
organizing the conduct of the executive and adminis-  
trative work of the Commonwealth by the Executive  
Department thereof and the administrative departments  
boards commissions and officers thereof including the  
boards of trustees of State Normal Schools or Teachers  
Colleges abolishing creating reorganizing or authorizing  
the reorganization of certain administrative departments  
boards and commissions defining the powers and duties  
of the Governor and other executive and administrative  
officers and of the several administrative departments  
boards commissions and officers fixing the salaries of  
the Governor Lieutenant Governor and certain other  
executive and administrative officers providing for the  
appointment of certain administrative officers and of all  
deputies and other assistants and employees in certain  
departments boards and commissions and prescribing  
the manner in which the number and compensation of  
the deputies and all other assistants and employees of  
certain departments boards and commissions shall be  
determined" by further regulating the leasing and sale  
of State forest and park lands by the Commonwealth  
and defining the powers and duties of the Department  
of Forests and Waters and the rights of lessees with  
respect to such leased lands

The General Assembly of the Commonwealth of Penn-  
sylvania hereby enacts as follows

Section 1 Clause (a) of section one thousand eight hun-  
dred three of the act approved the ninth day of April  
one thousand nine hundred twenty-nine (P. L. 177) en-  
titled "An act providing for and reorganizing the conduct  
of the executive and administrative work of the Com-  
monwealth by the Executive Department thereof and the  
administrative departments boards commissions and  
officers thereof including the boards of trustees of State  
Normal Schools or Teachers Colleges abolishing creating  
reorganizing or authorizing the reorganization of certain  
administrative departments boards and commissions de-  
fining the powers and duties of the Governor and other  
executive and administrative officers and of the several  
administrative departments boards commissions and  
officers fixing the salaries of the Governor Lieutenant  
Governor and certain other executive and administrative  
officers providing for the appointment of certain adminis-  
trative officers and of all deputies and other assistants  
and employees in certain departments boards and commis-  
sions and prescribing the manner in which the number  
and compensation of the deputies and all other assistants  
and employees of certain departments boards and com-  
missions shall be determined" as amended by the act  
approved the sixteenth day of July one thousand nine  
hundred thirty-five (P. L. 1052) is hereby further amended  
to read as follows

Section 1803 Forests Powers The Department of Forests  
and Waters shall have the power

(a) To lease for a period not exceeding ten years on  
such terms and conditions as it may consider reasonable  
to any citizen church organization or school board of



Pennsylvania such portion of any State forest whether owned or leased by the Commonwealth as the department may deem suitable as a site for [a temporary building] an improvement which as used herein means any building placed on the leasehold site by the lessee to be used by such citizen church organization or school board for health and recreation or as a site for a church or school purposes Provided That any existing lease or lease hereafter entered into by the department covering any hunting camp or cabin site upon which the lessee shall have erected an improvement shall be renewable at the option of the lessee for no more than four additional terms of ten years each and that at any time during the original leasehold period or any renewal thereof the lessee or his assignee shall have the right to assign all his right title and interest in said lease together with any improvement to any citizen or organization of good repute or school board

No lease entered into by the department covering any hunting or cabin site upon which the lessee shall have erected an improvement shall be cancelled by the Commonwealth other than for non-payment of rent violation of law or of a rule or regulation of the department not inconsistent with the provisions of this section or when the site is required for some public use The department shall not cancel any lease for alleged violation of a rule or regulation of the department until the lessee shall have been notified of the alleged violation and be given an opportunity to be heard

No improvement shall be used for commercial purposes Copies of all rules and regulations of the department or of the secretary applicable to a leasehold site shall be attached to the lease entered into by the department and the lessee The lessee or his assignee shall have the right to remove any improvement erected on the leasehold site at any time during the period of the original lease or renewal thereof or within one year following the termination of the lease no improvement which the department has permitted or shall hereafter permit to be erected on the leasehold and which is not capable of being removed shall be disturbed or removed by the department without the payment of adequate compensation to the lessee or his assignee

Any sale by the Commonwealth other than to the lessee or his assignee of any portion of a State forest under lease pursuant to the provisions of this subsection shall be made subject to the current lease but shall in no way be subject to a renewal thereof Provided That the lessee or his assignee shall have for the term of the lease or for a period of six months from the time of sale of the leased land whichever is greater all rights privileges and immunities granted to him under the terms of the lease except the right of renewal

Section 2 Clause (e) of section one thousand eight hundred six of said act as last amended by the act approved the twenty-first day of June one thousand nine hundred thirty-seven (P. L. 1865) is hereby further amended to read as follows

Section 1806 Parks The Department of Forests and Waters shall have the power and its duty shall be

\*\*\*\*\*  
(e) To lease for a period not to exceed ten years on such terms as may be considered reasonable to any citizen or organization of this Commonwealth a portion of any State park whether owned or leased by the Commonwealth as may be suitable as a site for [temporary buildings] an improvement which as used herein means any building placed on the leasehold by the lessee to be used for health recreational or educational purposes or for parking areas or concessions for the convenience and comfort of the public Provided That any existing lease or lease hereafter entered into by the department covering any cabin site upon which the lessee shall have erected an improvement shall be renewable at the option of the lessee for no more than four additional terms of ten years each and that at any time during the original leasehold period or any renewal thereof the lessee or his assignee shall have the right to assign all his right title and interest in said lease together with improvements thereon

to any citizen or organization of good repute or school board

No lease entered into by the department covering any cabin site upon which the lessee shall have erected an improvement shall be cancelled by the Commonwealth other than for non-payment of rent violation of law or of a rule or regulation of the department not inconsistent with the provisions of this section or when the site is required for some public use The department shall not cancel any lease for alleged violation of a rule or regulation of the department until the lessee shall have been notified of the alleged violation and be given an opportunity to be heard

No improvement shall be used for commercial purposes Copies of all rules and regulations of the department or of the secretary applicable to a leasehold site shall be attached to the lease entered into by the department and the lessee The lessee or his assignee shall have the right to remove any improvement erected on the leasehold site at any time during the period of the original lease or renewal thereof or within one year following the termination of the lease No improvement which the department has permitted or shall hereafter permit to be erected on the leasehold site and which is not capable of being removed shall be disturbed or taken by the department without the payment of adequate compensation to the lessee or his assignee

Any sale by the Commonwealth other than to the lessee or his assignee of any portion of a State park under lease pursuant to the provisions of this subsection shall be made subject to the current lease but shall in no way be subject to a renewal thereof Provided That the lessee or his assignee shall have for the term of the lease or for a period of six months from the time of sale of the leased land whichever is greater all rights privileges and immunities granted to him by law

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—206

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarrafi,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Beal,	Guendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Meiz,	Smith,
Bolton,	Haudenschild,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Breisch,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldoney,	Thompson, E. F.,
Clendenning,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varnier,
Dairymple,	Kilne,	Penglase,	Verona,
Davis,	Kohl,	Pets,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
DuBols,	Kubacki,	Pichney,	Weidner,
Duffy,	Lafare,	Pitzer,	Welsh,



Dunn,	Lederer,	Polaski,	Wescott,
Erb,	Lelsey,	Polen,	Westrick,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Wheeler.
Fenrich,	Leonard, W. C.,	Price, R. A.,	White,
Ferster,	Leven,	Readinger,	Williams.
Filip,	Light,	Reagan,	Wilt,
Filo,	Limper,	Reese,	Wood,
Firmstone,	Loftus,	Reidenbach,	Yeakel,
Flack,	Lopresti,	Reilly, J. M.,	Yester,
Frost,	Lovett,	Rigby,	Yetzer,
Gaffney,	Lutty,	Riley, R. L.,	Young,
Geer,	Lyons,	Robertson,	Ziegler,
Gibson,	Madden,	Rose,	Sorg,
Gleason,	Madigan,	Rosen,	Speaker
Good,	Markley,	Rovansek,	

NAYS—0

NOT VOTING—1

Whalley.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1006, entitled:

An Act fixing the minimum salaries for tipstaves in the courts of record in counties of the fourth class

On the question,  
Will the House agree to the bill on third reading?  
It was agreed to.  
On the question,  
Shall the bill pass finally?

Mr. LOPRESTI. Mr. Speaker, I desire to interrogate either Mr. Dowling or Mr. Ziegler, sponsors of the bill.

The SPEAKER. Will the gentleman from Dauphin, Mr. Dowling permit himself to be interrogated?

Mr. DOWLING. Mr. Speaker, I will.

Mr. LOPRESTI. Mr. Speaker, for my own information I would like to know whether under the present law tipstaves can be hired on the monthly basis and paid a monthly salary.

Mr. DOWLING. Mr. Speaker, in Dauphin County they are hired on a daily basis. I do not know whether they can be hired on a monthly basis.

Mr. LOPRESTI. Mr. Speaker, does the gentleman know whether it is possible to hire them on a monthly basis under the existing law?

Mr. DOWLING. Mr. Speaker, I do not.

Mr. LOPRESTI. Mr. Speaker, and I do not know either, but in Cambria County they do hire them and pay them by the month. Now, then, if they were on a monthly salary and we pass this seven dollar minimum per day how would you arrive at the number of days? Would you have to pay seven dollars for each working day of that month or for each day that the individual appeared in the court or how would that be governed?

Mr. DOWLING. Mr. Speaker, in Dauphin County there are four terms of common pleas court a year lasting, at least, approximately one week for each term, and four terms of criminal court lasting approximately one week. I am informed that the tipstaves work approximately forty days a year in Dauphin County. They are paid approximately \$3.65 a day now and for that reason we

have put in this bill to increase the pay to seven dollars a day because these men cannot pay their transportation costs and meals and receive any compensation at all for their work.

Mr. LOPRESTI. Mr. Speaker, I do not object to the seven dollar minimum. The only question that arises in my mind is whether or not we are going to decrease those in Cambria County.

In Cambria County the tipstaves not only work during the days of court as has been mentioned by Mr. Dowling, but they also work during the equity courts and different hearings such as non-support and desertion cases and we find our tipstaves there every day. So much so that our County Commissioners and salary board has seen fit to put them on a monthly salary. I do not want to be opposed to this bill setting a seven dollar minimum but at the same time I do not want our county put in a position where they have to pay seven dollars a day for every day in the month rather than have them on a monthly salary and I would ask if it is agreeable to the sponsors to have this bill passed over until we can determine for certain what the effect would be on a county which is hiring them by the month rather than by the day.

Mr. DOWLING. Mr. Speaker, I think the question raised by the gentleman from Cambria County is a perfectly fair question and I am perfectly agreeable, with my co-sponsor's permission, to pass this bill over and try to get that information for Mr. Lopresti at the earliest possible time.

The SPEAKER. The Chair withdraws its decision as to the bill having been agreed to on third reading.

#### BILL PASSED OVER

There being no objection

House Bill No. 1006, Printer's No. 841  
was passed over at the request of Mr. DOWLING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1170, as follows:

An Act to further amend subsection (a) of Section 1201 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by authorizing the bringing of informations for violations of the summary provisions of this act occurring on a highway dividing two political subdivisions before the nearest available magistrate in either one of them



The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (a) of Section 1201 of the act approved the first day of May one thousand nine hundred twenty-nine (P L 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titlinf including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the act approved the eighteenth day of May one thousand nine hundred forty-nine (P L 1412) is hereby further amended to read as follows

#### Section 1201 Limitations of Actions

(a) Informations charging violations of any of the summary provisions of this act shall be brought before the nearest available magistrate within the city borough incorporated town or township where the alleged violation occurred or where the alleged violation occurred on a highway which divides two of said political subdivisions the information may be brought before the nearest available magistrate in either one of them Provided however That there is no substantial difference between the respective distances from the place where the alleged violation occurred to the offices of more than one magistrate any such prosecution may be brought before any one of such magistrates or if there is no person holding the office of magistrate in such city borough incorporated town or township then such information shall be brought before such nearest available magistrate in any adjoining city borough incorporated town or township within fifteen (15) days after the commission of the alleged offense and not thereafter except that where an information is filed against a person prima facie guilty of a summary offense and it subsequently appears that a person other than the person named in the information was the offender an information may be filed against such other person within fifteen (15) days after his or her identity shall have been discovered and excepting further that informations charging violations of the provisions of sections 205 207 210 212 406.1 511 610.1 (j) and 813 of this act may be brought within fifteen (15) days after it is discovered that a violation of any of these sections has been committed

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—206

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarra,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,

Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Boiton,	Haudenschild,	Mihm,	Snider,
Bombberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Breisch,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendenen,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varner,
Dalrymple,	Kline,	Penglase,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Deninson,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
DuBois,	Kubacki,	Pichney,	Weidner,
Duffy,	Lafore,	Pitzer,	Welsh,
Dunn,	Lederer,	Polaski,	Wescott,
Erb,	Leisey,	Polen,	Westrick,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Wheeler,
Fenrich,	Leonard, W. C.,	Price, E. A.,	White,
Fenster,	Leven,	Readinger,	Williams,
Filip,	Light,	Reagan,	Wilt,
Fillo,	Limper,	Reese,	Wood,
Firmstone,	Loftus,	Reidenbach,	Yeakel,
Flack,	Lopresti,	Reilly, J. M.,	Yester,
Frost,	Lovett,	Rigby,	Yetzer,
Gaffney,	Lutty,	Riley, R. L.,	Young,
Geer,	Lyons,	Robertson,	Ziegler,
Gibson,	Madden,	Rose,	Sorg,
Gleason,	Madigan,	Rosen,	Speaker
Good,	Markley,	Rovansek,	

#### NAYS—0

#### NOT VOTING—1

Whalley.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for conference.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1329, as follows:

An Act to further amend section 78 of the act approved the second day of May one thousand nine hundred twenty-nine (P L 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by changing the law as to who may attend the annual meetings of the state association of controllers

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 78 of the act approved the second day of May one thousand nine hundred twenty-nine (P L 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" as amended by the act approved the eighteenth day of May one thousand nine hundred forty-nine (P L 1465) is hereby further amended to read as follows

Section 78 Expenses of Members Length of Meetings Expenses Each controller [or] deputy controller and the solicitor to the controller may attend the annual meeting and shall be allowed his expenses actually and necessarily incurred in going to attending and returning



from the annual meeting of the association but not exceeding twelve dollars per day together with eight cents per mile in going to and returning from such meeting. The time spent in attending the meeting exclusive of the time employed in traveling shall not exceed three days. These expenses shall be paid by the respective counties. The expenses of the annual meeting of the association including printing committee expenses and stenographers shall be paid by the counties having controllers but shall not exceed sixty dollars per annum for each county in addition to the traveling expenses hereinbefore provided for.

Section 2 The provisions of this act shall become effective immediately upon final enactment.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—206

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarraf,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenshield,	Mihm,	Snider,
Bombberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Brelsch,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendenning,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varnier,
Dalrymple,	Kline,	Penglase,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
DuBois,	Kubacki,	Pichney,	Weidner,
Duffy,	Lafore,	Pitzer,	Welsb,
Dunn,	Lederer,	Polaski,	Wescott,
Erb,	Leisey,	Polen,	Westrick,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Wheeler,
Fenrich,	Leonard, W. C.,	Price, R. A.,	White,
Ferster,	Leven,	Readinger,	Williams,
Filip,	Light,	Reagan,	Wilt,
Filo,	Limper,	Reese,	Wood,
Firmstone,	Loftus,	Reidenbach,	Yeakel,
Flack,	Lopresti,	Reilly, J. M.,	Yester,
Frost,	Lovett,	Rigby,	Yetzer,
Gaffney,	Lutty,	Riley, R. L.,	Young,
Geer,	Lyons,	Robertson,	Ziegler,
Gibson,	Madden,	Rose,	Sorg,
Gleason,	Madigan,	Rosen,	
Good,	Markley,	Rovansek,	

Speaker

## NAYS—0

## NOT VOTING—1

Whalley,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1500, as follows:

An Act to repeal Section 1 of the act approved the first day of May A D one thousand nine hundred thirteen (P L 155) entitled "An act regulating the letting of certain contracts for the erection construction and alteration of public buildings" as to State Authorities.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1 The act approved the first day of May one thousand nine hundred thirteen (P L 155) entitled "An act regulating the letting of certain contracts for the erection construction and alteration of public buildings" is hereby repealed insofar as it applies to the erection construction and alteration of buildings by any State Authority.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. PETROSKY. Mr. Speaker, I will have to vote against this bill. Unless I can get additional information, I will ask to have it held over.

Mr. ANDREWS. Mr. Speaker, are we now on page 22, House Bill No. 1500?

The SPEAKER. The gentleman is correct.

Mr. ANDREWS. Mr. Speaker, I would like to ask the gentleman from Westmoreland what additional information he would desire, perhaps we can furnish him the information?

Mr. PETROSKY. Mr. Speaker, at a session of the Democratic caucus it was stated that a certain organization in the state, namely the A F L, was opposed to the bill and that the gentleman at the head of the organization was to see some people relative to the bill for the position to be taken upon it.

Now I would like to vote for the bill if possible, but I would also like to get the reasons, the available reasons as to why the organization is against it before I vote in favor of it or against it.

Mr. ANDREWS. Mr. Speaker, the gentleman to whom the Member from Westmoreland refers consulted the head of the contractors' organization and the contractors reiterated their opposition to this bill.

The reason for this bill is this; and incidentally, the Majority Leader should be the one to inform the House concerning the need for it, but since he is asleep, I will do it.

Mr. SMITH. Mr. Speaker, I would yield to the gentleman, because I can see that we are going to pass this bill with his eloquence today.

Mr. ANDREWS. Mr. Speaker, my previous attempts to support bills have been more nearly a kiss of death than they have been an evidence of triumph.

Mr. Speaker, at the present time, under the decision of the court, the General State Authority in awarding contracts is governed by an Act of 1913 which provides that any contract of a thousand dollars or more must be awarded on the basis of separate bids.

The Authority finds itself in this position, and this is



an actual incident. The general construction contract is \$400,000. There is a plumbing job of one thousand dollars to be done. No major contractor will bid on a thousand dollar job. He is too busy. He does not want it. Anybody that bids on a job of that kind bids high, and so on that kind of job, because the General State Authority has had to ask for separate bids, we have spent a great deal of money unnecessarily.

Under the law, the Department of Property and Supplies can ask for a general bid or it can ask for a separate bid and then it can take either the general bid or two separate bids. As a matter of practice, the Department of Property and Supplies asks for the two bids but as a rule it deals in large contracts. The Department of Property and Supplies, under the law, award a whole job on the basis of a single bid.

The General State Authority can not do that if there is a little minor job somewhere, and there are a number of those jobs at the present time to be cleaned up. They must ask for a general bid on the construction, a separate bid on plumbing or revamping of a heating system and all we want to do is save a little money ultimately for the taxpayers. I cannot see any reason why, since most of our money is spent, we cannot award any more major contracts. This bill is of no personal significance to me. The General State Authority board, and the School Authority asked that this act be introduced and passed.

The contractors are standing to the letter of the law. They are afraid if they open the door that they may be creating a bad precedent. First of all they are opening the door only to the General State Authority and they are opening the door to an Authority that has spent its large money so no Pennsylvania contractor will lose any large job by enactment of this measure.

Mr. PETROSKY. Mr. Speaker, originally I merely asked that the bill be held over until I procured additional information from a source that I want to procure it from.

The information that the gentleman has just expressed on the floor I had already had from prior discussions on this bill earlier in the Democratic Caucus.

However, after the money is all gone and they have wasted all the money in the Authority, we present a bill after the money has been wasted and spent in such a manner as the gentleman stated, I do not see why we have need for such a bill. However, I am going to voice my protest vote on this measure inasmuch as I cannot have additional time to procure the information from the source from which I had wanted to procure the same.

Mr. ANDREWS. Mr. Speaker, I would not say that the General State Authority has been wasting its money. We have been dealing in large contracts up to this time and because they were large contracts it was in the interest of the General State Authority to ask for separate bids.

We are now in the process of cleaning up and it is the small bids that are of concern. I have no objection, if the Majority Leader so desires, to hold this bill over until the gentleman from Westmoreland has conducted his investigation. Or, I am perfectly willing that this bill be submitted for a vote now. It is a matter of small significance to me. I am simply acting as the agent for the board of the General State Authority.

Mr. SMITH. Mr. Speaker, I certainly feel that the

Minority Leader has expressed what this bill will do, and I would suggest to Mr. Petrosky that as long as this bill applies only to the General State Authority, I do not believe there is any other information he can get. I believe he has all the information at hand and if would withdraw his request to hold the bill over, I would appreciate with the Minority Leader, a roll call vote.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—121

Andrews,	Firmstone,	Lelsey,	Royer,
Banker,	Flack,	Light,	Rubin,
Barkdoll,	Frost,	Loftus,	Sax,
Baumunk,	Geer,	Lyons,	Scott,
Bear,	Gibson,	Madden,	Shoemaker,
Beaver,	Gleason,	Madigan,	Shotwell,
Beech,	Goodling,	Markley,	Smith,
Berkstresser,	Graybill,	McConnell,	Snider,
Blair,	Greenwood,	McCormack,	Sollenberger,
Bloom,	Greer,	McCullough,	Spencer,
Bolton,	Gutendorf,	McInroy,	Stimmel,
Boorse,	Guthrie,	McKinney,	Stoner,
Bower,	Hall,	McMillen,	Swartz,
Breisch,	Hamilton, W. H.,	Metz,	Swope,
Brown,	Haudenshield,	Miller, H. G.,	Tahl,
Cella,	Headlee,	Mintess,	Thompson, E. F.,
Clapper,	Helm,	Moore, C. E.,	Thompson, R. L.,
Clendening,	Hewitt,	Moore, H. A.,	Tompkins,
Cochran,	Hocker,	Murray,	Toomey,
Cooper,	Hunter,	Naugle,	VanSant,
Corr,	Jenkins,	Pichney,	Wachhaus,
Costa,	Johnson,	Pitzer,	Weidner,
Coyle,	Jones, P. F.,	Price, H. W. Jr.,	Wescott,
Dalrymple,	Jones, T. H. W.,	Readinger,	Westrick,
Davis,	Keller,	Reagan,	Wheeler,
Dennison,	Kent,	Reidenbach,	White,
Dowling,	Kline,	Reilly, J. M.,	Wood,
DuBois,	Kohl,	Rigby,	Yeakel,
Ewing,	Kornick,	Riley, R. L.,	Ziegler,
Ferster,	Lafore,	Robertson,	Sorg,

Speaker

NAYS—64

Amarando,	Hoggard,	Mihm,	Rosen,
Bucchin,	Jones, G. E.,	Mikula,	Sarrafi,
Byrne,	Jones, J. M.,	Miller, J. C.,	Scanlon,
Conway,	Kamyk,	Monroe,	Schmidt,
Dougherty,	Kolankiewicz,	Moran,	Schuster,
Duffy,	Lederer,	Muldowney,	Seyler,
Dunn,	Leonard, L.,	Munley,	Stank,
Erb,	Leven,	Musto,	Taylor,
Fenrich,	Limper,	Najaka,	Toll,
Filip,	Lopresti,	Penglase,	Varallo,
Filo,	Lovett,	Peta,	Wargo,
Gaffney,	Lutty,	Petrosky,	Welsh,
Guarnieri,	Mazza,	Pettigrew,	Williams,
Hagerty,	McDermitt,	Polaski,	Wilt,
Hamilton, R. K.,	McGee,	Price, R. A.,	Yester,
Herach,	McNally,	Reese,	Yetzer,

NOT VOTING—22

Boles,	Kratz,	Olsen,	Verona,
Bomberger,	Kubacki,	Pfaff,	Waterhouse,
Breth,	Leonard, W. C.,	Polen,	Watkins,
Good,	Maxwell,	Rose,	Whalley,
Harney,	Mills,	Rovansek,	Young,
Jump,	Needham,	Varnier,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1550, as follows:



An Act to further amend Section 1 of the act approved the twenty-fifth day of April one thousand nine hundred twenty-nine (P. L. 723) entitled "An act regulating the investment of funds by administrative departments boards commissions and officers of the State Government" by expanding the investment powers of State administrative departments boards commissions or officers

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1 of the act approved the twenty-fifth day of April one thousand nine hundred twenty-nine (P. L. 723) entitled "An act regulating the investment of funds by administrative departments boards commissions and officers of the State Government" as amended by the act approved the ninth day of June one thousand nine hundred thirty-nine (P. L. 274) is hereby further amended to read as follows

Section 1 Be it enacted &c That any administrative department board commission or officer of the State Government authorized by law to make investments of funds in the custody or under the control of such department board commission or officer excepting only the moneys in the State Sinking Fund may lawfully invest such funds in any of the following securities

(a) Bonds or other obligations of the United States  
(b) Bonds or other obligations of this Commonwealth or of any other State

(c) Bonds or other obligations of any county city borough township incorporated district school district poor district or other political subdivision of this Commonwealth or of any other State

(d) Ground rents on real estate within this Commonwealth

(e) Mortgages on or bonds of individuals secured by mortgages on Pennsylvania real estate and

(f) Trust certificates evidences of debt or investment securities representing participation in revenues to be derived from any municipally-owned gas plant in cities of the first class of this Commonwealth]

(1) United State Obligations of the United States or the United States Treasury or those for the payment of which the faith and credit of the United States is pledged including obligations of the District of Columbia

(2) Pennsylvania Obligations of the Commonwealth of Pennsylvania or those for the payment of which the faith and credit of the Commonwealth is pledged

(3) State and Local Government Obligations of any commonwealth or state of the United States or any county city borough town township school district institution district or other political subdivision having the power to levy taxes of any commonwealth or state Provided That the faith and credit of such commonwealth state or political subdivision thereof is pledged for the payment of said obligations And provided further That at the date of the investment in such obligations such Commonwealth state or political subdivision is not in default in the payment of any part of the principal or interest owing by it upon any part of its funded indebtedness

(4) International Bank for Reconstruction and Development Bonds notes or other obligations issued assumed or guaranteed by the International Bank for Reconstruction and Development

(5) National Housing Administrative Obligations issued pursuant to any housing act of the United States heretofore or hereafter enacted but only if fully and unconditionally guaranteed as to principal and interest by the United States

(6) General State Authority and Other State Authorities Obligations issued by the General State Authority and other authorities created by the General Assembly of the Commonwealth of Pennsylvania for the payment of which the faith and credit of the authority is pledged

(7) Housing Authorities Obligations of any housing authority issued pursuant to the laws of the Commonwealth relating to the creation or operation of housing authorities

(8) Redevelopment Authorities Obligations of any redevelopment authority issued pursuant to the laws of the Commonwealth relating to the creation or operation of redevelopment authorities

(9) Municipality Authorities Obligations of any municipality authority issued pursuant to the laws of the Commonwealth relating to the creation or operation of municipality authorities if the obligations are not in default and if for the period of five fiscal years next preceding the date of acquisition the income of such authority available for fixed charges has averaged not less than one and one-fifth times its average annual fixed charges of such obligations over the life of such obligations As used in this clause the term "income available for fixed charges" shall mean income after deducting operating and maintenance expenses and unless the obligations are payable in serial annual maturities or are supported by annual sinking fund payments depreciation but excluding extraordinary non-recurring items of income or expenses and the term "fixed charges" shall include principal both maturity and sinking fund and interest on bonded debt In computing such income available for fixed charges for the purposes of this section the income so available of any corporation acquired by any municipality authority may be included such income to be calculated as though such corporation had been operated by a municipality authority and an equivalent amount of bonded debt were outstanding

The eligibility for investment purposes of obligations of each project of a municipality authority shall be separately considered hereunder

(10) Delaware River Joint Commission Obligations of the Delaware River Joint Commission issued pursuant to the act of June twelfth one thousand nine hundred thirty-one (P. L. 575) and its amendments and supplements heretofore or hereafter enacted

(11) Delaware River Joint Toll Bridge Commission Obligations of the Delaware River Joint Toll Bridge Commission issued pursuant to the act of June twenty-fifth one thousand nine hundred thirty-one (P. L. 1352) and its amendments and supplements heretofore or hereafter enacted

(12) Delaware Tunnel Board Obligations issued by or with the approval of the Delaware Tunnel Board pursuant to the act of June eighth one thousand nine hundred forty-seven (P. L. 1452) and its amendments and supplements heretofore or hereafter enacted

(13) Pennsylvania Turnpike Commission Obligations of the Pennsylvania Turnpike Commission issued pursuant to (a) the act of May twenty-first one thousand nine hundred thirty-seven (P. L. 744) (b) the Pennsylvania Turnpike Philadelphia Extension Act of May sixteenth one thousand nine hundred forty (1941 P. L. 949) and (c) the Western Pennsylvania Turnpike Extension Act of June eleventh one thousand nine hundred forty-one (P. L. 101) and the amendments and supplements of each heretofore or hereafter enacted

(14) Pennsylvania Parkway Commission Obligations of the Pennsylvania Parkway Commission issued pursuant to the act of July sixteenth one thousand nine hundred forty-one (P. L. 386) and its amendments and supplements heretofore or hereafter enacted

(15) Corporate Bonds Any fixed interest-bearing obligation including bonds notes debentures and car-trust certificates issued guaranteed or assumed by a corporation organized under the laws of the United States or any commonwealth or state thereof or of the District of Columbia shall be an authorized investment if

(i) purchased in the exercise of that degree of judgment and care under the circumstances then prevailing which men of prudence discretion and intelligence exercise in the management of their own affairs not in regard to speculation but in regard to the permanent disposition of their funds considering the probable income to be derived therefrom as well as the probable safety of their capital

(ii) either the issuing corporation or a guaranteeing or assuming corporation has earned a net profit in eight



of the preceding ten fiscal years as reflected in its statements and  
(iii) either the issuing corporation or an assuming corporation has not defaulted in the payment of principal or interest on any of its outstanding funded indebtedness during the preceding ten fiscal years

When a corporation has acquired a substantial part of its property within ten years immediately preceding such investment by consolidation or merger or by the purchase of a substantial part of the property of any other corporation or corporations the earnings of the predecessor or constituent corporations shall be consolidated so as to ascertain whether the requirements of this section have been satisfied

"Corporation" as used in this clause shall include a voluntary association a joint-stock association or company a business trust a Massachusetts trust a common-law trust and any other organization organized and existing for any lawful purpose and which like a corporation continues to exist notwithstanding charges in the personnel of its members or participants and conducts its affairs through a committee a board or some other group acting in a representative capacity

(16) Other Mortgages and Bonds Mortgages on or bonds of individuals secured by mortgages on Pennsylvania real estate

Section 2 All acts and parts of acts inconsistent herewith are hereby repealed

Section 3 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,  
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Amarando,	Graybill,	Madigan,
Andrews,	Greenwood,	Markley,
Banker,	Greer,	Maxwell,
Barkdoll,	Guarnieri,	Mazza,
Baumunk,	Gutendorf,	McConnell,
Bear,	Guthrie,	McCormack,
Beaver,	Hagerty,	McCullough,
Beech,	Hall,	McDermitt,
Berkstresser,	Hamilton, R. K.,	McGee,
Blair,	Hamilton, W. H.,	McInroy,
Bloom,	Harney,	McKinney,
Boles,	Haudenschild,	McMillen,
Bolton,	Headlee,	McNally,
Bomberger,	Helm,	Metz,
Boorse,	Hersch,	Mikula,
Bower,	Hewitt,	Miller, H. G.,
Breisch,	Hocker,	Miller, J. C.,
Breth,	Hoggard,	Mills,
Brown,	Hunter,	Mintess,
Byrne,	Jenkins,	Monroe,
Cells,	Johnson,	Moore, C. E.,
Clapper,	Jones, G. E.,	Moore, H. A.,
Clendening,	Jones, J. M.,	Moran,
Cochran,	Jones, P. F.,	Muldowney,
Gonway,	Jones, T. H. W.,	Murray,
Cooper,	Jump,	Najaka,
Corr,	Kamyk,	Naugle,
Costa,	Keller,	Needham,
Coyle,	Kent,	Olsen,
Dalrymple,	Kline,	Penglass,
Davis,	Kohl,	Peta,
Dennison,	Kolankiewicz,	Pettigrew,
Dougherty,	Kornick,	Pfaff,
Dowling,	Kratz,	Pichney,
DuBois,	Kubacki,	Pitzer,
Duffy,	Lafore,	Polaski,
Dunn,	Lederer,	Polen,
Erb,	Lelsey,	Price, H. W. Jr.,
Ewing,	Leonard, L.,	Readinger,
Fenster,	Leonard, W. C.,	Reagan,
Filo,	Leven,	Reese,
Firmstone,	Light,	Reidenbach,
Flack,	Limper,	Reilly, J. M.,

Frost,	Loftuz,	Rigby,	Yester,
Gaffney,	Lopresti,	Riley, R. L.,	Yetzer,
Geer,	Lovett,	Robertson,	Young,
Gibson,	Lutty,	Rose,	Ziegler,
Gleason,	Lyons,	Rosen,	Sorg,
Good,	Madden,	Rovansek,	Speaker
Goodling,			

NAYS—10

Bucchin,	Mihm,	Petrosky,	Seyler,
Fenrich,	Munley,	Price, R. A.,	Wargo,
Filip,	Musto,		

NOT VOTING—1

Whalley.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1556, as follows:

An Act to add section 5.1 to the act approved the first day of June one thousand nine hundred forty-five (P. L. 1340) entitled "An act relating to the financial responsibility of operators and owners of motor vehicles and to make uniform the law with reference thereto requiring owners and operators in certain cases to furnish proof of financial responsibility providing for the suspension of operator's licenses and motor vehicle registration certificates in certain cases regulating insurance policies which may be accepted as proof of financial responsibility imposing duties upon the Secretary of Revenue the State Treasurer and prothonotaries and prescribing penalties" by adding thereto reciprocity provisions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the first day of June one thousand nine hundred forty-five (P. L. 1340) entitled "An act relating to the financial responsibility of operators and owners of motor vehicles and to make uniform the law with reference thereto requiring owners and operators in certain cases to furnish proof of financial responsibility providing for the suspension of operator's licenses and motor vehicle registration certificates in certain cases regulating insurance policies which may be accepted as proof of financial responsibility imposing duties upon the Secretary of Revenue the State Treasurer and prothonotaries and prescribing penalties" is hereby amended by adding after section 5 thereof a new section to read as follows

Section 5.1 Reciprocity

Upon receipt of certification that operating privilege of a resident of this State has been suspended or revoked in any other state or the District of Columbia pursuant to a law providing for such suspension or revocation for failure to deposit security for the payment of judgments arising out of a motor vehicle accident under circumstances which would require the Secretary to suspend a non-resident's operating privilege had the accident occurred in this state and if the law of such state or the District of Columbia contains reciprocal provisions the Secretary shall suspend the license of such resident if he was the operator and all of his registrations if he was the owner of a motor vehicle involved in such accident Such suspension shall continue until such resident furnishes evidence of his compliance with the law of such other state or the District of Columbia relating to the deposit of security

And said bill having been read at length the third time, considered and agreed to.

On the question,



Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—206

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarraff,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenshield,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Brelsich,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendening,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varnar,
Dalrymple,	Kline,	Penglase,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrofsky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
DuBois,	Kubacki,	Pichney,	Weidner,
Duffy,	Lafore,	Pitzer,	Welsh,
Dunn,	Lederer,	Polaski,	Wescott,
Erb,	Lelsey,	Polen,	Westrick,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Wheeler,
Fenrich,	Leonard, W. C.,	Price, R. A.,	White,
Ferster,	Leven,	Readinger,	Williams,
Filip,	Light,	Reagan,	Wilt,
Filo,	Limper,	Reese,	Wood,
Firmstone,	Loftus,	Reidenbach,	Yeakel,
Flack,	Lopresti,	Reilly, J. M.,	Yester,
Frost,	Lovett,	Rigby,	Yetzer,
Gaffney,	Lutty,	Riley, R. L.,	Young,
Geer,	Lyons,	Robertson,	Ziegler,
Gibson,	Madden,	Rose,	Sorg,
Gleason,	Madigan,	Rosen,	Speaker
Good,	Markley,	Rovansek,	

## NAYS—0

## NOT VOTING—1

Whalley.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

## BILLS PASSED OVER

There being no objection,  
House Bill No. 1566, Printer's No. 767, and  
House Bill No. 1567, Printer's No. 839,  
were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1628, as follows:

An Act to amend the title and certain sections of and to add new sections to the act approved the thirtieth day

of June one thousand nine hundred forty-seven (P. L. 1154) entitled "An act to prohibit the manufacture and sale of oleomargarine or butterine and other similar products when colored in imitation of yellow butter to provide for license fees to be paid by manufacturers wholesale and retail dealers and by proprietors of hotels restaurants dining-rooms and boarding-houses for the manufacture or sale of oleomargarine butterine or other similar products not colored in imitation of yellow butter to regulate the manufacture sale and advertising of oleomargarine butterine or other similar products not colored in imitation of yellow butter and prevent and punish fraud and deception in such such manufacture sale and advertising as an imitation butter to prescribe penalties and punishment for violation of this act and the means and method of procedure for its enforcement to regulate certain matters of evidence in such procedure and to prescribe certain powers and duties of the Department of griculture" by permitting the manufacture and except in certain cases the sale of colored oleomargarine butterine and similar products

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title of the act approved the thirtieth day of June one thousand nine hundred forty-seven (P. L. 1154) entitled "An act to prohibit the manufacture and sale of oleomargarine or butterine and other similar products when colored in imitation of yellow butter to provide for license fees to be paid by manufacturers wholesale and retail dealers and by proprietors of hotels restaurants dining-rooms and boarding-houses for the manufacture or sale of oleomargarine butterine or other similar products not colored in imitation of yellow butter to regulate the manufacture sale and advertising of oleomargarine butterine or other similar products not colored in imitation of yellow butter and prevent and punish fraud and deception in such manufacture sale and advertising as an imitation butter to prescribe penalties and punishment for violation of this act and the means and method of procedure for its enforcement to regulate certain matters of evidence in such procedure and to prescribe certain powers and duties of the Department of Agriculture" is hereby amended to read as follows

## An Act

To [prohibit] regulate the manufacture [and] sale transportation possession use and advertising of oleomargarine [or] butterine and other similar products and to prohibit the sale possession or use thereof in certain cases [when colored in imitation of yellow butter] to provide for license fees to be paid by manufacturers wholesale and retail dealers and by proprietors of hotels restaurants dining-rooms and boarding-houses [for the manufacture or sale of oleomargarine butterine or other similar products not colored in imitation of yellow butter to regulate the manufacture sale and advertising of oleomargarine butterine or other similar products not colored in imitation of yellow butter and] to prevent and punish fraud and deception in such manufacture sale use and advertising [as an imitation butter] to prescribe penalties and punishment for violation of this act and the means and method of procedure for its enforcement to regulate certain matters of evidence in such procedure and to prescribe certain powers and duties of the Department of Agriculture

Section 2 Sections 1 2 3 and 4 of said act are hereby amended to read as follows

## Section 1 Definitions

The following words and terms as used in this act shall be construed as follows

"Department" means the Department of Agriculture of the Commonwealth of Pennsylvania its agents employees attorneys and representatives

"Secretary" means the Secretary of the Department of Agriculture of the Commonwealth of Pennsylvania

"Wholesale dealer" means all persons firms and corporations who shall sell to dealers and persons who shall



buy to sell again and all persons firms and corporations who make sales in quantities of ten pounds and over at any time

“Retail dealer” means all persons firms and corporations who shall sell in quantities of less than ten pounds

“Hotel restaurant dining room or boarding house” shall mean any public restaurant lunch room public institution or other place where food is served to the public inmates or employes for a consideration whether such consideration be in the form of cash service or otherwise

“Serve or use” shall not only include the serving of oleomargarine or butterine but shall include its use in the preparation of food in eating places as herein defined

“Premises” shall mean and include all buildings or structures used for the preparation storage or serving of food

Section headings shall not be construed to affect in any manner the scope or meaning of any section of this act

The singular shall be construed to include the plural the masculine shall be construed to include the feminine and the neuter and conversely the neuter shall be construed to include the masculine and the feminine

Section 2 Manufacture and Sale of Oleomargarine Regulated

No person firm or corporation shall by himself herself or themselves or by his her or their agent or servant nor shall any officer agent servant or employee of any person firm or corporation manufacture sell ship consign offer for sale expose for sale or have in possession with intent to sell oleomargarine butterine or any similar substance article product or compound made wholly or partly out of any fats oils or oleomargarine substances or compound thereof not produced from pure unadulterated milk or cream from the same without the admixture or addition of any fat foreign to the said milk or cream [and which shall be in imitation of yellow butter produced from pure unadulterated milk or cream of the same with or without coloring matter] unless such person firm or corporation shall have first obtained a license and paid a license fee as hereinafter provided [nor unless the said article product or compound so manufactured shipped consigned offered for sale exposed for sale or had in possession with intent to sell shall be made and kept free from all coloration or ingredients causing it to look like butter of any shade of yellow as hereinafter described] nor unless the same shall be kept and presented in a separate and distinct form and in such manner as will advise the purchaser and consumer of its real character nor unless such person firm or corporation shall in all other respect comply with and observe the provisions of this act For the purpose of this act oleomargarine butterine or similar substance shall be deemed to look like be in resemblance of or in imitation of butter of a shade of yellow when it has a tint or shade containing more than one and six-tenths degree of yellow or of yellow and red collectively but with an excess of yellow over red as measured in the terms of the Lovibond tintometer scale or its equivalent

Section 4 License and Fee [Prohibition Against Sale of Colored Oleomargarine]

Every person firm or corporation and every agent of such person firm or corporation desiring to manufacture sell or offer or expose for sale or have in possession with intent to sell oleomargarine butterine or any similar substance [not made or colored so as to look like yellow butter] shall make application for a license so to do in such form as shall be prescribed by the department which application in addition to other matters which may be required to be stated therein by the department shall contain an accurate description of the place where the proposed business is intended to be carried on and the name and style under which it is proposed to conduct the said business If the said application is satisfactory to the department it shall issue to the applicant or applicants a license authorizing him here or them to engage in the manufacture or sale of oleomargarine or butterine or any similar substance [which shall not contain any coloration or ingredient that causes it to resemble yellow butter]

for which said license the applicant or applicants shall first pay if a manufacturer if a wholesaler if a retailer if a proprietor of a hotel restaurant or dining-room and if the proprietor of a boarding-house the annual sum of two dollars and the said license fee when received by the department shall be immediately paid into the State Treasury Such licenses shall not authorize the manufacture sale exposing for sale or having in possession with intent to sell oleomargarine butterine or any similar substance at any other place than that designated in the application and license and the said license shall [not] authorize the manufacture use sale exposing for sale or having in possession with intent to sell [any] oleomargarine butterine or any similar substance either uncolored or made or colored so as to look like yellow butter [as herein] except as hereinafter provided

All licenses under this act shall expire on the thirty-first day of December of each year Such licenses may be transferred by the department upon the application in writing of the person firm or corporation to which the same has been granted Provided That the transferee shall comply with the regulations made by the department in regard to the said transfer and shall thereafter comply with the provisions of this act

Section 4 Display of Licenses Placards and Menu Cards

After obtaining the license required by this act the person firm or corporation obtaining the same shall before beginning any business under the said license hang up and display in a conspicuous place on the walls of the room or store in which the oleomargarine butterine or other similar substance is manufactured sold or exposed for sale the license so obtained as aforesaid Every proprietor of a hotel restaurant dining-room or boarding-house shall also have placed upon every counter or table at which food meals or refreshments are served to customers a placard or menu card plainly printed stating that uncolored oleomargarine is used and served to customers

Section 4 Display of Licenses Placards and Menu Cards

After obtaining the license required by this act the person firm or corporation obtaining the same shall before beginning any business under the said license hang up and display in a conspicuous place on the walls of the room or store in which the oleomargarine butterine or other similar substance is manufactured sold or exposed for sale the license so obtained as aforesaid Every proprietor of a hotel restaurant dining-room or boarding-house shall also have placed upon every counter or table at which food meals or refreshments are served to customers a placard or menu card plainly printed stating that uncolored oleomargarine is used and served to customers

Section 3 Said act is hereby amended by adding immediately after Section 4 two new sections to read as follows

Section 4.1 Unlawful to Serve Colored Oleomargarine Etc in Public Eating Places It shall be unlawful for any hotel restaurant public dining-room or public boarding-house to serve to customers or to have on the premises any oleomargarine butterine or other similar substance made or colored so as to look like yellow butter as provided by this act

Section 4.2 Sale of Colored Oleomargarine Etc It shall be unlawful for any person to sell or offer for sale colored oleomargarine colored butterine or when colored other similar substance unless (a) such oleomargarine butterine or other substance is packaged (b) the net weight of the contents of any package sold by a retail dealer is one pound or less (c) there appears on the label of the package (1) the word “oleomargarine” or “butterine” in type or lettering at least as large as any other type or lettering on such label and (2) a full and accurate statement of all the ingredients contained in the contents of such package (d) each part of the contents of the package is contained in a wrapper which bears the word “oleomargarine” or “butterine” in type or lettering not smaller than 20-point type

Section 4 Sections 6 7 and 8 of said act are hereby amended to read as follows



## Section 6 Records

Every licensed manufacturer of oleomargarine butterine or other similar product [not in imitation of yellow butter] and every licensed wholesale dealer therein shall keep a book in which shall be entered accurately every sale and shipment the quantity the person to whom sold and shipped and the place to which shipped which book shall be kept at the place of business for which the license is issued and which shall always be open to the examination of the department Every licensed retail dealer in oleomargarine butterine or similar substance [not in imitation of yellow butter] shall keep an accurate account in a book open to the examination of the department in which shall be entered the date of the receipt of all purchase of oleomargarine butterine or similar substance made by such retail dealer stating therein where when and from whom purchased and the quantity and the said books so to be kept by manufacturers wholesale and retail dealers shall be in such form as the department shall direct Each licensed wholesale dealer in oleomargarine butterine or other similar product [not in imitation of yellow butter] shall deliver to the department on or before the fifteenth of each month a list of sales of oleomargarine for the preceding month showing the name and address including the county of each purchaser and the quantity of such sale

## Section 7 Penalty for Violation of Act [Recovery Appeal Disposition of Fines]

Every person firm or corporation and every officer agent servant and employee of such person firm or corporation who shall manufacture sell or offer or expose for sale or serve to customers or have in possession [with intent to sell] oleomargarine butterine or any similar substance in violation of any of the provisions of this act or who shall sell oleomargarine butterine or any similar substance as or for butter or shall fail to keep a book in accordance with the last preceding section or who shall in any other respect violate any of this act [shall for every such offense forfeit and pay the sum of one hundred dollars which shall be recoverable with the costs as debts of like amount are by law secoverable and pustices of the peace and aldermen throughout this Commonwealth shall have jurisdiction to hear and detrmine all actions for recovery of said penalties with the right to either party to appeal to the court of common pleas as provided in existing laws in suits for penalties and all penalties imposed and recovered under the provisions paid into the State Treasury] or any rule regulation or order made pursuant to this act shall for the first or second offense upon conviction thereof in a summary proceeding be censured to pay a fine of not less than sixty dollars nor more than one hundred dollars and costs of prosecution and in default of payment of such fine and costs shall be sentenced to undergo imprisonment in the county jail for not more than thirty days and for a third or subsequent offense shall be guilty of a misdemeanor and shall upon conviction thereof be sentenced to pay a fine of not less than five hundred dollars nor more than one thousand dollars or to undergo imprisonment not exceeding one year or both in the discretion of the court

## Section 8 [Violation of act penalty]

In addition to the above penalty ever yperson firm or corporation and every officer agent servant or employee of such person firm or corporation who violates any of the prvisions of this act shall als be guilty of a misdemeanor and upon conviction thereof shall be punished for the first offense by a fine of not less than one hundred dollars nor more than five hundred dollars or by imprisonment in the county jail for not more than three months or both at the discretion of the court and upon conviction of any subsequent offense shall be punished by a fine of not less than five hundred dollars nor more than one thousand dollars and by imprisonment in the county jail for not less than six months nor more than twelve months] proceedings by Attorney general based on violation of act the attorney general at the request of the Department of Agriculture may in the name of the

Commonwealth institute proceedings in equity in the Court of Common Pleas of Dauphin County for the purpose of enjoining any person violating any of the provisions of this act from selling oleomargarine butterine or any similar substance in this Commonwealth and for such purpose jurisdiction is hereby conferred upon Said court in such cases the attorney general shall not be required to give bond

Section 5 The provisions of this act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. PETROSKY. Mr. Speaker, I rise at this time to support House Bill 1628, and wish to point out that we finally have before us a measure which will give colored oleomargarine to the housewives. After a courageous and valiant fight by many members of the Republican party and the entirety of the Democratic membership of this House, we have finally accomplished a purpose, and now have before us the measure upon which to vote in public.

Mr. McNALLY. Mr. Speaker, it is with pleasure that I rise at this time to voice my approval of House Bill 1628. This is the first time in my three times as a Member of this House that I have had a chance to vote to remove these unfair restrictions against oleomargarine. I hope and pray that every Member of this House votes as I am going to vote,—vote for this bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—197

Amarando,	Goodling,	Markley,	Rovansek,
Andrews,	Greenwood,	Maxwell,	Royer,
Banker,	Greer,	Mazza,	Rubin,
Barkdoll,	Guarnieri,	McConnell,	Sarraf,
Baumunk,	Gutendorf,	McCormack,	Sax,
Bear,	Guthrie,	McCullough,	Scanlon,
Beaver,	Hagerty,	McDermitt,	Schmidt,
Beech,	Hall,	McGee,	Schuster,
Berkstresser,	Hamilton, R. K.,	McKinney,	Scott,
Blair,	Hamilton, W. H.,	McMillen,	Seyler,
Bloom,	Harney,	McNally,	Shoemaker,
Boles,	Haudenschild,	Metz,	Shotwell,
Bolton,	Headlee,	Mihm,	Smith,
Bomberger,	Helm,	Mikula,	Snider,
Boorse,	Hersch,	Miller, H. G.,	Sollenberger,
Bower,	Hewitt,	Miller, J. C.,	Stank,
Brelsach,	Hocker,	Mills,	Stimmel,
Breth,	Hoggard,	Mintess,	Stoner,
Brown,	Hunter,	Monroe,	Swartz,
Bucchin,	Jenkins,	Moore, H. A.,	Swope,
Byrne,	Johnson,	Moran,	Tahl,
Cella,	Jones, G. E.,	Muldoney,	Taylor,
Clapper,	Jones, J. M.,	Munley,	Thompson, E. F.,
Clendenfng,	Jones, P. F.,	Murray,	Thompson, R. L.,
Cochran,	Jones, T. H. W.,	Musto,	Toll,
Conway,	Jump,	Najaka,	Tompkins,
Cooper,	Kamyk,	Naugle,	Toomey,
Corr,	Keller,	Needham,	VanSant,
Costa,	Kent,	Olsen,	Varallo,
Coyle,	Kline,	Penglase,	Varner,
Dairymple,	Kohl,	Peta,	Verona,
Davis,	Kolankiewicz,	Petrosky,	Wachhaus,
Dennison,	Kornick,	Pettigrew,	Wargo,
Dougherty,	Krats,	Pfaff,	Waterhouse,
Dowling,	Kubacki,	Pichney,	Watkins,
DuBois,	Lafore,	Pitzer,	Weidner,
Duffy,	Lederer,	Polaski,	Welsh,
Dunn,	Lelsey,	Polen,	Westrick,
Ewing,	Leonard, L.,	Price, R. A.,	Wheeler,
Fenrich,	Leonard, W. C.,	Price, H. W. Jr.,	White,



Ferster,	Leven,	Readinger,	Williams,
Filip,	Light,	Reagan,	Wilt,
Filo,	Limper,	Reese,	Yeakel,
Flack,	Loftus,	Reidenbach,	Yester,
Frost,	Lopresti,	Reilly, J. M.,	Yetzer,
Gaffney,	Lovett,	Rigby,	Young,
Geer,	Lutty,	Riley, R. L.,	Ziegler,
Gibson,	Lyons,	Robertson,	Sorg,
Gleason,	Madden,	Rose,	Speaker
Good,	Madigan,	Rosen,	

NAYS—8

Erb,	Graybill,	Moore, C. E.,	Wood,
Firmstone,	McInroy,	Wescott,	

NOT VOTING—2

Spencer,	Whalley,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection,  
Senate Bill No. 211, Printer's No. 246,  
was passed over at the request of the SPEAKER.

Agreeably to order,  
The House proceeded to the third reading and consideration of Senate Bill No. 303, as follows:

An Act relating to the apportionment of estate taxes and providing procedure for enforcement of contribution or exoneration

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Definitions The following words when used in this act unless the context clearly indicates otherwise shall have the meanings ascribed to them in this section

(1) "Person" includes a corporation partnership and association as well as a natural person whether acting in a separate or in a fiduciary capacity

(2) "Estate Tax" means gross Federal estate tax including interest and penalty thereon

(3) "Persons interested in property includible in gross estate" includes persons liable for payment of estate tax and persons whose property is subject to a lien for the estate tax It includes personal representatives guardians and trustees individual or corporate

(4) "Gross Estate" means all property of every description required to be included in computing the estate tax

(5) "Fiduciary" includes executors administrators of any description and trustees

Section 2 Equitable Apportionment Estate tax except as provided in subsection (a) of section three shall be apportioned equitably as near as may be in accordance with the principles hereinafter stated among all persons interested in property includible in gross estate whether resident or nonresident of the Commonwealth and they shall pay the amounts apportioned against them

Section 3 General Rules

(a) Powers of Testator or Settlor A testator settlor or possessor of any appropriate power of appointment may direct how the estate tax shall be apportioned or allocated or grant a discretionary power to another so to direct Any such direction shall take precedence over the provisions of this act in so far as the direction provides for the payment of the estate tax or any part thereof from property the disposition of which can be controlled by the instrument containing the direction or delegating the power to another

(b) Present and Remainder Interests When estate tax shall be apportioned in a situation involving both a present and future interest the amount apportioned including interest and penalties shall be paid entirely from principal

even though the holder of the present interest also has rights in the principal

(c) Separate Apportionment of Interest and Penalties Special Circumstances When the orphans' court shall find that it is inequitable to apportion interest and penalties in the same manner as the principal of the estate tax by reason of special circumstances it may direct apportionment of interest and penalties in a manner different from principal

Section 4 Method of Apportionment

(a) Basis of Apportionment Apportionment of the estate tax except as provided in section three shall be made among the persons interested in property includible in gross estate in the proportion that the value of the interest of each such person bears to the value of the net estate before exemption The values used in determining the amount of tax liability shall be used for this purpose

(b) Treatment of Deductions and Credits The following principles shall apply with respect to deductions and credits allowable (1) Deductions allowed by Federal revenue laws in determining the value of decedent's net estate Any interest for which deduction is allowable under Federal revenue laws in determining the value of decedent's net estate such as property passing to or in trust for a surviving spouse and charitable public or similar gifts or bequests to the extent of the allowed deduction shall not be included in the computation provided in subsection (a) of section four hereof and to that extent no apportionment shall be made against such interest except that when such an interest is subject to a prior present interest which is not allowable as a deduction the estate tax apportionable against the present interest shall be paid from principal

(2) Property Previously Taxed and Gift Tax Any deduction for property previously taxed and any credit for gift taxes or taxes of a foreign country paid by the decedent or his estate shall inure to the proportionate benefit of all persons liable to apportionment

(3) Credit for State Taxes Any credit for inheritance succession or estate taxes or taxes in the nature thereof in respect to property or interests includible in the gross estate shall inure to the benefit of the persons or interests chargeable with the payment of such taxes to the extent or in proportion that the tax paid or payable reduces the estate tax

(4) Inheritance or Death Tax Effect To the extent that property passing to or in trust for a surviving spouse or any charitable public or similar gift or bequest does not constitute an allowable deduction solely by reason of an inheritance tax or other death tax imposed upon and deductible from such property it shall not be included in the computation provided for in subsection (a) of section four hereof and to that extent no apportionment shall be made against such property

Section 5 Enforcement of Contribution or Exoneration

(a) Fiduciary's Duty The fiduciary charged with the duty to pay the tax shall be entitled and it shall be his duty to recover from persons liable to apportionment or from whoever is in possession of property includible in the gross estate not in the fiduciary's possession the amounts of tax apportionable thereto

(b) Suspending Distribution Distribution of property includible in the gross estate to any person other than a fiduciary charged with the duty to pay the tax shall not be required of any fiduciary until the tax apportionable with respect thereto is paid or if the tax has not been determined and apportionment made until adequate security for such payment is furnished to the person making such distribution

(c) Court Decrees The orphans' court upon petition or at an accounting or in any appropriate action or proceeding shall make such decrees or orders as it shall deem advisable apportioning the tax It may also direct a fiduciary to collect the apportioned amounts from the property or interest in his possession of any persons against whom such apportionment has been made and direct all other persons against whom the tax has been or may be apportioned or from whom any part of the tax may be recovered to make payment of such apportioned amounts to the fiduciary When it is ascertained that the fiduciary holds property of the person liable to apportionment insufficient



to satisfy the apportioned tax the court may direct that the balance of the apportioned amount of tax shall be paid to the fiduciary by the person liable. Should an overpayment of the tax be made by any person or on his behalf the court may direct an appropriate reimbursement for the overpayment. If the fiduciary cannot recover the tax apportioned against a person benefited such an unrecovered amount shall be charged in such manner as the orphans' court may determine.

**Section 6 Severability** If any provision of this act or the application thereof to any person or circumstances is held invalid the remainder of this act and the application of such provision to other persons or circumstances shall not be affected thereby and to this end the provisions of this act are declared to be severable.

**Section 7 Short Title** This act shall be known and may be cited as the "Estate Tax Apportionment Act of 1951".

**Section 8 Repeals** Sections forty-eight point one of the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 447) entitled as amended "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisal of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein the survival of causes of action and suits thereupon by or against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estate of decedents" as added by the act approved the second day of July one thousand nine hundred thirty-seven (P. L. 2762) is hereby repealed.

Subsection four of Section eleven of the act approved the third day of July one thousand nine hundred forty-seven (P. L. 1283) entitled "An act concerning the ascertainment of principal and income and the appointment of receipts and expenses among tenants and remaindermen" is hereby repealed in so far as it is inconsistent with the provisions of this act.

All other acts and parts of acts are hereby repealed in so far as they are inconsistent with the provisions of this act.

**Section 9 Effective Date** The provisions of this act shall become effective immediately upon final enactment and shall apply to the apportionment of estate taxes with respect to any estate for which the original Federal estate tax return is filed thereafter regardless of when the decedent died.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—205

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarraff,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstrasser,	Hall,	McKinney,	Seyler,
Blair,	Mamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenshield,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Mills,	Stank,
Breisch,	Hewitt,	Mintess,	Stimmel,
Breth,	Hocker,	Monroe,	Stoner,
Brown,	Hoggard,	Moore, C. E.,	Swartz,
Bucchin,	Hunter,	Moore, H. A.,	Swope,
Byrne,	Jenkins,	Moran,	Tahl,
Cella,	Johnson,	Muldowney,	Taylor,
Clapper,	Jones, G. E.,	Munley,	Thompson, E. F.,
Clendenen,	Jones, J. M.,	Murray,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Musto,	Toll,
Conway,	Jones, T. H. W.,	Najaka,	Tompkins,
Cooper,	Jump,	Naugle,	Toomey,
Corr,	Kamyk,	Needham,	VanSant,
Costa,	Keller,	Olsen,	Varallo,
Coyle,	Kent,	Penglase,	Varner,
Dalrymple,	Kline,	Peta,	Verona,
Davis,	Kohl,	Petrosky,	Wachhaus,
Dennison,	Kolankiewicz,	Pettigrew,	Wargo,
Dougherty,	Kornick,	Pfaff,	Waterhouse,
Dowling,	Kratz,	Pichney,	Watkins,
DuBols,	Kubacki,	Pitzer,	Weidner,
Duffy,	Lafore,	Polaski,	Welsh,
Dunn,	Lederer,	Polen,	Wescott,
Erb,	Lelsey,	Price, H. W. Jr.,	Westrick,
Ewing,	Leonard, L.,	Price, R. A.,	Wheeler,
Fenrich,	Leonard, W. C.,	Readinger,	White,
Ferster,	Leven,	Reagan,	Williams,
Filip,	Light,	Reese,	Wilt,
Filo,	Limper,	Reidenbach,	Wood,
Firmstone,	Loftus,	Reilly, J. M.,	Yeakel,
Flack,	Lopresti,	Rigby,	Yester,
Frost,	Lovett,	Riley, R. L.,	Yetzer,
Gaffney,	Lutty,	Robertson,	Young,
Geer,	Lyons,	Rose,	Ziegler,
Gibson,	Maddon,	Rosen,	Sorg,
Gleason,	Madigan,	Rovansek,	Speaker
Good,	Markley,		

## NAYS—1

Miller, J. C.,

## NOT VOTING—1

Whalley,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 365, entitled:

An Act to further amend the act approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations; defining and providing for the organization, merger, consolidation, reorganization, winding up and dissolution of such corporation; conferring certain rights, powers, duties, and immunities upon them and their officers and shareholders; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the second class within the provisions of this act; prescribing the terms and conditions upon which foreign business corporations may be admitted, or may continue, to do business within



the Commonwealth; conferring powers and imposing duties on the courts of common pleas, and certain State departments, commissions, and officers; authorizing certain State departments, boards, commissions, or officers to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," by permitting the Department of State to copy and destroy or return certain documents; permitting directors to fill vacancies in the board of directors resulting from an increase in the number of directors; deleting certain requirements as to the appointment, compensation and duties of agents; providing that meetings of shareholders at which directors are to be elected may be adjourned for periods of fifteen days each; fixing the method of cumulative voting in cases where directors are elected separately by the holders of different classes of shares; providing that courts having jurisdiction over trustees who are evenly divided as to how shares shall be voted may direct the voting of such shares; deleting requirements as to the voting of shares of foreign corporations owned by other corporations; providing that articles of incorporation may be amended to eliminate the preemptive rights of shareholders, and providing for the purchase of and payment for shares of any shareholders who dissent therefrom; specifying cases of merger or consolidation of which sixty days' notice to shareholders must be given; providing that shareholders of a parent corporation shall have no right to dissent from a merger or consolidation of such parent and one or more wholly-owned subsidiaries thereof, provided the state of incorporation and relative rights and preferences of the shareholders of the parent corporation are not changed thereby further providing for advertising of merger or consolidation by domestic corporations for merger and consolidation of foreign business corporations defining "doing business" by foreign corporations and further providing for service of process on the Secretary of the Commonwealth with respect to such corporations and prescribing procedure for rescinding a certificate of election to dissolve.

On the question,

Will the House agree to the bill on third reading?

Mr. TOMPKINS. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Title, page 3, line 5 of Title, by striking out the word "any" and inserting in lieu thereof "certain."

Amend Sec. 15 (Sec. 810), page 22, by inserting between lines 5 and 6, the following:

E. The provisions of this section shall apply only to those business corporations which are or may become subject to the provisions of this act, but which were not incorporated hereunder.

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

#### BILLS PASSED OVER

There being no objection,

Senate Bill No. 397, Printer's No. 199 and

Senate Bill No. 456, Printer's No. 173,

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 481, as follows:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty- (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by defining "antique motor vehicles" and authorizing the operation of such vehicles with limitations as to use of lighting equipment in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 102 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace and courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the act approved the eighteenth day of May one thousand nine hundred forty-nine (P. L. 1412) is hereby further amended by adding before the definition of "approved" a new definition to read as follows

Section 102 Definitions The following words and phrases when used in this act shall for the purpose of this act have the meanings respectively ascribed to them in this section except in those instances where the context clearly indicates a different meaning

"Antique Motor Vehicle" Any self-propelled vehicle owned and operated as an exhibition piece or collector's item provided such vehicle shall have noted on its registration record the fact that it is such special purpose vehicle

\* \* \* \* \*

Section 2 Subsection (c) Section 802.2 of said act as added by the act approved the sixteenth day of July one thousand nine hundred thirty-five (P. L. 1056) is hereby amended to read as follows

Section 802.3 Single Beam Road Lighting Equipment

\* \* \* \* \*

(c) Any motor vehicle including antique motor vehicles



may be operated under the conditions specified in section eight hundred one (801) when equipped with two (2) lighted lamps upon the front thereof which may be approved auxiliary driving lamps capable of revealing persons and objects seventy-five (75) feet ahead in lieu of lamps otherwise required Provided however That at no time shall it be operated at a speed in excess of twenty (20) miles per hour

Section 3 Subsection (a) of Section 823 of said act as last amended by the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 317) is hereby further amended to read as follows

#### Section 823 Official Inspections

(a) On and after the first day of every May and until and including the thirty-first (31) day of July and on and after the first day of every November and until and including the thirty-first (31) day of January every owner of a motor vehicle trailer or semi-trailer being operated in this Commonwealth except trailers or semi-trailers having a chassis and body weight of less than one thousand (1000) pounds motorcycles and bicycles with motor attached shall submit such motor vehicle trailer or semi-trailer to such inspection of its mechanism and equipment as may be designated by the secretary Provided [however] That motor vehicle trailers and semi-trailers determined by the department to be exempt from registration under the provisions of section four hundred one subsection (d) of this act and antique motor vehicles if operated on the public highways of this Commonwealth only during the period between sunrise and sunset shall be exempt from the lighting equipment provisions of this act

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—206

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarrat,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Beal,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenshield,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Breisch,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchin,	Hunter,	Moore, C. E.,	Swode,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendenning,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varner,
Dalrymple,	Kline,	Penglase,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
DuBois,	Kubacki,	Pichney,	Weidner,
Duffy,	Lafore,	Pitzer,	Welsh,
Dunn,	Lederer,	Polaski,	Westcott,
Erb,	Leisey,	Polen,	Westrick,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Wheeler,

Fenrich,	Leonard, W. C.,	Price, R. A.,	White,
Ferster,	Leven,	Readinger,	Williams,
Filip,	Light,	Reagan,	Wilt,
Filo,	Limper,	Reese,	Wood,
Firmstone,	Loftus,	Reidenbach,	Yeakel,
Flack,	Lopresti,	Relly, J. M.,	Yester,
Frost,	Lovett,	Rigby,	Yetzer,
Gaffney,	Lutty,	Riley, R. L.,	Young,
Geer,	Lyons,	Robertson,	Ziegler,
Gibson,	Madden,	Rose,	Sorg,
Gleason,	Madigan,	Rosen,	Speaker
Good,	Markley,	Rovansek,	

#### NAYS—0

#### NOT VOTING—1

Whalley,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and considered in any city or borough in certain cases

An Act authorizing the capture or destruction of birds in any city or borough in certain cases

On the question,

Will the House agree to the bill on third reading?

Mr. GOODLING. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Title, page 1, line 1 of Title, by inserting after the word "of" the following "unprotected."

Amend Sec. 1, page 1, line 2, by inserting after the word "of" the following "unprotected."

The SPEAKER, will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

#### BILLS PASSED OVER

There being no objection,

Senate Bill No. 734, Printer's No. 369 and

Senate Bill No. 752, Printer's No. 485,

were passed over at the request of the SPEAKER.

#### PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. McKINNEY asked and obtained permission for the Committee on Judiciary to meet during the session of the House.

#### BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been



prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

#### HOUSE BILL No. 678.

An Act to further amend Section 1803 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" by authorizing the Department of Forests and Waters to grant certain rights of way to utility companies.

#### HOUSE BILL No. 1538.

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto section twenty-two.

Whereupon,  
The SPEAKER, in the presence of the House, signed the same.

#### RESOLUTIONS

Mr. STIMMEL offered a resolution which was filed with the Clerk.

Mr. ROBERSON offered a resolution which was filed with the Clerk.

#### CONGRATULATIONS

Mr. NAJAKA offered a resolution which was read, considered and unanimously adopted as follows:

In the House of Representatives, August 13, 1951.

Whereas, The Honorable Harry W. Price, Jr., of Lewistown, Pennsylvania, and his twin sister, Mrs. Nan Price McCordell of Hollywood, California were born on the twelfth day of August 1903, two of nine children born to Mr. Harry W. Price, Sr., and the late Nan K. Price, and

Whereas, The Honorable Harry W. Price, Jr., better known as "Had", has long distinguished himself through many activities which have stamped him as a fine citizen and true leader in his community; and

Whereas, Mr. Price's educational background consisted of graduation from the Lewistown High School in company with his twin sister, and attendance at Silver Bay Association School, and Penn State and Albright Colleges; and

Whereas, Mr. Price's varied activities have included election to two terms in the Lewistown Borough Council from which he resigned to enlist in the United States Navy, with which he saw considerable action in the Pacific Theatre of Operations as a member of the 302nd Seabee Amphibious Pontoon Battalion during World War II, and

Whereas, Mr. Price in addition to his legislative endeavors as a member of this House of Representatives since his first election thereto in 1946, and his work as a Personnel Supervisor with the American Viscose Cor-

poration, has found time to participate actively in many fraternal activities, being at present a member of fifty-four lodges, clubs, veterans' organizations and associations, as well as being an interested and active volunteer fireman, and a Past President of the Central District Volunteer Fireman's Association of Pennsylvania, consisting of fifteen counties; therefore be it

Resolved, That this House of Representatives hereby extend its felicitations to the Honorable Harry W. Price, Jr., and to his twin sister Mrs. Nan Price McCordell on their recent birthday anniversary, and wish them many happy returns of the said anniversary, and a long continuance of their happy useful lives in which they have both done much to add joy to existence of their fellows; and be it further

Resolved, That copies of this resolution be forwarded to the Honorable Harry W. Price, Jr., of Lewistown, Pennsylvania, and Mrs. Nan Price McCordell of Hollywood, California.

The SPEAKER. The Chair recognizes the gentleman from Mifflin, Mr. Price.

Mr. HARRY W. PRICE, Jr. Mr. Speaker, on behalf of my better half and myself, I wish to thank the Members of the House of this resolution.

#### PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. TOLL asked and obtained unanimous consent to add additional sponsors to a resolution to be introduced by him.

#### RESOLUTION

#### CONGRATULATIONS

Messrs. TOLL, KOLANKIEWICZ, TAYLOR, BYRNE, LEVEN and LEDERER offered a resolution which was read, considered and unanimously adopted as follows:

In the House of Representatives, August 13, 1951.

This day is important as the day on which a friend of the laboring man was born in 1898 in the City of Philadelphia. He represents the Twenty-fourth District of Philadelphia County. He is a trustee of the Philadelphia CIO Council, Financial Secretary of District Council No. 1, I.U.E.R.M.W., Treasurer of the Battery Workers' Union, Local No. 113 for fifteen years.

His interest in the cause of the laboring man and the man in the street caused his community to elect him to the House of Representatives.

In the House, his devotion to the rights of mankind continued unabated. He is a real, sincere and honest Legislator. His industry and activity for the general welfare of the community is hard to match and he is a model of the type of Legislator this Commonwealth needs, therefore be it

Resolved, That this House of Representatives salute John J. Welsh on his fifty-third birthday, and be it further

Resolved, That this House is sincerely hopeful that his noble service to the community shall continue for many years to come and that he will receive the recognition which he so richly deserves.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Welsh.

Mr. WELSH. Mr. Speaker, I wish to thank the Members of the House for adopting this resolution.

#### PERMISSION TO ADDRESS HOUSE

Mr. ANDREWS asked and obtained unanimous consent to address House.

Mr. Speaker, I desire to make a very brief statement concerning a bill which I am about to introduce.



I have been informed by competent legal authority that by making a few simple amendments to the fiscal code, it is quite possible to empower the Governor or the Legislature to request the Budget Office to prepare an annual budget; to prepare the annual budget in the usual manner. Suggestions could come from either the Governor or from the Legislature.

Of course, it will be necessary in the case of an annual budget to frame the budget for the second year of the biennium by calling a special session. There are no barriers in the Constitution. The amendments are very simple and I rather imagine by the way things are drifting that this sort of bill might be a very happy thing to have in the locker as a means of exit from a situation that is growing constantly more and more complicated. I ask the privilege to introduce this bill.

### REPORTS FROM COMMITTEES

Mr. SAX from the Committee on Judiciary reported as amended, House Bill No. 1644, entitled:

An Act declaring the Communist Party and similar revolutionary organizations illegal; making membership in the Communist Party or any organization furthering the revolutionary conspiracy by force and violence a felony and providing penalties.

Mr. THOMAS H. W. JONES from the Committee on Judiciary, reported a committed, House Bill No. 1647, entitled:

An Act to add section three hundred twenty-seven to the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by making it a crime to picket or parade in or near any building housing a court of the Commonwealth of Pennsylvania, with the intent of influencing any judge, juror, witness or court officer in the discharge of his duty; and prescribing penalties.

Mr. ROBERTSON from the Committee on Judiciary reported as committed Senate Bill No. 729, entitled:

An Act to repeal Sections 2 and 3 of the act, approved the eleventh day of April, one thousand eight hundred sixty-six (P. L. 635), entitled "A further supplement to the act consolidating the city of Philadelphia, for the purpose of introducing a sufficient supply of fresh and pure water, for the use of the citizens of said city," by eliminating the right of the City of Philadelphia to enter upon or take certain land in adjoining counties by eminent domain proceedings for water supply purposes and the manner of ascertaining damages for such taking.

### COMMITTEE MEETINGS

Boroughs, Mr. Baumunk, Chairman, Room No. 324, Tuesday, August 14, at 8:30 a. m.

Counties, Mr. Guthrie, Chairman, Room No. 323, Tuesday, August 14, 10:30 a. m.

Education, Mr. Sollenberger, Room 324, August 14, 11:15 a. m.

Labor Relations, Mr. Helm, Chairman, Room 323, Tuesday, August 14, 11:30 a. m.

Motor Vehicles, Mr. Dennison, Chairman, Room 522, Tuesday, August 14, 10:30 a. m.

Welfare, Mr. Haudenschild, Chairman, Room 330, Tuesday, August 14, 10:00 a. m.

(All times are Eastern Standard Time.)

### MEMBERS THANKED

The SPEAKER. The Chair wishes to commend the membership of the House for their diligence during this long session and for their cooperation at this inconvenient time.

### ADJOURNMENT

Mr. CLAPPER. Mr. Speaker, I move that this House do now adjourn until Tuesday, August 14, 1951 at 12:00 o'clock noon E.S.T.

The motion was agreed to, and (at 11:07 p. m. E.S.T.) the House adjourned.



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HARRISBURG, PA., TUESDAY, AUGUST 14, 1951.

No. 77.

## SENATE

TUESDAY, August 14, 1951.

The Senate met at 12:00 o'clock, a. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Lloyd H. Wood) in the Chair.

### PRAYER

The Chaplain, Rev. ALFRED L. TAXIS, Pastor of the First Presbyterian Church, Port Carbon, Pennsylvania, offered the following prayer:

O God, let not anything unworthy separate Thee from the Members of this body while we are praying. Hear not the voice that speaks, but hear the yearnings of the hearts that are open to Thee. Regardless of who we are or what we are, we need Thy divine help and guidance. Grant it to us now, O God. Amen.

### JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WALKER and Mr. HARE, further reading was dispensed with, and the Journal was approved.

### NOMINATION BY THE GOVERNOR REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows, and referred to the Committee on Executive Nominations.

### JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, Aug. 14, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Evans B. Dague, Boyd's Corner, Parkesburg, Chester County, for appointment as Justice of the Peace in and for the Township of Sadsbury, Chester County, until the first Monday of January 1954, vice Hayes T. Pfitzenmeyer, resigned.

JOHN S. FINE.

## NOMINATIONS BY THE GOVERNOR

### NOTARIES PUBLIC

He also presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

### CONSIDERATION OF NOTARIES PUBLIC

Mr. WATSON. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on August 14, 1951.

Mr. WOLFE. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, Aug. 14, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

### ALLEGHENY COUNTY

Mrs. Charity C. Dick, Pittsburgh, 6221 Broad St.  
Mrs. Elizabeth A. Schwalm, McKeesport.  
Mrs. Anne Sheftic, Pittsburgh, 1908 Clark Bldg.

### CHESTER COUNTY

Miss Virginia A. Irely, Spring City.

### ERIE COUNTY

Albert W. Kruse, Erie.  
R. G. O'Lone, Erie.

### LEHIGH COUNTY

James A. Miller, Allentown.

### MERCER COUNTY

Mrs. Julia Hesko, Sharon.  
W. D. McLean Jr., Sharon.

### MONTGOMERY COUNTY

Miss Charlotte D. Coakley, Ambler.  
Miss Helen M. Mitchell, Lower Merion Twp., Ardmore.

### PHILADELPHIA COUNTY

Miss Florence Freeman, 4421 Germantown Ave.  
George W. Lessy, Croydon Apts., SE Cor. 49th & Locust Sts.



Daniel F. McSweeney, 2103 Finance Bldg. (2)

JOHN S. FINE.

A motion was made by Mr. WATSON and Mr. WOLFE, That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Bane,	Haluska,	McPherson, Jr.,	Stevenson,
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peelor,	Wade,
Byrne,	Lane,	Propert,	Wagner,
Chapman,	Leader,	Robinson,	Walker,
Crowe,	Letzler,	Rosenfeld,	Watkins,
Dent,	Mahany,	Ruth,	Watson,
Diehm,	Mallery,	Scarlett,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,	McMenamin,		

#### NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

### HOUSE MESSAGES

#### HOUSE CONCURS IN SENATE BILL No. 303

The Clerk of the House of Representatives being introduced, returned to the Senate, Senate Bill No. 303, entitled:

An Act relating to the apportionment of estate taxes and providing procedure for enforcement of contribution or exoneration.

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL No. 481

He also returned to the Senate, Senate Bill No. 481, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operations of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds" by

defining "antique motor vehicle" and authorizing the operation of such vehicles with limitations as to use of lighting equipment in certain cases.

with the information that the House has passed the same without amendments.

#### SENATE BILL No. 11 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 11, entitled:

An Act to amend subsection (a) of Section 9 of the act approved the twenty-sixth day of May one thousand nine hundred forty-nine (P. L. 1828) entitled "An act concerning the investment powers and duties of guardians committees trustees and other fiduciaries except personal representatives and prescribing the nature and kind of investments which may be made and retained by such fiduciaries" authorizing investments in common stocks meeting certain qualifications and eliminating the requirement that stock must be listed on an exchange as to the stock of banks and insurance companies.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended will appear on the Calendar.

#### SENATE BILL No. 54 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 54, entitled:

An Act to provide for an additional law judge of the court of common pleas in the seventh judicial district.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended will appear on the Calendar.

### HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence bills of the House, as follows:

House Bill No. 163, entitled:

An Act to further amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 80), entitled "Public School Code of 1949," by authorizing school districts of the second, third and fourth classes to levy additional taxes to pay rentals in municipality authorities; authorizing boards of school directors to make additional appropriations or to increase appropriations; authorizing school districts singly or jointly with other school districts to convey or lease property and appropriate money, including proceeds of general obligation bonds to municipality authorities; to acquire additional property for authority projects; to lease school projects from and pay rentals to municipality authorities; to make all other contracts or agreements with municipality authorities deemed necessary or convenient in connection with projects; providing for annual payments by the Commonwealth to school districts paying rentals to municipality authorities or non-profit corporations; and further providing for annual payments by the Commonwealth to school districts making payments to the State Public School Building Authority.

Which was committed to the Committee on Education.



House Bill No. 185, entitled:

An Act making an appropriation to the Department of Agriculture for the payment of the compensation and expenses of the Expert Tree Crop Advisor and other incidental expenses relative thereto.

Which was committed to the Committee on Appropriations.

House Bill No. 248, entitled:

An Act to further amend subsection (a) of Section 722 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "Vehicle Code," by exempting motor vehicles of war amputees from the payment of title or registration fees.

Which was committed to the Committee on Highways.

House Bill No. 682, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "Vehicle Code," by changing the registration fee of certain motor buses and motor omnibuses; and prohibiting the use of metal or solid rubber or cushion rubber tires on such vehicles.

Which was committed to the Committee on Highways.

House Bill No. 769, entitled:

An Act to further amend clause (a) of section one thousand eight hundred three and clause (e) of section one thousand eight hundred six of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "Administrative Code of 1929," by further regulating the leasing of State forest and park lands by the Commonwealth and defining the powers and duties of the Department of Forests and Waters and the rights of lessees with respect to such leased lands.

Which was committed to the Committee on Forests and Waters, Game and Fish.

House Bill No. 1085, entitled:

An Act to amend Section 432 and Section 472 of the act, approved the twelfth day of April, one thousand nine hundred fifty-one (P. L. , Act No. 21), entitled "Liquor Code," by providing that no wholesale distributor's license shall be granted in any municipality where the electors have voted against licensing places for the sale of malt or brewed beverages; bringing whole sale distributors within local option provisions now applicable to retail dispensers and providing where tie vote occurs on local option question, the status quo obtains.

Which was committed to the Committee on Law and Order.

House Bill No. 1170, entitled:

An Act to further amend subsection (a) of Section 1201 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "Vehicle Code," by authorizing the bringing of informations for violations of the summary provisions of this act occurring on a highway dividing two municipalities before the nearest available magistrate in either one of said municipalities.

Which was committed to the Committee on Highways.

House Bill No. 1205, entitled:

An Act defining clinicopathologic laboratory; regulating the operation of the same; requiring such laboratories

to obtain permits and to be operated under the direct supervision of a duly licensed physician or other qualified persons; imposing certain duties upon the Department of Health, and providing penalties.

Which was committed to the Committee on Public Health and Welfare.

House Bill No. 1329, entitled:

An Act to further amend section 78 of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "General County Law," by changing the law as to who may attend the annual meetings of the state association of controllers.

Which was committed to the Committee on Local Government.

House Bill No. 1356, entitled:

An Act to amend sections one and thirteen of the act approved the twenty-fifth day of June, one thousand nine hundred forty-seven (P. L. 940) entitled "An act relating to boarding houses for children; providing for the licensing and inspection thereof; and the adoption of rules and regulations for the maintenance, operation and conduct thereof, by the Department of Welfare; defining offenses; and prescribing penalties," by redefining "boarding houses for children" and increasing penalties.

Which was committed to the Committee on Public Health and Welfare.

House Bill No. 1357, entitled:

An Act to amend the act approved the fourteenth day of April, one thousand nine hundred and twenty-five (P. L. 234), entitled "An act relating to Boarding Houses for Infants; providing for the licensing thereof and the adoption of rules and regulations for the maintenance, operation, and conduct thereof; by the Department of Welfare; and fixing penalties, by redefining "boarding houses for infants," eliminating license fees; and increasing penalties.

Which was committed to the Committee on Public Health and Welfare.

House Bill No. 1500, entitled:

An Act to repeal Section 1 of the act, approved the first day of May, A.D. one thousand nine hundred thirteen (P. L. 155) entitled "An act regulating the letting of certain contracts for the erection, construction and alteration of public buildings," as to State Authorities.

Which was committed to the Committee on Judiciary General.

House Bill No. 1550, entitled:

An Act to further amend Section 1 of the act, approved the twenty-fifth day of April, one thousand nine hundred twenty-nine (P. L. 723), entitled "An act regulating the investment of funds by administrative departments, boards, commissions, and officers of the State Government," by expanding the investment powers of State administrative departments, boards, commissions, or officers.

Which was committed to the Committee on State Government.

House Bill No. 1556, entitled:

An Act to add section 5.1 to the act approved the first day of June, one thousand nine hundred forty-five (P. L. 1340), entitled "Motor Vehicle Safety Responsibility Law," by adding thereto reciprocity provisions.

Which was committed to the Committee on Highways.



House Bill No. 1628, entitled:

An Act to amend the title and certain sections of and to add new sections to the act approved the thirtieth day of June one thousand nine hundred forty-seven (P. L. 1154), entitled "An act to prohibit the manufacture and sale of oleomargarine or butterine and other similar products when colored in imitation of yellow butter; to provide for license fees to be paid by manufacturers, wholesale and retail dealers, and by proprietors of hotels, restaurants, dining-rooms, and boarding houses; for the manufacture or sale of oleomargarine, butterine or other similar products not colored in imitation of yellow butter; to regulate the manufacture, sale and advertising of oleomargarine, butterine or other similar products, not colored in imitation of yellow butter; and prevent and punish fraud and deception in such manufacture, sale, and advertising as an imitation butter; to prescribe penalties and punishment for violation of this act and the means and method of procedure for its enforcement; to regulate certain matters of evidence in such procedure; and to prescribe certain powers and duties of the Department of Agriculture," by permitting the manufacture and except in certain cases the sale of colored oleomargarine, butterine and similar products.

Which was committed to the Committee on Agriculture.

#### REPORTS FROM COMMITTEES

Mr. BLASS, from the Committee on Judiciary General, reported as amended, Senate Bill No. 791, entitled:

An Act to amend Section 1 of the act approved the fifteenth day of May one thousand nine hundred thirty-nine (P. L. 134) entitled "An act relating to fireworks defining fireworks prohibiting the sale offering or exposing for sale and use of fireworks except in certain cases authorizing cities boroughs towns and townships to issue permits for fireworks displays and to regulate the same imposing duties on the Pennsylvania Motor Police sheriffs police officers and constables and providing for sale and use of devices by which missiles or projectiles are discharged.

He also, from the Committee on Judiciary General, reported as committed, House Bill No. 361, entitled:

An Act to further amend Section 6 of the act approved the nineteenth day of June one thousand nine hundred eleven (P. L. 1055) entitled "An act authorizing the release on probation of certain convicts instead of imposing sentences the appointment of probation and parole officers and the payment of their salaries and expenses regulating the manner of sentencing convicts in certain cases and providing for their release on parole their conviction of crime during parole and their rearrest and reconviction for breach of parole and extending the powers and duties of boards of prison inspectors of penitentiaries" by further regulating the manner of sentencing of convicts in certain cases

He also, from the Committee on Judiciary General, reported as committed, House Bill No. 596, entitled:

An Act to amend Section 2 of the act, approved the eighteenth day of April, one thousand nine hundred twenty-three (P. L. 75), entitled "An act authorizing the courts of common pleas to change the name of persons; prescribing the procedure, and the effect of the decree therein," by reducing the time in which the petition shall be heard.

He also, from the Committee on Judiciary General, reported as committed, House Bill No. 1064, entitled:

An Act to amend Section 1132 of the act, approved the

tenth day of March, one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by conferring jurisdiction on the County Court of Allegheny County in certain cases of appeal from decisions of the Superintendent of Public Instruction.

He also, from the Committee on Judiciary General, reported as committed, House Bill No. 1237, entitled:

An Act to amend section 1 of the act, approved the sixth day of May, one thousand nine hundred twenty-nine (P. L. 1557) entitled "An act permitting the sale of mortgaged real estate under a judgment upon the bond accompanying such mortgage to be made by the sheriff upon awrit of fieri facias without inquisition and without any other writ," by extending the provisions thereof to promissory notes accompanying mortgages.

Mr. FREED, from the Committee on Local Government, reported as committed, House Bill No. 976, entitled:

An Act to amend Section 1 of the act approved the twentieth day of May one thousand nine hundred forty-nine (P. L. 1489) entitled "An act providing for a two-platoon system for firemen employed and paid by cities of the second class A and fixing the maximum hours of service in any one day or week for such platoons with certain exceptions" by further prescribing the maximum hours of service for such employees in any one week.

He also, from the Committee on Local Government, reported as committed, House Bill No. 1027, entitled:

An Act to amend subsection (b) of Section 4 of the act approved the twenty-third day of May one thousand nine hundred forty-five (P. L. 903) entitled "An act authorizing cities of the third class to establish an optional retirement system for officers and employes independently of any pension system or systems existing in such cities" by limiting rights to involuntary retirement and providing for the reinstatement of certain persons to the pension rolls of certain cities.

He also, from the Committee on Local Government, reported as committed, House Bill No. 1508, entitled:

An Act to amend Section 3 of the act approved the twenty-eighth day of July one thousand nine hundred forty-one (P. L. 535) entitled "An act providing for the redemption of real property purchased by political subdivisions at tax sales upon the payment of the amount charged against the same and costs by installment payments and prescribing the procedure therefor" by providing that default in the payment of any installment when due or the payment of current taxes shall terminate the right of redemption.

He also, from the Committee on Local Government, reported as amended, House Bill No. 1351, entitled:

An Act to further amend subsection C of Section 1 of the act approved the twenty-fifth day of June one thousand nine hundred fortyseven (P. L. 1145) entitled "An act empowering cities of the second class cities of the second class A cities of the third class boroughs towns townships of the first class school districts of the second class school districts of the third class and school districts of the fourth class to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes and permitting penalties to be imposed and enforced providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and



to the Supreme Court and Superior Court by excluding taxes imposed on real property transfers in certain school districts in determining tax limitations.

BILLS RE-REFERRED

Mr. FREED, from th Committee on Local Government, reported as committed, House Bill No. 1533, entitled:

An Act to further amend Section 28 of the act, approved the twenty-first day of May, one thousand nine hundred forty-three (P. L. 414), entitled "Uniform Vital Statistics Act" by further providing for payment of the compensation of local registrars.

which was re-referred to the Committee on State Government.

He also, from the Committee on Local Government, reported as committed, House Bill No. 1603, entitled:

An Act to further amend Section 4 to amend subsection (d) of Section 4.1 to add Sections 4.2 and 4.3 and to amend paragraph (1) of Section 14 of the act approved the twentieth day of May one thousand nine hundred fifteen (P. L. 566) entitled "An act requiring cities of the first class to establish a pension fund for employes of said cities and all county or other public employes if any paid by appropriation of the city councils thereof and out of the treasury of said cities and regulating the administration and the payment of such pensions" by clarifying the amount of contributions by certain pensioners and the method of computing lesser pensions changing date of completing certain payments and the age to which pension increments may be computed fixing minimum pensions and providing benefits for surviving spouse.

which was re-referred to the Committee on State Government.

Mr. RUTH, from the Committee on State Government, reported as committed, Senate Bill No. 795, entitled:

An Act vesting and confirming in cities of the second class all right, title and interest of the Commonwealth in certain streets, lanes and alleys situate within such cities.

He also, from the Committee on State Government, reported as committed, House Bill No. 253, entitled:

An Act to further amend clause (2) of Section 12 of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by further providing for disability retirement allowances of persons able to engage in gainful occupations.

He also, from the Committee on State Government, reported as committed, House Bill No. 1318, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of Clarion State Teachers College to acquire certain tracts of land for the use of Clarion State Teachers College and making an appropriation.

He also, from the Committee on State Government, reported as committed, House Bill No. 1482, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire by gift suitable ground and buildings to be used by the Department of Welfare as a State training school for female juvenile delinquents.

He also, from the Committee on State Government, reported as committed, House Bill No. 1526, entitled:

An Act authorizing the Department of Property and Supplies to exchange certain lands located in Penn Township Snyder County Pennsylvania necessary for the better administration of the Selinsgrove State Colony for Epileptics.

He also, from the Committee on State Government, reported as committed, House Bill No. 1552, entitled:

An Act to amend subsection (d) of section 4 and section 9.1 of the act approved the thirty-first day of March one thousand nine hundred forty-nine (P. L. 372) entitled "An act to promote the welfare of the people of the Commonwealth creating The General State Authority as a body corporate and politic with power to construct improve equip furnish and operate projects and to lease the same and to fix fees rentals and charges for the use thereof authorizing and regulating the issuance of bonds for said Authority and providing for the payment of such bonds and the rights of the holders thereof and to enter into agreements with the Government of the United States or any Federal agency and authorizing the Department of Property and Supplies to grant assign convey or lease to the Authority lands of the Commonwealth and interests therein and to acquire lands therefor granting the right of eminent domain empowering The General State Authority to sell and convey projects and property to the Commonwealth and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act" by authorizing the leasing of wholly or partially completed projects of the General State Authority.

He also, from the Committee on State Government, reported as committed, House Bill No. 1577, entitled:

An Act fixing the salary of the Director of the Legislative Reference Bureau.

He also, from the Committee on Education, reported as committed, Senate Bill No. 822, entitled:

An Act to amend clause (7) of Section 2401 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising consolidating and changing the laws relating thereto," by providing for appointment of school auditors to fill vacancies in such office in union school districts.

He also, from the Committee on Education, reported as committed, House Bill No. 713, entitled:

An Act to amend the act approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto" by authorizing boards of school directors to enter into contracts with and make appropriations to the county board of school directors for services; further providing for the appointment and payment of a secretary and a treasurer of the county board of school directors and auditing the treasurer's accounts; and providing for the assessment of school districts for special services furnished by the county board of school directors.



He also, from the Committee on Education, reported as committed, House Bill No. 1185, entitled:

An Act to further amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing school directors of the third class to elect an associate superintendent in lieu of a district superintendent prescribing his powers and duties and fixing his compensation.

Mr. WAGNER, from the Committee on Education, re-reported as amended, House Bill No. 356, entitled:

An Act to further amend the act approved the second day of May one thousand nine hundred forty-five (P. L. 382) entitled "An act providing for the incorporation as bodies corporate and politic of "Authorities" for municipalities counties and townships prescribing the rights powers and duties of such Authorities heretofore or hereafter incorporated authorizing such Authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such Authorities authorizing such Authorities to enter into contracts with and accept grants from the Federal Government or any agency thereof and conferring exclusive jurisdiction on certain courts over rates" by extending the provisions thereof to school districts for limited purposes changing provisions for incorporation withdrawal from and joinder in Authorities amendment of articles of incorporation boards of Authorities and citizenship of members thereof and providing for extensions of corporate existence transfers of existing facilities to Authorities and conveyances of projects upon termination or assumption of liabilities.

#### SENATE RESOLUTION

#### CONGRATULATING THE WINNER OF THE SOAP BOX DERBY

Mr. SNOWDEN offered the following resolution which was twice read, considered and agreed to:

In the Senate, August 14, 1951.

To turn aside from the gloom of the world, to forget temporarily the futility of cease-fire negotiations, even to ignore for a moment the tedium of the longest legislative session and the tension of the American League race and to luxuriate instead in the nostalgia and the sheer joy of a soap box derby must come as a cool, soothing caress to the harassed and frustrated and dejected law makers on the Hill.

For it is truly an occasion for unrestrained jubilation and dancing in the streets when a Pennsylvania boy from Danville rides to triumph and acclaim in the All-American derby held at Akron, Ohio.

On Sunday, August 12, Darwin Cooper piloted his car through a field of talented contenders to a brilliant victory, winning plaudits and prizes for himself and bringing distinction and glory to Pennsylvania. Young Darwin at the age of fifteen has demonstrated unusual skill and courage under highly competitive conditions which augur well for the even more substantial rewards that will come to him in the greater trial of life; therefore be it

Resolved, That the Senate acknowledge gratefully the victory of skill and intrepidity recently achieved by Darwin Cooper at the Soap Box Derby in Akron, Ohio and proudly accept the recognition and the prominence that have come to Pennsylvania because of the outstanding exploit of one of her sons; and be it further

Resolved, That copies of this resolution be transmitted to Darwin Cooper, to the Williamsport Sun, and to the Williamsport Gazette and Bulletin—the sponsors of Darwin's successful entry in the contest.

#### BILLS INTRODUCED AND REFERRED

Mr. BYRNE. Mr. President, I ask unanimous consent to introduce bills at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BYRNE read in place and presented to the Chair Senate Bill No. 826, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by creating a State Board of Examiners of Ophthalmic Dispensers in the Department of Public Instruction.

Which was referred to the Committee on Education.

He also read in his place and presented to the Chair Senate Bill No. 827, entitled:

An Act relating to the practice of the occupation of business of ophthalmic dispensers and providing for the licensing and registration of ophthalmic dispensers and for the revocation and suspension of such licenses and registrations subject to appeal and for their reinstatement; defining the powers and duties of the State Board of Examiners of Ophthalmic Dispensers and the Department of Public Instruction and providing penalties.

Which was referred to the Committee on Education.

#### REPORT FROM COMMITTEE

Mr. WADE. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WADE, from the Committee on Highways, reported as committed, Senate Bill No. 134, entitled:

An Act to amend further Section 5 of the Act approved the thirteenth day of June, one thousand eight hundred and thirty-six (P. L. 551) entitled "An act relating to roads, highways and bridges," as amended by extending the width of a public road in the instance of multiple lane highways to increase the maximum width by the additional footage that shall be necessary in the judgment of the Secretary of Highways for center or dividing strips.

He also, from the Committee on Highways, reported as committed, Senate Bill No. 512, entitled:

An Act to amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles,



tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by directing the issuance of special registration plates to war amputees and paralytics; and exempting such persons from the payment of certain fees in connection with motor vehicles.

He also, from the Committee on Highways, reported as committed, Senate Bill No. 816, entitled:

An Act to facilitate vehicular traffic across the Commonwealth by providing for the construction, operation and maintenance of a turnpike from a connection with the Pennsylvania Turnpike System at such point west of the Susquehanna River as the Pennsylvania Turnpike Commission may decide is most feasible and practicable to a point on or near the boundary line between the Commonwealth of Pennsylvania and the State of Maryland, and conferring powers and imposing duties on the Pennsylvania Turnpike Commission; authorizing the issuance of turnpike revenue bonds, notes or other obligations of the Commonwealth payable solely from revenues of the Commission including tolls or from such funds as may be available to the Commission for that purpose to pay the cost of such turnpike providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act; providing for the collection of tolls for the payment of such bonds, notes or other obligations and for the cost of maintenance, operation and repair of the turnpike; making such turnpike bonds, notes or other obligations exempt from taxation; constituting such bonds legal investments in certain instances; requiring suits against the Commission to be brought in Dauphin County; prescribing conditions on which such turnpike shall become free; providing for grade separations, grade changes, relocations, restorations and vacation of public roads and State highways affected by the turnpike; providing for the purchasing or condemnation of land and procedure for determining damages in condemnation; granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the Commission; and authorizing the issuance of turnpike revenue refunding bonds.

He also, from the Committee on Highways, reported as committed, House Bill No. 1484, entitled:

An Act to facilitate vehicular traffic across the Commonwealth by providing for the construction operation and maintenance of a turnpike from a connection with the Pennsylvania Turnpike System at such point east of the Susquehanna River as the Pennsylvania Turnpike Commission may decide is most feasible and practicable to a point on or near the boundary line between the Commonwealth of Pennsylvania and the State of New York between the Susquehanna and Delaware Rivers and conferring powers and imposing duties on the Pennsylvania Turnpike Commission authorizing the issuance of turnpike revenue bonds notes or other obligations of the Commonwealth payable solely from revenues of the Commission including tolls or from such funds as may be available to the Commonwealth for that purpose to pay the cost of

such turnpike providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act providing for the collection of tolls for the payment of such bonds notes or other obligations and for the cost of maintenance operation and repair of the turnpike making such turnpike bonds notes or other obligations exempt from taxation constituting the same legal investments in certain instances requiring suits against the Commission to be brought in Dauphin County prescribing conditions on which such turnpike shall become free providing for grade separations grade changes relocations restorations and vacation of public roads and State highways affected by the turnpike providing for the purchasing or condemnation of land and procedure for determining damages in condemnation granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the Commission and authorizing the issuance of turnpike revenue refunding bonds.

He also, from the Committee on Highways, reported as committed, House Bill No. 1507, entitled:

An Act to further amend section seven hundred six and subsection (c) of section nine hundred three of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by increasing the fee for annual registration and the maximum gross weight allowed for certain two-wheeled semitrailers.

He also, from the Committee on Highways, reported as committed, House Bill No. 1513, entitled:

An Act to amend Section 412 of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1242) entitled "An act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto" by defining the estate of substitute rights of way for public service companies and requiring conveyance thereof.

## RECESS

Mr. WALKER. Mr. President, I move that the Senate do now take a recess until 2:30 o'clock p.m., Eastern Standard Time.

Mr. HARE. Mr. President, I second the motion.  
The motion was agreed to.

## AFTER RECESS

The PRESIDENT. The time of recess having elapsed the Senate will be in order.



## REPORT FROM COMMITTEE

Mr. FREED. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. FREED, from the Committee on Local Government, reported as amended, Senate Bill No. 823, entitled:

An Act to amend the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by providing for the payment of service increments to such employes in addition to their retirement allowances.

## HOUSE MESSAGES

## HOUSE NON-CONCURS IN SENATE AMENDMENTS TO HOUSE BILL No. 1102

The Clerk of the House of Representatives being introduced, informed the Senate that the House has non-concurred in the amendments made by the Senate to House Bill No. 1102, entitled:

An Act to provide for liens for the cost of hospital care and treatment of persons wilfully or negligently injured, the liens to exist on rights of action and on counterclaims and on verdicts and judgments recovered as the result of such injuries and on moneys paid in settlement of such actions and counterclaims; and providing rights of action to recover such liens if not paid.

## SENATE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE HOUSE TO HOUSE BILL No. 1102

Mr. WALKER. Mr. President, I move that the Senate insists upon its amendments non-concurred in by the House to House Bill No. 1102.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

## RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 815

He also presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, August 14, 1951.

Resolved, (If the Senate concur), That House Bill No. 815, Printer's No. 586, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905) entitled "Vehicle Code," by providing that the Department of Revenue furnish one registration plate for every vehicle.

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

## BILLS SIGNED

The President (Lieutenant-Governor Lloyd H. Wood), announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

## Senate Bill No. 303, entitled:

An Act relating to the apportionment of estate taxes and providing procedure for enforcement of contribution or exoneration.

## Senate Bill No. 481, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace the courts and the clerks thereof owners of vehicles, and garage keepers; providing that records are admissible as evidence imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by defining "antique motor vehicle" and authorizing the operation of such vehicles with limitations as to use of lighting equipment in certain cases.

## House Bill No. 678, entitled:

An Act to further amend Section 1803 of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "Administrative Code of 1929," as amended by adding subsection (h) to authorize the Department of Forests and Waters to grant certain rights of way to utility companies.

## House Bill No. 1538, entitled:

## BOND ISSUE, GENERAL STATE AUTHORITY AND STATE HIGHWAY AND BRIDGE AUTHORITY

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto section twenty-two.

Whereupon,

The President (Lieutenant-Governor Lloyd H. Wood) in the presence of the Senate signed the same.

## COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

## APPROVED AND SIGNED SENATE BILL No. 721, PRINTER'S No. 406

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, August 14, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 721, Printer's No. 406, entitled "An Act authorizing and empowering the Pennsylvania Turnpike Commission to combine the turnpike and its extensions now constructed and to be constructed or parts thereof for financing purposes under the provisions of this act authorizing the issuance of turnpike



revenue bonds of the Commonwealth notes or other obligations to pay the cost of such combined turnpike and its extensions authorizing the commission to refund any bonds notes or other obligations theretofore issued by the commission under the provisions of any act including the payment of any redemption premium thereon notwithstanding any limitations or restrictions as to time of refunding or rate of interest contained in any act heretofore approved whether or not any of the projects in respect of which such securities being refunded were issued are combined authorizing the commission to fix tolls from time to time for the use of the projects so combined authorizing the commission to construct and finance as a whole or in sections providing for preliminary or interim financing through the issuance of notes or other obligations constituting the same legal investments in certain instances and exempting the same from taxation providing for bonds to be given by each appointed member of the commission and the Secretary and Treasurer thereof conditioned upon the faithful performance of the duties of his office in the administration of the Pennsylvania Turnpike System and providing for salaries for the appointed members of the commission in lieu of the salaries heretofore authorized by law."

JOHN S. FINE.

REPORT FROM COMMITTEE

Mr. RUTH. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. RUTH, from the Committee on Agriculture, reported as committed, House Bill No. 1628, entitled:

An Act to amend the title and certain sections of and to add new sections to the act approved the thirtieth day of June one thousand nine hundred forty-seven (P. L. 1154) entitled "An act to prohibit the manufacture and sale of oleomargarine or butterine and other similar products when colored in imitation of yellow butter to provide for license fees to be paid by manufacturers wholesale and retail dealers and by proprietors of hotels restaurants dining-rooms and boarding-houses for the manufacture or sale of oleomargarine butterine or other similar products not colored in imitation of yellow butter to regulate the manufacture sale and advertising of oleomargarine butterine or other similar products not colored in imitation of yellow butter and prevent and punish fraud and deception in such manufacture sale and advertising as an imitation butter to prescribe penalties and punishment for violation of this act and the means and method of procedure for its enforcement to regulate matters of evidence in such procedure and to prescribe certain powers and duties of the Department of Agriculture" by permitting the manufacture and except in certain cases the sale of colored oleomargarine butterine and similar products.

CALENDAR

BILL ON CONCURRENCE IN HOUSE AMENDMENTS  
RECALLED FROM THE GOVERNOR

Agreeably to order,  
The Senate resumed the consideration of House Bill No. 534, as follows:

An Act to further amend section 1304 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by changing the provisions relating to admission of beginners  
The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1304 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" as amended by the act approved the ninth day of May one thousand nine hundred forty-nine (P. L. 978) is hereby further amended to read as follows

Section 1304 Admission of Beginners [Unless otherwise directed by the board of school directors the period of admission of beginners to the public schools shall be confined to the first two weeks of the school term Beginners becoming six (6) years of age after the beginning of the school term and before the first day of February of any year shall be admitted during the first two weeks of the school term or during such additional periods for the admission of beginners as the board of school directors in any school district may fix No beginner shall be less than five (5) years and seven (7) months of age at the time of admission] The admission of beginners to the public schools shall be confined to the first two weeks of the annual school term in districts operating on an annual promotion basis and to the first two weeks of either the first or the second semester of the school term in districts operating on a semi-annual promotion basis Admission shall be limited to beginners who have attained the age of five years and seven months before the first day of September if they are to be admitted in the fall and to those who have attained the age of five years and seven months before the first day of February if they are to be admitted at the beginning of the second semester A beginner who is less than five years and seven months of age but who has attained a mental age of six years may be admitted when such admission is recommended by the county Supervisor of Special Education or by a properly certificated public school psychologist The school may refuse to accept or retain beginners who have not attained a mental age of five years as determined by the County Supervisor of Special Education or a properly certificated public school psychologist in accordance with rules and regulations established by the State Council of Education The term "beginners" as used in this section shall mean any child that should enter the lowest grade of the primary school or the lowest primary class above the kindergarten level

Section 2 The provisions of this act shall become effective on the first day of July one thousand nine hundred fifty-one

And the amendments made thereto having been printed as required by the Constitution,

On the question,  
Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE  
HOUSE TO HOUSE BILL No. 534, RECALLED  
FROM THE GOVERNOR

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to House Bill No. 534, recalled from the Governor for the purpose of amendment.

Mr. CROWE. Mr. President, I second the motion.  
On the question,  
Will the Senate agree to the motion?  
The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Haluska,	McPherson, Jr.,	Stevenson,
Barr,	Hare,	Meads,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peelor,	Wagner,
Byrne,	Lane,	Probert,	Wade,
Chapman,	Leader,	Robinson,	Walker,



Crowe,	Letzler,	Rosenfeld,	Watkins,
Dent,	Mahany,	Ruth,	Watson,
Diehm,	Mallery,	Scarlett,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,	McMenamin,		

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

## THIRD READING CALENDAR

## BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 111, as follows:

An Act to further amend section 506 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" providing for the increase or decrease of support orders in bastardy cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 506 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" as amended by the act approved the twenty-first day of ay one thousand nine hundred forty-three (P. L. 306) is hereby further amended to read as follows

Section 506 Fornication and Bastardy Whoever commits fornication is guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one hundred dollars (\$100) for the use of the institution district where the offense was committed

It shall be sufficient to convict an unmarried woman to show that a child was born of her body

Any man charged by an unmarried woman with being the father of her bastard child shall be the reputed father and if she persists in the charge in the time of her extremity of labor or afterwards in open court the same shall be given in evidence in order to convict such person of fornication Such man being thereof convicted shall be sentenced in addition to the fine aforesaid to pay the expenses incurred at the birth of such child and if such child is born dead or shall die during the continuance of the order for the maintenance of said child to also pay the reasonable funeral expenses thereof and to give security by one or more sureties and in such sum as the court shall direct to the institution district where such child was born to perform such order for the maintenance of the said child as the court shall direct

After a hearing on the petition of any interested party such order for the maintenance of such child may be increased or decreased from time to time by said court before or after the expiration of the term at which such man was sentenced

If a bastard child is begotten out of the State and born within the State or begotten within one of the counties of this State and born in another in the latter case the prosecution of the reputed father may be in the county where a bastard child was born or begotten and like sentence shall be passed as if the child had been born and begotten in that county and in the former case like sentence shall be passed except the fine for fornication

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bane,	Haluska,	McPherson, Jr.	Stevenson,
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peelor,	Wade,
Byrne,	Lane,	Propert,	Wagner,
Chapman,	Leader,	Robinson,	Walker,
Crowe,	Letzler,	Rosenfeld,	Watkins,
Dent,	Mahany,	Ruth,	Watson,
Diehm,	Mallery,	Scarlett,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,	McMenamin,		

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 161, as follows:

A Joint Resolution proposing an amendment to section eight article five of the Constitution of the Commonwealth of Pennsylvania authorizing the Courts of Common Pleas of Allegheny County to detail one or more of the judges of the County Court to hold the courts of oyer and terminer and the courts of quarter sessions of the peace of said county

The General Assembly of the Commonwealth of Pennsylvania hereby resolves as follows

Section 1 The following amendment to the Constitution of the Commonwealth of Pennsylvania be and the same is hereby proposed in accordance with the eighteenth article thereof

That section eight article five of the Constitution of the Commonwealth of Pennsylvania is hereby amended to read as follows

Section 8 The said courts in the counties of Philadelphia and Allegheny respectively shall from itme to time in turn detail one or more of their judges and in the case of the courts of Allegheny County may also detail one or more of the judges of the County Court to hold the courts of oyer and terminer and the courts of quarter sessions of the peace of said counties in such manner as may be directed by law

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bane,	Haluska,	McPherson, Jr.	Stevenson,
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peelor,	Wade,
Byrne,	Lane,	Propert,	Wagner,
Chapman,	Leader,	Robinson,	Walker,
Crowe,	Letzler,	Rosenfeld,	Watkins,
Dent,	Mahany,	Ruth,	Watson,
Diehm,	Mallery,	Scarlett,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,	McMenamin,		



## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 213, as follows:

An Act to further amend section one of the act approved the twenty-eighth day of June one thousand nine hundred thirty-five (P. L. 477) entitled as amended "An act providing for the payment of the salary medical and hospital expenses of policemen and firemen by cities boroughs towns and townships who are injured in the performance of their duty and providing that absence during such injury shall not reduce any usual sick leave period" by extending the provisions of the act to include county firemen and policemen and providing disability benefits for in certain cases diseases of the heart and tuberculosis of the respiratory system incurred in active police and firemen service

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title of the act approved the twenty-eighth day of June one thousand nine hundred thirty-five (P. L. 477) entitled as amended "An act providing for the payment of the salary medical and hospital expenses of policemen and firemen by cities boroughs towns and townships who are injured in the performance of their duty and providing that absence during such injury shall not reduce any usual sick leave period" as last amended by the act approved the twenty-ninth day of march one thousand nine hundred forty-five (P. L. 100) is hereby further amended to read as follows

## AN ACT

Providing for the payment of the salary medical and hospital expenses of policemen and firemen by counties cities boroughs towns and townships who are injured in the performance of their duty and providing that absence during such injury shall not reduce any usual sick leave period

Section 2 Section 1 of the said act as last amended by the act approved the eleventh day of May one thousand nine hundred forty-nine (P. L. 1081) is hereby further amended to read as follows

Section 1 Be it enacted &c that any policemen or firemen of any county city borough town or township who is injured in the performance of his duties including in the case of firemen duty as special fire police and by reason thereof is temporarily incapacitated from performing his duties shall be paid by the county township or municipality by which he is employed his full rate of salary as fixed by ordinance or resolution until the disability arising therefrom has ceased All medical and hospital bills incurred in connection with any such injury shall be paid by such county township or municipality During the time salary for temporary incapacity shall be paid by the county city borough town or township any workmen's compensation received or collected by a policeman or fireman for such period shall be turned over to such county city borough town or township and paid into the treasury thereof and is such payment shall not be so made by the policeman or fireman the amount so due the county city borough town or township shall be deducted from any salary then or thereafter becoming due and owing Provided however That in the case of salaries policemen and firemen the diseases of the heart and tuberculosis of the respiratory system contacted or incurred by any such policeman or firemen after four years of continuous service as such and caused by extreme overexertion in times of stress or danger or by exposure to heat smoke fumes or gases arising directly

out of the employment of any such policeman and firemen shall be compensable in accordance with the terms hereof and unless any such disability shall be compensable under the Compensation Laws as having been cause by accidental injury such disability shall be compensable as occupational disease disabilities are presently compensable under the Compensation Laws of this Commonwealth

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bane,	Haluska,	McPherson, Jr.	Stevenson.
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peelor,	Wade,
Byrne,	Lane,	Probert,	Wagner,
Chapman,	Leader,	Robinson,	Walker,
Crowe,	Letzler,	Rosenfeld,	Watkins,
Dent,	Mahany,	Ruth,	Watson,
Diehm,	Mallery,	Scarlett,	Wolfe,
Disilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Showden,	Yosko,
Freed,	McMenamin,		

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

## BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 228, on third reading, entitled:

An Act to amend section 733 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by providing for an alternative procedure in desertion and nonsupport cases

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND  
FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 235, as follows:

A Joint Resolution proposing an amendment to section one article nine of the Constitution of the Commonwealth of Pennsylvania making special provisions for the taxation of private forest reserves

The General Assembly of the Commonwealth of Pennsylvania hereby resolves as follows

Section 1 The following amendment to the Constitution of the Commonwealth of Pennsylvania is hereby proposed in accordance with the eighteenth article thereof

Section one of article nine is hereby amended to read as follows



Section 1 All taxes shall be uniform upon the same class of subjects within the territorial limits of the authority levying the tax and shall be levied and collected under general laws but the General Assembly may be general laws exempt from taxation public property used for public purposes actual places of religious worship places of burial not used or held for private or corporate profit institutions of purely public charity and real and personal property owned occupied and used by any branch post or camp of honorably discharged soldiers sailors and marines and the General Assembly may by general laws set up standards and qualifications for private forest reserves and make special provisions for the taxation thereof

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bane,	Haluska,	McPherson, Jr.	Stevenson,
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peelor,	Wade,
Byrne,	Lane,	Probert,	Wagner,
Chapman,	Leader,	Robinson,	Walker,
Crowe,	Letzler,	Rosenfeld,	Watkins,
Dent,	Mahany,	Ruth,	Watson,
Diehm,	Mallery,	Scarlett,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed	McMenamin,		

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 290, as follows:

An Act providing for a referendum to determine the will of the electorate in regard to a constitutional convention

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 At the municipal election in the year one thousand nine hundred fifty-one there shall be submitted in the manner provided by the election laws of the Commonwealth a question to determine the will of the electorate of the Commonwealth in regard to a constitutional convention Such question shall be in the following form

Do you favor the preparation of a new constitution by a convention?	Yes	
	No	

The question shall be printed on separate official ballots in bound form by the county commissioners of each county and a sufficient number of ballots shall be furnished to the election officers in each election district of every county so that one ballot may be supplied to each voter at such election In districts where voting

machines are used such question shall appear on the face of the machine where the machine is properly equipped for such purposes

Section 2 The results of such election shall be tabulated by the proper election officers of each county and the results thereof certified to the Secretary of the Commonwealth who shall certify the results thereof to the next General Assembly

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bane,	Haluska,	McPherson, Jr.	Stevenson,
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peelor,	Wade,
Byrne,	Lane,	Probert,	Wagner,
Chapman,	Leader,	Robinson,	Walker,
Crowe,	Letzler,	Rosenfeld,	Watkins,
Dent,	Mahanay,	Ruth,	Watson,
Diehm,	Mallery,	Scarlett,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,	McMenamin,		

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill 445, as follows:

An Act to amend Section 11 of the act approved the twenty-seventh day of June one thousand nine hundred forty-seven (P. L. 1095) entitled "An act providing for the regulation of mining of anthracite coal by the open pit or strip mining method and for the conservation and improvement of lands affected directly or indirectly by such mining requiring operators to register pay a license fee and secure a permit to engage in strip mining and file a bond conditioned for compliance with this act requiring backfilling of stripping pits and leveling and planting lands affected to prevent erosion and the pollution of waters and to protect public health safety and welfare conferring powers and imposing duties upon the Department of Mines and the Department of Forests and Waters providing for appeals and imposing penalties and making appropriations" by clarifying the requirement for backfilling adjacent to highways

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 11 of the act approved the twenty-seventh day of June one thousand nine hundred forty-seven (P. L. 1095) entitled "An act providing for the regulation of mining of anthracite coal by the open pit or strip mining method and for the conservation and improvement of lands affected directly or indirectly by such mining requiring operators to register pay a license fee and secure a permit to engage in strip mining and file a bond conditioned for compliance with this act requiring backfilling of stripping pits and leveling and planting lands affected to prevent erosion and the pollution of waters and to protect public health safety and welfare conferring powers and imposing duties upon the Department of Mines and the Department of Forests and waters providing for appeals and imposing penalties



and making appropriations” is hereby amended to read as follows

Section 11 The application for a permit shall be accompanied by a map showing the location of any public highway dwelling house or stream of water on or adjacent to the area of land affected The operator shall backfill the operation made by the strip mining operation to a distance of [seventy-five (75) feet from the center line of any such public highway] fifteen (15) feet beyond the boundary line of the right of way of any public highway and to a distance of two hundred (200) feet from any dwelling house public building school church commercial or institutional building [in any case where the legal right of way of the highway shall be less than one hundred twenty (120) feet in width the operator shall backfill for a distance of fifteen (15) feet beyond the boundary line of such right of way] The backfilling shall be done in such a manner as to insure lateral support of a public highway and to provide a slope having an angle not exceeding forty (40) degrees The permit issued shall specify the time within which it shall be completed in order to protect the public safety and may require such backfilling to be done in part before the completion of the strip mining operation

The permit shall also specify the distance to which the bottom of the spoil banks made by the strip mining operation may approach any stream of water having a well defined channel Such distances shall be fixed by the department at such number of feet as in the judgement of the department after consultation with the Water and Power Resources Board taking into consideration the character of the overburden is necessary to protect the channel of the stream

Nothing contained in this section shall be construed to prohibit the relocation of any public road in the manner provided by law or the change of the course or channel of any stream in the manner provided by law upon permit issued by the Water and Power Resources Board

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,  
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50			
Bane,	Haluska,	McPherson, Jr.	Stevenson,
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peelor,	Wade,
Byrne,	Lane,	Propert,	Wagner,
Chapman,	Leader,	Robinson,	Walker,
Crowe,	Letzler,	Rosenfeld,	Watkins,
Dent,	Mahanay,	Ruth,	Watson,
Diehm,	Mallery,	Scarlett,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,	McMenamin,		

NAYS—0

A majority of all the Senators having voted “aye” the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,  
The Senate proceeded to the third reading and consideration of House Bill No. 531, as follows:  
An Act to further amend Section 1 of the act approved

the eighth day of June one thousand eight hundred ninety-three (P. L. 344 No 284) entitled “An act relating to husband and wife enlarging her capacity to acquire and dispose of property to sue and be sued and to make a last will and enabling them to sue and to testify against each other in certain cases” clarifying the prohibition against a married woman’s right to sell real estate without the joinder of her husband  
The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1 of the act approved the eighth day of June one thousand eight hundred ninety-three (P. L. 344 No 284) entitled “An act relating to husband and wife enlarging her capacity to acquire and dispose of property to sue and be sued and to make a last will and enabling them to sue and to testify against each other in certain cases” as amended by the act approved the seventeenth day of May one thousand nine hundred forty-five (P. L. 625) is hereby further amended to read as follows

Section 1 Be it enacted &c That hereafter a married woman shall have the same right and power as a married man to acquire own possess control use lease or mortgage [sell or otherwise dispose of] any property of any kind real personal or mixed and either in possession or expectancy and may exercise the said right and power in the same manner and to the same extent as a married man but she may not execute or acknowledge a written instrument conveying her real property unless her husband join in such conveyance

And said bill having been read at length the third time, and agreed to,

On the question,  
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50			
Bane,	Haluska,	McPherson, Jr.	Stevenson,
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peelor,	Wade,
Byrne,	Lane,	Propert,	Wagner,
Chapman,	Leader,	Robinson,	Walker,
Crowe,	Letzler,	Rosenfeld,	Watkins,
Dent,	Mahany,	Ruth,	Watson,
Diehm,	Mallery,	Scarlett,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed	McMenamin,		

NAYS—0

A majority of all the Senators having voted “aye” the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,  
The Senate proceeded to the third reading and consideration of House Bill No. 532, as follows:

An Act to reenact Section 802 of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled “An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may



be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" relating to approval of joint plans of merger or consolidation of nonprofit corporations by the members thereof in order to clarify effect of prior amendments

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 802 of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" as amended by the act approved the eighteenth day of April one thousand nine hundred forty-nine (P. L. 603) and the act approved the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1763) is hereby reenacted to read as follows

Section 802 Approval of Joint Plan of Merger or Consolidation Before the application is made to the court a joint plan of merger or consolidation as the case may be setting forth the terms and conditions of the merger or consolidation and such other details and provisions as are deemed necessary shall be approved by the affirmative vote of at least a majority of the members of each of the merging or consolidating domestic corporations who are then present in person or by proxy and entitled to vote thereon at a regular or special meeting of each domestic corporation convened after at least ten days' written notice to all the members of this purpose If the proposed plan or merger or consolidation would make any change in the rights of the members of any class of a domestic corporation then the members of such class shall be entitled to vote as a class such plan whether by the terms of the articles of the corporation such class is or is not entitled to vote and in addition to the vote herein required the affirmative vote of at least a majority of the members of each class so affected by the plan who are present in person or by proxy at such meeting shall be necessary for the adoption thereof If any foreign corporation is a party to the merger or consolidation the plan of merger or consolidation shall be authorized adopted or approved by such foreign corporation in accordance with the laws of the jurisdiction in which it was formed The fact of such approval shall be certified on the joint plan by the secretary of each corporation and the plan so adopted and certified shall be signed and acknowledged by two duly authorized officers of each corporation

Section 2 The provisions of this act shall become effective immediately upon final enactment.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bane,	Haluska,	McPherson, Jr.	Stevenson,
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peelor,	Wade,
Byrne,	Lane,	Propert,	Walker,
Chapman,	Leader,	Robinson,	Watkins,
Crowe,	Letzler,	Rosenfeld,	Watson,
Dent,	Mahany,	Ruth,	Wolfe,
Diehm,	Mallery,	Scarlett,	Wood,
DiSilvestro,	McCreesh,	Silvert,	Wagner,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,	McMenamin,		

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 658, as follows:

An Act authorizing council of cities of the second class to fix the salaries of the mayor and the council members of such cities and to provide for the assessment and retention of fires for absence of councilmen from meetings

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The salary of the mayor of cities of the second class of this Commonwealth shall be fixed by the council of said cities in a sum not to exceed twenty thousand dollars (\$20,000) per annum which salary shall not be increased or diminished during the term for which he shall have been elected

Section 2 Councilmen of cities of the second class of this Commonwealth shall receive for their services during their term of service salaries payable in monthly installments not to exceed ten thousand dollars (\$10,000) per annum Councils shall be the ordinance fixing such salaries provide for the assessment and retention therefrom of reasonable fines for absence from regular or special meetings of council or councilmanic committee

Section 3 Section four of Article XIV of the act approved the seventh day of March one thousand nine hundred one (P. L. 20) entitled "An act for the government of cities of the second class" and its amendments is hereby repealed

The act approved the seventh day of April one thousand nine hundred twenty-seven (P. L. 163) entitled "An act authorizing council of cities of the second class to fix the salary of the mayor of said cities and providing the maximum amount thereof" is hereby repealed

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bane,	Haluska,	McPherson, Jr.	Stevenson,
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peelor,	Wade,
Byrne,	Lane,	Propert,	Wagner,
Chapman,	Leader,	Robinson,	Walker,
Crowe,	Letzler,	Rosenfeld,	Watkins,
Dent,	Mahanay,	Ruth,	Watson,
Diehm,	Mallery,	Scarlett,	Wolfe,



DiSilvestro,  
Fleming,  
Freed.

McCreesh,  
McGinnis,  
McMenamin,

Silvert,  
Snowden.

Wood,  
Yosko.

### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

### BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 753, entitled:

An Act providing for an enumeration of persons subject to per capita and occupation taxes in counties wherein are situate school districts of the second third and fourth class placing the expense thereof on taxing districts authorized by law to levy such taxes conferring powers and imposing duties on boards of school directors of such school districts county commissioners and chief county assessors in such counties

And said bill having been read at length the third time,  
On the question,

Will the Senate agree to the bill on third reading?

Mr. PROPERT. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Sec. 1, page 2, line 3, by striking out the word "year" and inserting in lieu thereof "two year period"; amend Sec. 3, page 3, line 12, by striking out the word "year" and inserting in lieu thereof "two year period".

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

### BILL OVER IN ORDER

Mr. PROPERT. Mr. President, I ask unanimous consent that Senate Bill No. 753, on third reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

### BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 789, as follows:

An Act to further amend clause (b) of Section 507 and clause (c) of Section 2403 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative

officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" by making special provision for the purchase of coal for use in any State hospital or any other State institution

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (b) of Section 507 and clause (c) of Section 2403 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" as last amended by the act approved the twelfth day of June one thousand nine hundred fifty-one (Act No 133) are hereby further amended to read as follows

Section 507 Purchases It shall be unlawful for any administrative department other than the Department of Property and Supplies or for any independent administrative board or commission or for any departmental administrative body board or commission or for any advisory board or commission to purchase or contract for the purchase of any stationery paper printing binding ruling lithographing engraving envelopes or other printing or binding supplies or any fuel supplies furniture furnishings or equipment except

\* \* \* \* \*

(b) Any department board or commission having charge of a State institution which may purchase perishable foodstuffs for such institution directly and may purchase any article directly if it can after competitive bidding purchase the same for the institution for a price less than the Department of Property and Supplies can furnish it for the institution but all articles purchased directly hereunder shall conform to the specification contained in the effective supply contracts of the Department of Property and Supplies or if the article be not included in the effective supply contracts then to the standard specification if any adopted by the Department of Property and Supplies for the commodity purchased unless the Board of Commissioners of Public Grounds and Buildings shall have specifically authorized a departure from such specification

In all other cases such departments boards or commissions shall make purchases through the Department of Property and Supplies as purchasing agency and all purchases made by the Department of Property and Supplies as purchasing agency hereunder shall conform to the specifications contained in the effective supply contracts of the department or if the article be not included in the effective supply contracts then to the standard specifications if any adopted by the department for the commodity purchased unless the Board of Commissioners of Public Grounds and Buildings shall specifically authorize a de-



parture from such effective supply contracts or specifications except that contracts for the purchase of steel for use in the manufacture of vehicle registration plates may be let on the basis of the market price thereof on date of delivery and except that in contracts for the purchase of coal for use in State hospitals or any other State institution or for any State use may be let on the basis that the bid or contract price may be increased or decreased if the cost to the producer or supplier of said coal is changed on account of any change applicable to such producers or suppliers generally in wage rates hours of employment costs of transportation legislation or taxes Federal State or local except income taxes In the case of any such increase or decrease the contract or bid price shall be increased by such increase but not in excess of the actual increase in cost or decreased by such decrease but not in excess of the actual decrease in cost as the case may be resulting from any of the foregoing factors

Section 2403 Standards and Purchases The Department of Property and Supplies shall have the power and its duty shall be

\* \* \* \* \*

(c) To enter in contracts with the lowest responsible bidder for the purchase of all other furniture materials or supplies requested by the Legislative and other departments of the State Government except as otherwise provided by this act and except that contracts for the purchase of steel for use in the manufacture of vehicle registration plates may be let on the basis of the market price thereof on date of delivery and except that contracts for the purchase of coal for use in State hospitals or any other State institution or for any State use may be let on the basis that the bid or contract price may be increased or decreased if the cost to the producer or supplier of said coal is changed on account of any change in wage rates hours of employment costs of transportation legislation or taxes Federal State or local except income taxes In the case of any such increase or decrease the contract or bid price shall be increased by such increase but not in excess of the actual increase in cost or decreased by such decrease but not in excess of the actual decrease in cost as the case may be resulting from any of the foregoing factors All such contracts shall be approved by the Governor and signed on behalf of the Commonwealth by the Secretary of Property and Supplies who shall also with the approval of the Department of Justice prescribe rules and regulations for the submission of bids awards forms of contracts and other matter related thereto

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Bane,	Haluska,	McPherson, Jr.,	Stevenson,
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peclor,	Wade,
Byrne,	Lane,	Probert,	Wagner,
Chapman,	Leader,	Robinson,	Walker,
Crowe,	Letzler,	Rosenfeld,	Watkins,
Dent,	Mahany,	Ruth,	Watson,
Diehm,	Mallery,	Scarlett,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed	McMenamin,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

#### BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 812, on third reading, entitled:

An Act to amend the title and certain sections of and to add new sections to the act approved the thirtieth day of June one thousand nine hundred forty-seven (P. L. 1154) entitled "An act to prohibit the manufacture and sale of oleomargarine or butterine and other similar products when colored in imitation of yellow butter to provide for license fees to be paid by manufacturers wholesale and retail dealers and by proprietors of hotels restaurants dining-rooms and boarding-houses for the manufacture or sale of oleomargarine butterine or other similar products not colored in imitation of yellow butter to regulate the manufacture sale and advertising of oleomargarine butterine or other similar products not colored in imitation of yellow butter and prevent and punish fraud and deception in such manufacture sale and advertising as an imitation butter to prescribe penalties and punishment for violation of this act and the means and method of procedure for its enforcement to regulate certain matters of evidence in such procedure and to prescribe certain powers and duties of the Department of Agriculture" by permitting the manufacture and except in certain cases the sale of colored oleomargarine butterine and similar products

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

#### BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 813, as follows:

An Act to further amend the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by further regulating the preparation of the budget and fiscal affairs of counties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 346 of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" as amended by the act approved the eighteenth day of July one thousand nine hundred thirty-five (P. L. 1184) is hereby repealed

Section 2 Section 370 of said act as last amended by the act approved the twentieth day of April one thousand nine hundred forty-nine (P. L. 661) and the act approved the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1703) is hereby further amended to read as follows

Section 370 Annual Budget Control of Expenditures [The controller or the county commissioners where there is no controller shall annually prepare a proposed budget for all funds for the next fiscal year at least thirty days prior to the adoption of the budget] The fiscal year of each county shall begin on the first day of January The budget for each succeeding fiscal year shall be finally passed by the county commissioners on or before the thirty-first day of December preceding the new fiscal year

The commissioners shall at their first meeting in October in each year begin the preparation of the proposed budget for the succeeding fiscal year The controller shall trans-



mit to the commissioners at their first meeting in October a comparative statement of revenues for the current and the immediately preceding fiscal year and a comparative statement of expenditures including interest due and to fall due on all lawful interest bearing debts of the county for the same years giving estimates for the balance of the current year. The controller's statement shall also indicate the amounts of all appropriation requests submitted to the controller or to the commissioners and supplied by them to the controller from the several county offices and agencies including estimates of expenditures contemplated by the commissioners as forwarded by them to the controller. The said statements in such form and detail as the commissioners direct shall be prepared upon a form or forms furnished as provided in Section 370.1 by the Department of Internal Affairs of the Commonwealth. With this information as a guide the commissioners shall promptly begin the preparation of a proposed budget for the succeeding fiscal year. In counties not having a controller the commissioners shall prepare the statements hereinbefore required. In counties having a controller the controller shall in addition to preparing the said statements advise with and assist the commissioners in preparing the proposed budget to whatever extent shall seem necessary or convenient. Said budget shall reflect as nearly as possible the estimated revenues and expenditures of the county for the year for which the budget is prepared. It shall be unlawful to prepare and advertise notice of a proposed budget when the same is knowingly inaccurate. Where upon any revision of the budget it appears that the estimated expenditures in the adopted budget will be increased more than ten per cent in the aggregate or more than twenty-five percent in any individual item over the proposed budget it shall be presumed that the tentative budget was inaccurate and such budget may not be legally adopted with any such increases therein unless the same is again advertised once as in the case of the proposed budget and an opportunity afforded to taxpayers to examine the same and protest such increases. This provision shall not be construed to authorize adoption of the budget if revised after the thirty-first day of December. Said budget shall be prepared not later than the tenth day of December on forms furnished as provided in section three hundred seventy point one of this act. Final action shall not be taken on the proposed budget by the county commissioners until after at least ten days public notice. The proposed budget shall be published or otherwise made available for public inspection by all persons who may interest themselves at least twenty days prior to the date set for the adoption of the budget. The county commissioners shall after making such revisions and changes therein as appear advisable adopt the budget and necessary appropriation measures required to put it into effect and shall fix such rate of taxation upon the valuation of the property taxable for county purposes as will together with all other estimated revenues of the county raise a sufficient sum to meet the expenditures.

Within fifteen days after the adoption of the budget the county commissioners shall file a copy of the same in the office of the Department of Internal Affairs.

The county commissioners may at any time by resolution make supplemental appropriations for any lawful purpose from any funds on hand or estimated to be received within the fiscal year and not otherwise appropriated including the proceeds of any borrowing now or hereafter authorized by law.

The county commissioners shall have power to authorize the transfer [within the same fund] of any unencumbered balance or any portion thereof [from one spending agency to another but such action shall be taken only during the last nine months of the fiscal year]. During the last fifteen days of any fiscal year the county commissioners shall have the power to authorize the transfer of any unencumbered balance or any portion thereof from any county fund to any fund of the institution district and to reappropriate such moneys to the institution district.

No work shall be hired to be done no materials purchased no contracts made and no order issued for the payment of any moneys by the county commissioners

which will cause the sums appropriated to be exceeded.

During the month of January next following any municipal election the county commissioners may amend the budget and the appropriations and tax rate to conform with the amended budget. A period of ten days public notice of the proposed amendments as provided for notice of the proposed budget shall intervene between the proposal to amend and the adoption of any such amended budget. Any amended budget must be finally passed by the commissioners during the month of January and any purported amendment of the budget in any subsequent month shall be void and of no effect.

No proposed amendments to the budget shall after publication thereof be revised upward in excess of ten per centum in the aggregate thereof or as to an individual item in excess of twenty-five per centum of the amount of such individual item in the proposed amendment. Within fifteen days after the adoption of an amended budget the commissioners shall file a copy thereof in the office of the Department of Internal Affairs.

Section 3 Section 370.1 of said act as added by the act approved the eighteenth day of July one thousand nine hundred thirty-five (P. L. 1184) is hereby amended to read as follows:

Section 370.1 Committee to Prepare Uniform Forms. The budget and report forms specified in foregoing sections of this act shall be prepared by a committee consisting of three representatives from the Pennsylvania State Association of County Commissioners, three representatives from the Pennsylvania State Association of County Controllers, one member of the Senate and one member of the House of Representatives of the General Assembly who shall be members of the Local Government Commission designated by the chairman of said Commission and the Secretary of Internal Affairs or his agent who shall be a person trained in the field of municipal finance.

Such representatives shall be appointed by the president of each said organization [within sixty days after the effective date of this act]. In the case of representatives of the county commissioners one shall be appointed from a county of either the third or fourth class, one from a county of either the fifth or sixth class and one from a county of either the seventh or eighth class. The president of each said organization shall supply to the Department of Internal Affairs the names and addresses of such representatives immediately upon their appointment. Said representatives shall serve without compensation but they shall be reimbursed by the Commonwealth for all necessary expenses incurred in attending meetings of the committee. The committee shall meet at the call of the Secretary of Internal Affairs or his agent who shall serve as chairman of the committee. The Secretary of Internal Affairs may call meetings of the committee and shall do so at the request of the secretary of either of said organizations but in every case there shall be at least two weeks notice to each member of the committee of any such meeting.

In preparing the uniform forms for both budgets and annual reports the committee shall give careful consideration to the differing legal requirements and needs of the counties of the several classes producing if necessary separate forms for certain classes of counties or groups of classes.

It shall be the duty of the Secretary of Internal Affairs or his agent to see to it that the forms required by this act are prepared in cooperation with said committee. Should said committee for any reason fail to furnish such cooperation the Secretary of Internal Affairs or his agent shall complete the preparation of the forms. After their preparation he shall issue said forms and distribute them annually as needed to the commissioners, controller or auditors of each county.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?



The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bane,	Haluska,	McPherson, Jr.	Stevenson,
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peelor,	Wade,
Byrne,	Lane,	Propert,	Wagner,
Chapman,	Leader,	Robinson,	Walker,
Crowe,	Letzler,	Rosenfeld,	Watkins,
Dent,	Mahany,	Ruth,	Watson,
Diehm,	Mallery,	Scarlett,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,	McMenamin,		

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 815, as follows:

An Act providing for the payment into Orphans' Court and the State Treasury of money or other property due a legatee devisee distributee or beneficiary of a trust when it appears such person would not have the benefit use or control of such money or other property

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Whenever it appears that a legatee devisee distributee or beneficiary of a trust would not have the benefit or use or control of the money or other property due him or where special circumstances make it appear desirable that such payment should be withheld the court having jurisdiction of the estate or trust may direct that such money or other property be paid into the Orphans' Court for the benefit of such legatee devisee distributee beneficiary of a trust or such other person or persons who may thereafter appear to be entitled thereto A copy of the order of court shall be sent by the prothonotary or Clerk to the Department of Revenue

Section 2 Such money or other property paid into court shall be paid out only by the order of Orphans' Court or pursuant to the judgment of a court of competent jurisdiction The court after the expiration of five years and after notice to all interested parties may order that the money or other property be paid without escheat into the State Treasury through the Department of Revenue

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bane,	Haluska,	McPherson, Jr.	Stevenson,
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peelor,	Wade,
Byrne,	Lane,	Propert,	Wagner,
Chapman,	Leader,	Robinson,	Walker,
Crowe,	Letzler,	Rosenfeld,	Watkins,
Dent,	Mahany,	Ruth,	Watson,
Diehm,	Mallery,	Scarlett,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,	McMenamin,		

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 818, as follows:

An Act to further amend Section 3062 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by further regulating publication of notice of land subdivision ordinances

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 3062 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" as reenacted and amended by the act approved the twenty-seventh day of May one thousand nine hundred forty-nine (P. L. 1955) is hereby further amended to read as follows

Section 3062 Public Hearing No such regulations shall first be adopted until after a public hearing in relation thereto at which parties in interest and citizens shall have an opportunity to be heard Notice of the time and place of such hearing shall be published in an official paper if one has been designated by the Board of Township Commissioners or if none has been so designated then in a paper of general circulation in the township once a week for two successive weeks The provisions of the ordinance need not be advertised as in other cases A brief summary setting forth the principal provisions of the proposed ordinance and a reference to the place or places within the township where copies of the proposed ordinance may be examined shall be incorporated in the official notice

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bane,	Haluska,	McPherson, Jr.	Stevenson,
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peelor,	Wagner,
Byrne,	Lane,	Propert,	Walker,
Chapman,	Leader,	Robinson,	Watkins,
Crowe,	Letzler,	Rosenfeld,	Watson,
Dent,	Mahany,	Ruth,	Wolfe,
Diehm,	Mallery,	Scarlett,	Wood,
DiSilvestro,	McCreesh,	Silvert,	Yosko,
Fleming,	McGinnis,	Snowden,	Wade,
Freed,	McMenamin,		

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,



The Senate proceeded to the third reading and consideration of Senate Bill No. 819, as follows:

An Act to further amend the act approved the first day of June one thousand nine hundred forty-five (P. L. 1358) entitled "An act relating to chattel mortgages on any chattel or chattels of any kind or description including but not limited to livestock poultry farm machinery farm equipment and crops grown growing or to be grown designating the operation and effect of the lien of such mortgages providing for the filing indexing and docketing of such mortgages and related instruments in prothonotaries' offices and prescribing prothonotaries' fees providing for the filing in Pennsylvania of similar lien instruments originally filed or recorded in other states regulating the assignment release satisfaction and extension of the lien of such mortgages prescribing methods of foreclosure defining defaults and violations and fixing penalties" by providing that chattel mortgages may be given as security for principal obligations other than bonds or notes eliminating the requirement of witnesses providing additional remedies to mortgages as against third persons and providing that the provisions of the act be liberally construed

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections 1 and 2 of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1358) entitled "An act relating to chattel mortgages on any chattel or chattels of any kind or description including but not limited to livestock poultry farm machinery farm equipment and crops grown growing or to be grown designating the operation and effect of the lien of such mortgages providing for the filing indexing and docketing of such mortgages and related instruments in prothonotaries' offices and prescribing prothonotaries' fees providing for the filing in Pennsylvania of similar lien instruments originally filed or recorded in other states regulating the assignment release satisfaction and extension of the lien of such mortgages prescribing methods of foreclosure defining defaults and violations and fixing penalties" are hereby amended to read as follows

Section 1 Any person association partnership or corporation may give as security for any funds borrowed or to be borrowed or any pre-existing indebtedness a chattel mortgage without another principal obligation or a bond or note with or without a confession of judgment clause secured by a chattel mortgage upon any chattel or chattels of any kind or description including but not limited to livestock poultry farm machinery farm equipment and crops including annual or perennial crops and other plant products either grown or growing at the time of the execution of such chattel mortgage or to be planted or grown within one year thereafter For the purposes of this act all such chattels and crops shall be deemed to be personal property and mortgageable as such The indebtedness secured by any such chattel mortgage shall not bear interest in excess of the rate which the creditor is permitted by law to charge at the time of the execution of such mortgage

Section 2 Any mortgage executed under and pursuant to this act shall be in writing and signed [witnessed] and duly acknowledged by the mortgagor or his agent authorized and constituted The property covered or to become covered by any such chattel mortgage may be described as all that property of a specified class so identified by reference to location brands marks numbers or otherwise as to distinguish it from other property of the same class or such property may be described in any other manner permitted or authorized by law

Section 2 Said act is hereby amended by adding after Section 13 a new section to read as follows

Section 13.1 A mortgagee may after default repleven any goods subject to a chattel mortgage and in excess of one hundred dollars (\$100) in value in the hands of a third person who took title to such goods with actual or

constructive notice of the mortgage or if such goods have been consumed or are not in the possession of such third person the mortgagee may recover the value of the goods in an action in trespass for conversion

Section 3 Said act is hereby amended by adding after Section 17 a new section to read as follows

Section 17.1 The provisions of this act shall be liberally construed to hold valid chattel mortgages made in good faith to secure bona fide loans and which substantially comply with the provisions of this act

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

McMenamin,	Freed,	McPherson, Jr.	Stevenson,
Bane,	Haluska,	Meade,	Stiefel,
Barr,	Hare,	Neff,	Taylor,
Barrett,	Holland,	Pechan,	Toole,
Berger,	Kephart,	Peelor,	Wagner,
Blass,	Kessler,	Probert,	Walker,
Byrne,	Lane,	Robinson,	Watkins,
Chapman,	Leader,	Rosenfeld,	Watson,
Crowe,	Letzler,	Ruth,	Wolfe,
Dent,	Mallery,	Scarlett,	Wood,
Diehm,	McCreesh,	Silvert,	Yosko,
DiSilvestro,	McGinnis,	Snowden,	Wade,
Fleming,			

#### NAYS—1

Mahany,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

### BILL RECOMMITTED

Mr. WALKER. Mr. President, I move that House Bill No. 968, on third reading, entitled:

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by requiring conformance of buildings transportation and joint schools and departments to county plans for reorganization of school districts

be recommitted to the Committee on Education, for the purpose of further study.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1123, entitled:

An Act to provide for the registration and protection of trade-marks and to secure the rights property and interests therein providing for the assignment cancellation and revocation thereof and imposing penalties for violations conferring powers and imposing duties upon the Secretary of the Commonwealth in the administration thereof and to repeal all acts inconsistent therewith.

And said bill having been read at length the third time, On the question,

Will the Senate agree to the bill on third reading?

Mr. KESSLER. Mr. President, I ask unanimous consent to offer an amendment at this time.



The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendment as follows:

Amend Sec. 5, page 7, line 18, by inserting brackets before the word "one" and after the word "year" and inserting immediately thereafter the words "five years".

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

### BILL OVER IN ORDER

Mr. KESSLER. Mr. President, I ask unanimous consent that House Bill No. 1123, on third reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

### BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1171, as follows:

An Act to further amend the act approved the first day of June one thousand nine hundred thirty-one (P. L. 299) entitled "An act requiring retail dealers in liquid fuels to state the rate of the liquid fuels tax separately from the price of such liquid fuels on liquid fuel price display signs and imposing a penalty" by requiring the posting of signs on liquid fuels dispensing devices stating the brand quality and price of liquid fuels prohibiting the posting of signs not conforming to prescribed standards and increasing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1 of the act approved the first day of June one thousand nine hundred thirty-one (P. L. 299) entitled "An act requiring retail dealers in liquid fuels to state the rate of the liquid fuels tax separately from the price of such liquid fuels on liquid fuel price display signs and imposing a penalty" as amended by the act approved the sixteenth day of March one thousand nine hundred thirty-three (P. L. 11) is hereby further amended to read as follows

Section 1 Be it enacted &c That every person copartnership association or corporation engaged in the retail sale of liquid fuels as defined by law for purposes of taxation shall state [the rate of the liquid fuels tax per gallon separately from the price of such liquid fuels per gallon on all liquid fuel price display signs The price of liquid fuel and the tax rate shall be stated in the same size on such signs in letters and figures not less than two inches in height and in such manner that purchasers may readily see the same] and post on each pump or other dispensing unit from which liquid fuels are sold to the public a sign or placard not less than ten inches in height and twelve inches in width nor larger than twelve inches in height and twelve inches in width stating clearly and legibly in letters and numbers of uniform size and coloring the selling price per gallon of liquid fuels so sold or offered for sale from such pump or other dispensing unit together with the name symbol trade name brand or mark of such liquid fuel and if the seller uses a grade or quality classification in marketing liquid fuel such grade or quality classification shall be also stated thereon In stating the price at which the liquid fuels are sold or offered for sale per gallon there shall be stated separately on such sign or placard the amount of State tax per gallon the amount of federal tax per gallon and the amount other than taxes charged for liquid fuels per gallon and the

total of these amounts No sign or placard showing the price or prices of liquid fuels sold or offered for sale or relating to price or prices other than the signs or placards hereinbefore provided for shall be posted or displayed on the premises on which liquid fuels are sold or offered for sale or any other place or places adjacent thereto unless the signs or placards shall be similar as to size uniformity and coloring of figures and lettering to the sign signs or placard posted on the pump or pumps or other dispensing devices and which shall be visible to the public Provided however that when the total selling price to be paid is clearly shown and displayed on a quantity computing device or "calculator attached to the pump from which such gasoline is sold or offered for sale such posting of price thereon shall be considered sufficient compliance with this section The Department of Revenue is hereby authorized to make regulations for the enforcement of this act

Section 2 Section 2 of said act as amended by the act approved the twenty-second day of May one thousand nine hundred thirty-three (P. L. 837) is hereby further amended to read as follows

Section 2 Any person partnership association or corporation violating any of the provisions of section one of this act or who sells liquid fuels from dispensing units which is not of the same standard quality brand or classification as set forth on the dispensing unit shall upon conviction in a summary proceeding be sentenced to pay a fine of [twenty-five dollars (\$25.00)] not more than one hundred dollars (\$100.00) and costs of prosecution and in default of payment thereof such person or the partners of such partnership or the officers of such association or corporation shall undergo imprisonment for not more than [ten] thirty days All fines that shall be received paid or collected under the provisions of this act shall be paid into the State Treasury through the Department of Revenue and credited to Motor License Fund

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—44

Bane,	Fleming,	McCreesh,	Silvert,
Barr,	Freed,	McGinnis,	Stevenson,
Barrett,	Haluska,	Meade,	Stiefel,
Berger,	Hare,	Neff,	Taylor,
Blass,	Holland,	Pechan,	Toole,
Byrne,	Kephart,	Peelor,	Wagner,
Chapman,	Lane,	Probert,	Walker,
Crowe,	Leader,	Robinson,	Watkins,
Dent,	Letzler,	Rosenfeld,	Watson,
Diehm,	Mahany,	Ruth,	Wood,
DiSilvestro,	Mallery,	Scarlett,	Yosko,

#### NAYS—6

Kessler,	McPherson, Jr.	Wade,	Wolfe,
McMenamin,	Snowden,		

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1290, as follows:



An Act to amend section one of the act approved the nineteenth day of May one thousand eight hundred and ninety-seven (P. L. 77) entitled "An act granting the permission and regulating the establishment and operation of bone boiling establishments and depositories of dead animals in the Commonwealth of Pennsylvania and providing for violations of the provisions of this act" by adding the requirement that permission to erect or operate such establishments in counties which have organized a county department of health or joint-county department of health must be obtained from the county department of health or joint-county department of health.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1 Section one of the act approved the nineteenth day of May one thousand eight hundred and ninety-seven (P. L. 77) entitled "An act granting the permission and regulating the establishment and operation of bone boiling establishments and depositories of dead animals in the Commonwealth of Pennsylvania and providing for violations of the provisions of this act" is hereby amended to read as follows:

Section 1 Be it enacted &c That from and after the passage of this act bone boiling establishments and depositories of dead animals may be established and operated in this Commonwealth under the following conditions to wit That no establishment for bone boiling or depository of dead animals shall be erected and operated in any political subdivision within the jurisdiction of a county department of health or joint-county department of health unless the permission of the county department of health or joint-county department of health is obtained and the establishment shall be conducted in accordance with the regulations prescribed by the county department of health or joint-county department of health and that no establishment for bone boiling or depository of dead animals shall continue to be operated or shall be erected and operated within any city or borough [within this Commonwealth] which is not within the jurisdiction of a county department of health or joint-county department of health unless the permission of the board of health of said city or borough shall have been obtained and the said establishment shall be conducted in accordance with the regulations prescribed by the said board of health and further in case a bone boiling establishment or depository of dead animals exists or is erected and conducted in [a] any township [in any county of this Commonwealth] which is not within the jurisdiction of a county department of health or joint-county department of health the same shall be conducted under the supervision and subject to the regulations prescribed by the State [Board] Department of Health And every person offending against the provisions of this act shall for every such offense and each month's continuance of the same after notice forfeit and pay to the county in which the offense is committed if such county has established a county department of health or is within the jurisdiction of a joint-county department of health or to the board of health if in a city or borough which is not within the jurisdiction of a county department of health or joint-county department of health or to the school board of the district or township if in a township which is not within the jurisdiction of a county department of health or joint-county department of health the sum of fifty dollars to be recovered as debts of that amount are recoverable and also to be liable to indictment at common law for creating and maintaining a nuisance.

Section 2 The provisions of this act shall become effective immediately upon final enactment.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bane,	Haluska,	McPherson, Jr.	Stevenson.
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peelor,	Wade,
Byrne,	Lane,	Probert,	Wagner,
Chapman,	Leader,	Robinson,	Walker,
Crowe,	Letzler,	Rosenfeld,	Watkins,
Dent,	Mahanay,	Ruth,	Watson,
Diehm,	Mallery,	Scarlett,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,	McMenamin,		

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1300, as follows:

An Act to amend sections one two three and five of the act approved the fifth day of June one thousand nine hundred and thirteen (P. L. 433) entitled "An act for the prevention of blindness by requiring the reporting of cases of ophthalmia neonatorum (inflammation of the eyes of infants) by physicians midwives and others and requiring the reporting of results of treatment of each case of said disease and fixing a penalty for violation thereof" by adding county departments of health or joint-county departments of health to the health authorities to which cases of ophthalmia neonatorum must be reported.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1 Section one of the act approved the fifth day of June one thousand nine hundred and thirteen (P. L. 443) entitled "An act for the prevention of blindness by requiring the reporting of cases of ophthalmia neonatorum (inflammation of the eyes of infants) by physicians midwives and others and requiring the reporting of results of treatment of each case of said disease and fixing a penalty for violation thereof" is hereby amended to read as follows:

Section 1 Be it enacted &c That every physician practicing in any portion of this Commonwealth who shall treat or examine any infant suffering from ophthalmia neonatorum, inflammation of the eyes of infants) shall if the said case be located in a political subdivision under the jurisdiction of a county department of health or joint-county department of health or in a township of the first class a borough or a city not under the jurisdiction of any county department of health or joint-county department of health forthwith make a report in writing to said county department of health or joint-county department of health or to the health authorities of said township city or borough and if said case shall be located in a [township of the second class or a] city borough or township [of the first class] not having a board of health or body acting as such and not under the jurisdiction of a county department of health or joint-county department of health to the State Department of Health upon blanks supplied for that purpose in which report he shall under his or her own signature state the name of the disease and the name age sex color or nativity of the infant suffering therefrom together with the street and house number of the premises in which said infant may be located or otherwise sufficiently designate the same the date of the onset of the disease the name and occupation of the householder in whose family the disease may have occurred together with such other information relating to said case as may be required by said health authorities and the State Department of Health.



Section 2 Sections two and three of the said act as last amended by the act approved the fifteenth day of June one thousand nine hundred thirty-nine (P. L. 363) are hereby further amended to read as follows

Section 2 That any midwife or nurse or other person having the care of an infant whose eyes have become inflamed or swollen or reddened at any time within two weeks after birth shall report the same in writing to the county department of health or joint-county department of health or in counties where departments of health have not been established to the county medical director for the State Department of Health within six hours after the discovery thereof giving the name of the infant the names of the parents or guardians and the street and number of their residence or otherwise sufficiently designate the same together with the fact that such inflammation or swelling or redness exists and such report shall be confirmed in writing and a copy thereof sent to the family physician or if the family does not employ a physician to some regularly qualified practicing physician of the district

Section 3 That it shall be the duty of the said county department of health or joint-county department of health or county medical director for the State Department of Health immediately upon a receipt of a written report from a midwife or a nurse or person other than a practicing physician to notify the parents or guardian or other person having charge of the infant of the danger to the eyes or eye of said infant by reason of any neglect of proper treatment of the same

A licensed physician designated by the county department of health or joint-county department of health or [The] the county medical director for the State Department of Health shall investigate the condition personally and shall make subject to the consent of the parent or guardian of the child arrangements for adequate medical and skilled nursing care He shall within four days forward on a special blank in duplicate to the State Department of Health such information as may be required

Section 3 Section five of the said act is hereby amended to read as follows

Section 5 Every health officer shall furnish a copy of this act to every person who is known to him to act as a midwife or nurse in the city borough [or] township or county for which he is health officer and the [Commissioner] Secretary of Health of this Commonwealth of Pennsylvania shall cause a sufficient number of copies of this act to be printed and supplied to the health officers

Section 4 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Bane,	Haluska,	McMenamin,	Snowden,
Barr,	Hare,	McPherson, Jr.	Stevenson,
Barrett,	Holland,	Meade,	Stiefel,
Berger,	Kephart,	Neff,	Taylor,
Blass,	Kessler,	Pechan,	Toole,
Byrne,	Lane,	Peelor,	Wade,
Chapman,	Leader,	Probert,	Walker,
Crowe,	Letzler,	Robinson,	Watkins,
Dent,	Mahany,	Rosenfeld,	Watson,
Diehm,	Mallery,	Ruth,	Wolfe,
DiSilvestro,	McCreesh,	Scarlett,	Wood,
Fleming,	McGinnis,	Silvert,	Yosko,
Freed,			

#### NAYS—1

Wagner,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1301, as follows:

An Act to further amend section fifteen of the act approved the nineteenth day of June one thousand nine hundred thirty-one (P. L. 589) entitled as amended "An act to promote the public health and safety by providing for the examination and licensure of those who desire to engage in the occupation of barbering regulating barber shops and barber schools and apprentices and students therein regulating compensation for service rendered conferring certain powers and duties on the Department of Public Instruction and providing penalties" by adding counties which have established a county department of health or joint-county department of health to the political subdivisions empowered to regulate barber shops by ordinances or regulations not inconsistent with law

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section fifteen of the act approved the nineteenth day of June one thousand nine hundred thirty-one (P. L. 589) entitled as amended "An act to promote the public health and safety by providing for the examination and licensure of those who desire to engage in the occupation of barbering regulating barber shops and barber schools and apprentices and students therein regulating compensation for service rendered conferring certain powers and duties on the Department of Public Instruction and providing penalties" as last amended in part by the act approved the second day of May one thousand nine hundred forty-nine (P. L. 862) is hereby further amended to read as follows

Section 15 Any barber teacher apprentice or student who shall practice the occupation of barber while suffering from contagious or infectious disease or who shall knowingly serve any person afflicted with such disease shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one hundred dollars or undergo an imprisonment not exceeding thirty days or both at the discretion of the court

Any barber teacher apprentice or student who shall infect any person or who shall impart any contagious or infectious disease by reason of carelessness or negligence in the practice of such occupation shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding five hundred dollars or to undergo an imprisonment not exceeding six months or both at the discretion of the court

Nothing contained in this act or the act to which this is an amendment shall be construed as prohibiting any municipality or any county department of health or joint-county department of health from adopting appropriate ordinances or regulations not inconsistent with the provisions of this act or the rules and regulations adopted thereunder as may be deemed necessary to promote the public health and safety and regulate the conduct of barber shops and schools and any municipality shall have power by proper ordinances to fix the days and hours during which barber shops in the said cities may be open for business Provided however That in any such ordinance provisions shall be made that a designated local health or police official may upon application of the proprietor of any barber shop and upon proof that barber service to the public so requires issue a permit effective for a limited time for the operation of a particular barber shop at such times outside off and beyond those fixed in the said ordinances as is required by temporary public necessity with the power to renew the said permit upon further proof of public necessity.

It shall be unlawful



(a) To own manage operate or control any barber shop unless continuously hot and cold running water be provided for therein except in communities lacking such facilities

(b) To own manage operate or control any barber school or part or portion thereof whether connected therewith or in a separate building wherein the practice of barbering is engaged in or carried on unless all entrances to the place wherein the practice of barbering is so engaged in or carried on shall display a sign indicating that the work is done by students exclusively

(c) To own manage control or operate any barber shop or school unless the same displays a recognized sign indicating that it is a barber shop or school which shall be clearly visible at the main entrance to said shop.

(d) For the owner of any barber shop to display a permit or certificate of registration of any barber not employed in such shop

(e) For the owner of any barber school to display a certificate of registration of any teacher not employed in such school

The department and advisory committee shall have power to make such other rules and regulations and prescribe such other sanitary requirements as shall be deemed necessary to carry out the provisions of this act

Any person who shall violate any of the provisions of this act except as herein otherwise provided shall upon summary conviction thereof be sentenced to pay a fine of not less than ten dollars nor more than ninety dollars or to undergo an imprisonment of not less than ten days nor more than sixty or both at the discretion of the court Any such person shall have the right of appeal as in other cases of summary conviction

Section 2 The provisions of this act shall be effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Bane,	Haluska,	McMenamin,	Snowden,
Barr,	Hare,	McPherson, Jr.	Stevenson,
Barrett,	Holland,	Meade,	Stiefel,
Berger,	Kephart,	Neff,	Taylor,
Blass,	Kessler,	Pechan,	Toole,
Byrne,	Lane,	Peelor,	Wade,
Chapman,	Leader,	Propert,	Walker,
Crowe,	Letzler,	Robinson,	Watkins,
Dent,	Mahany,	Rosenfeld,	Watson,
Diehm,	Mallery,	Ruth,	Wolfe,
DiSilvestro,	McCreesh,	Scarlett,	Wood,
Fleming,	McGinnis,	Silvert,	Yosko,
Freed,			

#### NAYS—1

Wagner,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1303, as follows:

To Act to provide revenue for State purposes by imposing a property tax for a limited period of time on the net incomes derived from sources within the Commonwealth of certain corporations joint-stock associations and limited partnerships excluding certain income providing for the assessment collection settlement and re-

settlement of taxes and reviews and appeal therefrom conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Short Title This act shall be known and may be cited as the "Corporation Income Tax Law"

Section 2 Definitions The following words terms and phrases when used in this act shall have the meaning ascribed to them in this section except where the context clearly indicates a different meaning

"Corporation" A corporation having capital stock joint-stock association or limited partnership either organized under the laws of this Commonwealth the United States or any other state territory or foreign country or dependency and carrying on activities in this Commonwealth or owning property in this Commonwealth by or in the name of itself or any person partnership association limited partnership joint-stock association or corporation The word "corporation" shall not include non-profit corporations building and loan associations banks bank and trust companies national banks savings institutions trust companies title insurance companies beneficial life and limited life insurance companies mutual fire mutual casualty and mutual life insurance companies foreign stock companies registered in this Commonwealth and therein engaged in doing business as life fire and casualty insurance companies and foreign surety companies

"Department" The Department of Revenue of this Commonwealth

"Net Income" 1 Net income for the calendar year or fiscal year as returned to and ascertained by the Federal Government or in the case of a corporation participating in the filing of consolidated returns to the Federal Government the net income which would have been returned to and ascertained by the Federal Government if separate returns had been made to the Federal Government for the current and prior taxable years subject however to any correction thereof for fraud evasion or error as finally ascertained by the Federal Government Provided That additional deductions shall be allowed from net income on account of any dividends received from any other corporation And provided further That no deduction shall be allowed for any Federal income or excess profits taxes whatsoever except the declared value excess profits tax And provided further That no deduction shall be allowed for not operating losses sustained by the corporation during any other fiscal or calendar year And provided further That in the case of stock life fire casualty and indemnity insurance companies operating on the mutual or participating plan the term "net income" shall not include the dividends paid to policyholders out of net income

2 In the case of corporations owning property or carrying on activities within and without this Commonwealth other than corporations carrying on activities as insurance or surety companies the net income of such corporations derived from sources within this Commonwealth for the fiscal or calendar year shall be determined by allocations and apportionments of net income as defined in clause one hereof made as follows

(a) Gains realized and losses sustained from the sale or exchange of capital assets if such assets consist of real estate or tangible personal property situated in the Commonwealth shall be allocated to this Commonwealth

(b) Gains realized and losses sustained from the sale or exchange of capital assets if such assets consist of real estate or tangible personal property situated outside of the Commonwealth shall not be allocated in any part of this Commonwealth

(c) The resultant net income if any after allocations shall be divided into three equal parts

(1) Of one-third such portion shall be attributed to the Commonwealth as shall be found by multiplying said



one-third by a fraction whose numerator is the value of the corporation's tangible property situated within this Commonwealth and whose denominator is the value of all the corporation's tangible property wherever situated.

(2) Of one-third such portion shall be attributed to the Commonwealth as shall be found by multiplying said one-third by a fraction whose numerator is the expenditures of the corporation for wages salaries commissions and other compensation to its employees and assignable to this Commonwealth as hereinafter provided and whose denominator is the total expenditures of the corporation for wages salaries commissions and other compensation to all its employees.

(3) Of the remaining third such portion shall be attributed to the Commonwealth as shall be found by multiplying said third by a fraction whose numerator is the amount of the taxpayer's gross receipts from property and activities assignable to this Commonwealth as hereinafter provided and whose denominator is the amount of the taxpayer's gross receipts from all its property and activities.

In cases where only two of the foregoing three rules are applicable the remainder of the net income of the corporation shall be divided into two equal parts only each of which shall be apportioned in accordance with one of the remaining two rules. If only one of the three rules is applicable the part of the net income received from property and activities carried on within the Commonwealth shall be determined solely by that rule.

The amount assignable to this Commonwealth of expenditures of the corporation for wages salaries commissions or other compensation to its employees shall be such expenditures for the taxable year as represent the wages salaries commissions or other compensation of employees to the extent of services rendered or work performed in the Commonwealth and similar expenditures to employees not chiefly situated at connected with or sent out from premises for the transaction of business maintained by the corporation outside the Commonwealth.

The amount of the corporation's gross receipts from property and activities assignable to this Commonwealth shall be (1) the amount of its gross receipts for the taxable year from services rendered work and contracts performed and sales made in the Commonwealth and all other gross receipts except those negotiated or effected in behalf of the corporation by agents or agencies chiefly situated at connected with or sent out from premises for the transaction of business maintained by the taxpayer outside of the Commonwealth and except rentals and royalties and interest and dividends (2) rentals or royalties from property situated from the use of patents within this Commonwealth and (3) dividends and interest except such dividends and interest attributable to the business conducted on premises maintained by the taxpayer outside the Commonwealth. If a corporation maintains an office warehouse or other place of business in a state other than this Commonwealth for the purpose of reducing its tax under this subsection the department shall in determining the amount of its gross receipts from property and activities assignable to this Commonwealth include therein the gross receipts attributed by the corporation to the business conducted at such place of business in another state. In the case of construction contracts negotiated or effected at an office in the State of Pennsylvania but performed outside the State the gross receipts under such contracts shall be assignable outside the State except that if the receipts are attributable shall occur partly within the State activities under any such contract to which the gross receipts under said contract shall be assignable to Pennsylvania as the direct and indirect costs incurred in Pennsylvania under the contract for the taxable year bear to the total costs incurred thereunder for the taxable year. In the case of construction contracts negoti-

ated or effected at an office outside the State but performed in the State the gross receipts under such contracts shall be assignable to the State except that if the activities under any such contract to which the gross receipts are attributable shall occur partly within the State and partly outside the State such proportion of the gross receipts under said contracts shall be assignable to Pennsylvania as the direct and indirect costs incurred in the State under the contract for the taxable year bear to the total costs incurred thereunder for the taxable year.

A rule shall not be deemed to be applicable merely because all the tangible property or the expenditures of a corporation for wages salaries commissions or other compensation or the gross receipts of the corporation are found to be situated incurred or received without the Commonwealth.

3 In the case of corporations carrying on activities as insurance or surety companies within and without this Commonwealth the net income of such corporations derived from sources within this Commonwealth for the fiscal or calendar year shall be determined by multiplying net income as defined in clause one hereof by a fraction of which the numerator is the gross premiums received from activities carried on within the Commonwealth as hereinafter defined and of which the denominator is the amount of the gross premiums received from all its activities everywhere.

"Gross Premiums" shall mean the amount of dues fees and premiums stated in the policy contracts and shall include gross premiums of every character and description received during the taxable year from all underwriting activities whether said premiums were received in money or in the form of notes credits or any other substitute for money less the following deductions:

(a) All premiums returned on policies cancelled or not taken.

(b) In the case of stock companies with participating features an additional deduction for that portion of the premiums returned to the policyholders.

(c) In the case of life insurance companies an additional deduction for dividends declared and actually used by policyholders in payment of renewal premiums.

"Gross premiums received from activities carried on in the Commonwealth" shall mean gross premiums received from policies and annuities written on property or risks located or resident in this Commonwealth whether such premiums were collected in this Commonwealth or elsewhere.

"Sources within this Commonwealth" includes tangible or intangible property located or having a situs in this Commonwealth and any activities carried on in this Commonwealth regardless of whether carried on in intrastate interstate or foreign commerce.

"Carrying on activities" shall include every act power or privilege exercised or enjoyed in this Commonwealth as an incident to or by virtue of the powers and privileges acquired by the nature of the corporate organization.

"Person" Every natural person association or corporation Whenever used in any clause prescribing and imposing a fine or imprisonment or both the term "person" as applied to associations shall mean the partners or members thereof and as applied to corporations the officers thereof.

The singular shall include the plural and the masculine shall include the feminine and neuter.

Section 3 Imposition of Tax Every corporation carrying on activities in this Commonwealth or owning property in this Commonwealth by or in the name of itself or any person partnership joint-stock association or corporation shall be subject to and shall pay a State property tax on net income derived from sources within this Commonwealth at the rate of five per centum per annum upon each dollar of such net income received by and accruing to such corporation during the calendar years one thousand nine hundred fifty-one and one thousand nine hundred fifty-two except where a corporation reports to the Federal Government on the basis of a fiscal year and has certified such fact to the department as required by section



four of this act in which case such tax at the rate of five per centum shall be levied collected and paid upon each dollar of such net income received by and accruing to such corporation during the fiscal years commencing in the calendar years one thousand nine hundred fifty-one and one thousand nine hundred fifty-two and ending in the calendar years one thousand nine hundred fifty-two and one thousand nine hundred fifty-three Provided however That such net income shall not include income for any period for which the corporation is subject to taxation under the Corporate Net Income Tax Act approved the sixteenth day of May one thousand nine hundred thirty-five (P. L. 208) as reenacted and amended according to or measured by net income

Except as otherwise provided in this section the tax hereby imposed shall be in addition to all taxes now imposed on any corporation under the provisions of existing laws

Section 4 Report and Payment of Tax For the purpose of ascertaining the amount of tax payable under this act it shall be the duty of every corporation liable to pay tax under this act on or before the fifteenth day of April one thousand nine hundred fifty-two and one thousand nine hundred fifty-three to transmit to the department upon a form prescribed prepared and furnished by the department a report under oath or affirmation of its president vice-president or other principal officer and of its treasurer or assistant treasurer of net income taxable under the provisions of this act Such report shall set forth

(a) A true copy of its return to the Federal Government of the annual net income arising or accruing in the calendar or fiscal year next preceding or such part or portion of said return as the department may designate

(b) If no return was filed with the Federal Government the report made to the department shall show such information as would have been contained in a return to the Federal Government had one been made and

(c) Such other information as the department may require

The failure of any corporation liable to pay tax under this act to procure or receive any report form shall not excuse it from making a report

Every corporation upon the date of its report is required herein to be made shall pay to the department not less than one-half of the tax due to the Commonwealth by it for such preceding year and the remaining one-half of such tax shall be paid within the thirty days next succeeding and except as otherwise provided by law no extension of time for the filing of any report granted by the department shall extend the date any tax imposed by this act shall be due and payable. The amount of all taxes imposed under the provisions of this act not paid on or before the times as above provided shall bear interest at the rate of six (6) per centum per annum from the date they are due and payable until paid except that if the taxable income has been or is increased by the Commissioner of Internal Revenue or by any other agency or court of the United States interest shall be computed on the additional tax due from thirty days after the corporation receives notice of the change of income until paid Provided however That any corporation may pay the full amount of such tax or any part thereof together with interest due to the date of payment without prejudice to its right to present and prosecute a petition for resettlement a petition for review or an appeal to court If it be thereafter determined that such taxes were overpaid the department shall enter a credit to the account of such corporation which may be used by it in the manner prescribed by law

If the officers of any corporation shall neglect or refuse to make any report as herein required or shall knowingly make any false report an additional ten per centum of the amount of the tax shall be added by the department to the tax determined to be due

If any corporation closes its fiscal year not upon the thirty-first day of December but upon some other date and reports to the Federal Government as of such other date or would so report were it to make a return to the Federal Government such corporation shall certify such fact to the Department of Revenue and shall make the re-

port herein required within thirty (30) days after the return to the Federal Government is due or would be due were it to be required of such corporation subject in all other respects to the provisions of this act

If the corporation shall claim in its report that the return made to the Federal Government was inaccurate the amount claimed by it to be the net income taxable under this act and the basis of such claim of inaccuracy shall be fully specified

Section 5 Consolidated Reports The department shall not permit any corporation owning or controlling directly or indirectly any of the voting capital stock of another corporation or of other corporations subject to the provisions of this act to make a consolidated report showing the combined net income

Section 6 Extension of Time to File Reports The department may upon application made to it in such form as it shall prescribe on or prior to the last day for filing any report and upon proper cause shown grant to the corporation required to file such report an extension of not more than sixty (60) days within which such report may be filed and in case the Federal income tax authorities at any time grant a longer extension of time for filing such reports with the Federal Government the department may grant an additional extension of time for filing the report under this act of not more than thirty (30) days after the termination of the Federal extension but the amount of tax due shall in such cases nevertheless be subject to interest from the due dates and at the rates fixed by this act

Section 7 Changes Made by Federal Government (a) If the amount of the net income as returned by any corporation to the Federal Government is finally changed or corrected by the Commissioner of Internal Revenue or by any other agency or court of the United States such corporation within thirty (30) days after the receipt of such final change or correction shall make a corrected report under oath or affirmation to the department showing such finally changed or corrected net income upon which the tax is required to be paid to the United States In case a corporation fails to file a report of such correction which results in an increase in net income within the time prescribed there shall be added to the tax a penalty of five dollars (\$5.00) for every day during which such corporation is in default but the department may abate any such penalty in whole or in part

(b) If as a result of such final change or correction there should be any change made in the amount of the net income of any corporation upon which tax is imposed by this act the department shall have the power and its duty shall be to resettle such taxes Whenever a resettlement shall have been made hereunder the department shall resettle the account according to law and shall credit or charge as the case may be the amount resulting from such resettlement upon the current accounts of the corporation with which it is made The resettlement shall be subject to audit and approval by the Department of the Auditor General as in the case of original settlements and in case of the failure of the two departments to agree the resettlement shall be submitted to the Board of Finance and Revenue as in the case of original settlements

(c) Where a report of change correction or redetermination of Federal income or Federal tax has been filed after a petition for review or an appeal has been taken such report shall be deemed a part of the original report upon petition of the taxpayer at any subsequent proceeding as though it had been filed with the original report and no separate petition for review or appeal from the resettlement resulting from such report of change correction or redetermination shall be necessary

Section 8 Settlement and Resettlement (a) All taxes due under this act shall be settled by the department and such settlement shall be subject to audit and approval by the Department of the Auditor General and shall so far as possible be made so that notice thereof may reach the taxpayer before the end of a year after the tax report was required to be made

(b) Promptly after the date of any such settlement the department shall send by mail or otherwise a copy thereof to such corporation The tax imposed by this act



shall be settled, resettled and otherwise imposed and adjusted in the same manner within the same periods of time and right of resettlement review appeal and refund as provided by law in the case of capital stock and franchise taxes imposed upon corporations.

(c) If within a period of two years after the date of any settlement the department is not satisfied with such settlement or if at any time the net income as returned by any corporation to the Federal Government is finally changed or corrected by the Commissioner of Internal Revenue or by any other agency or court of the United States with the result that tax in addition to the amount paid is due under this act the department is hereby authorized and empowered to make a resettlement of the tax due by such corporation based upon the facts contained in the report or upon any information within its possession or that shall come into its possession.

Whenever a resettlement shall have been made hereunder the department shall resettle the account according to law and shall credit or charge as the case may be the amount resulting from such resettlement upon the current accounts of the corporation with which it is made.

The resettlement shall be subject to audit and approval by the Department of the Auditor General as in the case of the original settlement and in case of the failure of the two departments to agree the resettlement shall be submitted to the Board of Finance and Revenue as in the case of original settlements.

(d) If any corporation shall neglect or refuse to make any report and payment of tax required by this act the department shall estimate the tax due by such corporation and subject to audit and approval by the Department of the Auditor General settle the amount due by it for taxes penalties and interest thereon as prescribed herein from which settlement there shall be no right of review or appeal but the department with the approval of the Department of the Auditor General may require a report to be filed and thereupon make a settlement based upon such report and cancel the estimated settlement.

Section 9 Enforcement Rules and Regulations Inquisitorial Powers of the Department (a) The department is hereby charged with the enforcement of the provisions of this act and is hereby authorized and empowered to prescribe adopt promulgate and enforce rules and regulations not inconsistent with this act relating to any matter or thing pertaining to the administration and enforcement of the provisions of this act and the collection of taxes penalties and interest imposed by this act. The department is hereby required to have such rules and regulations promulgated and adopted printed and shall distribute the same to any person upon request.

(b) The department or any agent authorized in writing by it is hereby authorized to examine the books papers and records and to investigate the character of the business of any corporation in order to verify the accuracy of any report made or if no report was made by such corporation to ascertain and settle the tax imposed by this act. Every such corporation is hereby directed and required to give to the department or its duly authorized agent the means facilities and opportunity for such examinations and investigations as are hereby provided and authorized. Any information gained by the department as a result of any returns investigations or verifications required to be made by this act shall be confidential except for official purposes and any person divulging such information shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than one hundred dollars (\$100.00) or more than one thousand dollars (\$1000.00) and costs of prosecution or to undergo imprisonment for not more than six (6) months or both in the discretion of the court.

(c) Whenever any person acting for or on behalf of the department shall in good faith institute legal proceedings for any violations of the provisions of this act and for any reason shall fail to recover costs of record such costs shall be a charge upon the proper county as shall such costs in the event defendant is imprisoned for failure to pay fine or costs or both and shall be audited and paid as are costs of like character in said county.

(d) The powers conferred by this act upon the department relating to the administration or enforcement of this act shall be in addition to but not exclusive of any other powers heretofore or hereafter conferred upon the department by law.

Section 10 Retention of Records by Corporations Penalty Each corporation shall maintain and keep for a period of three (3) years after any report is filed under this act such record or records of its business within this Commonwealth for the period covered by such report and other pertinent papers as may be required by the department.

Any person violating any of the provisions of this section shall be guilty of a misdemeanor and shall upon conviction thereof be sentenced to pay a fine not exceeding one thousand dollars (\$1000.00) and costs of prosecution or to undergo imprisonment for not more than six (6) months or both in the discretion of the court.

Section 11 Penalties (a) Any person who shall wilfully make a false and fraudulent return of net income made taxable by this act shall be guilty of wilful and corrupt perjury and upon conviction thereof shall be subject to punishment by law. Such penalty shall be in addition to any other penalties imposed by this act.

(b) Any person who wilfully fails neglects or refuses to make a report or to pay the tax as herein prescribed or who shall refuse to permit the department to examine the books papers and records of any corporation liable to pay tax under this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars (\$1000.00) and costs of prosecution or undergo imprisonment not exceeding six (6) months or both in the discretion of the court. Such penalty shall be in addition to any other penalties imposed by this act.

Section 12 Constitutional Construction The provisions of this act are severable and if any of its provisions shall be held unconstitutional the decision of the court shall not affect or impair any of the remaining provisions of this act. It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provisions not been included herein.

Section 13 Effective Date This act shall become effective immediately upon its final enactment and shall remain in force only for the imposition and collection of taxes on net income of corporations derived from sources within the Commonwealth for the calendar years one thousand nine hundred fifty-one and one thousand nine hundred fifty-two or for the fiscal years ending in the calendar years one thousand nine hundred fifty-three.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Haluska,	McMenamin,	Snowden,
Barr,	Hare,	McPherson, Jr.,	Stevenson,
Barrett,	Holland,	Meade,	Stiefel,
Berger,	Kephart,	Neff,	Taylor,
Blass,	Kessler,	Pechan,	Toole,
Byrne,	Lane,	Peelor,	Wade,
Chapman,	Leader,	Propert,	Wagner,
Crowe,	Letzler,	Robinson,	Walker,
Dent,	Mahany,	Rosenfeld,	Watkins,
Diehm,	Mallery,	Ruth,	Watson,
DiSilvestro,	McCreesh,	Scarlett,	Wolfe,
Fleming,	McGinnis,	Silvert,	Wood,
Freed			Yosko,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House



of Representatives with information that the Senate has passed the same without amendments.

MRS. A. EVANS KEPHART PRESENTED TO SENATE

Mr. WALKER. Mr. President, may I interrupt the reading of the Calendar just for a moment? The hour is growing late, and I would like to present at this time a very distinguished visitor to the Senate Chamber, the wife of a very prominent ranch owner from Montana. I would ask Mrs. Senator Kephart to stand up and take a bow.

The PRESIDENT. I like the wide open spaces.

Mr. WALKER. Mr. President, I did that in order to keep the Senator from Philadelphia on the floor because there has been too much of a rush to this side of the chamber, and I wanted to notify the gentlemen she has been asked for.

#### BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1309, entitled:

An Act to amend sections one and two as amended sections four five six seven and eight and sections nine and ten as amended of the act approved the twenty-eighth day of June one thousand nine hundred and twenty-three (P. L. 888) entitled "An act to safeguard human life and health throughout the Commonwealth by providing for the reporting quarantining and control of disease declared communicable by this act or by regulations of the Department of Health providing for the prevention of infection therefrom and prescribing penalties" by changing the method of approval of communicable disease regulations by the advisory health board and by adding counties which have established a county department of health or joint-county department of health to the political subdivisions required or empowered to perform certain duties relating to the reporting quarantining and control of diseases declared communicable by law or regulation.

And said bill having been read at length the third time,  
On the question,

Will the Senate agree to the bill on third reading?

Mr. WALKER. Mr. President, I ask unanimous consent to offer an amendment, making a typographical correction.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendment as follows:

Amend Section 5, page 9, line 1, by striking out after the word "Assembly" and before the word "said" the following: "the" and inserting in lieu thereof the following: "and."

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

#### BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1309, on third reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

#### BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1310, entitled:

An Act to improve local health administration throughout the Commonwealth by authorizing the creation establishment and administration of single-county or joint-county departments of health in all counties except counties of the first class exempting certain municipalities from the jurisdiction of single-county or joint-county departments of health permitting the dissolution of departments or boards of health in certain municipalities authorizing State grants to counties which establish departments of health and to certain municipalities if they meet prescribed requirements conferring powers and duties upon the State Department of Health in connection with the certain establishment and administration of single-county or joint-county departments of health the administration of the health laws in parts of certain municipalities not subject to the jurisdiction of single-county or joint-county departments of health and the administration of State grants and repealing an act which confers health powers upon counties of the first class

And said bill having been read at length the third time,  
On the question,

Will the Senate agree to the bill on third reading?

Mr. WALKER. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Section 3, page 11, line 6, by striking out after the word "to" the following: "cities of the first and second class" and inserting in lieu thereof the following: "municipalities eligible for State grants under section 15 of this act"; Amend Section 5, page 14, line 11, by inserting at the end of the line after the word "the" the following word which is not legible: "last"; Amend Section 10, page 24, line 3, by striking out after the word "the" and before the word "of" the following: "Departments or Boards of Health"; and inserting in lieu thereof the following: "departments or boards of health"; Amend Section 12, page 26, line 12, by striking out after the word "health" and before the word "exercising" the following "in" and inserting in lieu thereof the following: "In"; Amend Section 12, page 28, by inserting after line 13 the following: "may upon the advice of the health director seek relief from a nuisance or threatened nuisance detrimental to the public health by instituting proceedings in a court of equity."

Section 13 Jurisdiction of County Departments of Health, The; Amend Section 15, page 33, by inserting between lines 3 and 4 the following: "Eligible for State Grants"; Amend Section 25, page 49, line 3, by striking out after the word "County" and before the word "created" the following: "Departments of Health" and inserting in lieu thereof the following: "departments of health"; Amend Section 25, page 49, line 15, by striking out at the end of the line after the word "the" the following: "advisory health" and inserting in lieu thereof the following: "Advisory Health"; Amend Section 25, page 49, line 16, by striking out at the beginning of the line before the word "shall" the following: "board" and inserting in lieu thereof the following: Amend Section



25, page 57, line 19, by beginning a new paragraph with the word "IN" after the word "made"; Amend Section 29, page 70, line 2, by striking out after the word "as" and before the word "indicated" the following: "respectively".

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

### BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1310, on third reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

### BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1311, as follows:

An Act to amend section four hundred forty-seven of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by deleting those provisions which require such counties to cooperate with the State Department of Health and boroughs and first class townships and deleting those provisions which prescribe the appointment of health officers the approval of appointments by the State Department of Health and the powers and duties of appointees

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four hundred forty-seven of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" is hereby amended to read as follows

Section 447 Health Work The board of county commissioners may provide and appropriate from any moneys in the county treasury not otherwise appropriated annually such sum or sums as they deem necessary for the protection of the health cleanliness convenience comfort and safety of the people of the county [and said board of county commissioners upon their appropriating money for health work as provided for herein shall cooperate with the State Department of Health and boroughs and first class townships within their respective counties in the promotion of health work]

[In case any health officers are appointed under this section such appointees shall be approved by the State Department of Health and such appointees shall have the same powers and duties as are now prescribed for the same officers in boroughs and first class townships]

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

### YEAS—49

Bane,  
Barr,  
Barrett,  
Berger,  
Bliss,  
Byrne,  
Chapman,  
Crowe,  
Dent,  
Diehm,  
DiSilvestro,  
Fleming,  
Freed.

Haluska,  
Hare,  
Holland,  
Kephart,  
Kessler,  
Lane,  
Leader,  
Letzler,  
Mahany,  
Mallery,  
McCreesh,  
McGinnis,  
Wagner,

McMenamin,  
McPherson, Jr.,  
Meade,  
Neff,  
Pechan,  
Peelor,  
Propert,  
Robinson,  
Rosenfeld,  
Ruth,  
Scarlett,  
Silvert,

Snowden,  
Stevenson,  
Stiefel,  
Taylor,  
Toole,  
Wade,  
Walker,  
Watkins,  
Watson,  
Wolfe,  
Wood,  
Yosko,

### NAYS—1

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1333, as follows:

An Act to amend sections five and eighteen of the act approved the second day of July one thousand nine hundred and thirty-five (P. L. 589) entitled "An act to safeguard human health and life by providing for the issuance of permits to and regulation of persons and entities selling milk and milk products conferring powers and imposing duties on the Secretary of Health the Advisory Health Board and otherwise providing for the administration of the act and imposing penalties" by adding counties which have established or joined in establishing county departments of health to those municipalities which may be constituted agents of the Secretary of Health for the purpose of issuance of milk permits and by adding county department of health regulations to those municipal ordinances not affected by the act

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section five of the act approved the second day of July one thousand nine hundred and thirty-five (P. L. 589) entitled "An act to safeguard human health and life by providing for the issuance of permits to and regulation of persons and entities selling milk and milk products conferring powers and imposing duties on the Secretary of Health the Advisory Health Board and otherwise providing for the administration of the act and imposing penalties" is hereby amended to read as follows

Section 5 The secretary may constitute as his agent for the purpose of issuing permits for the sale of milk or milk products a department of health board of health or health officer of any municipality or the county department of health of any county or counties which have established or joined in establishing such a department and shall accept permits issued by municipalities or county departments of health under the terms of municipal ordinances or county department of health regulations equally as stringent as the requirements of this act and enforced by such municipalities or counties as the only permit required for the sale of milk or milk products in such municipalities or counties

Section 2 Section eighteen of said act is hereby amended to read as follows

Section 18 The provisions of this act and the regulations made thereunder shall not be taken nor deemed to repeal existing municipal ordinances nor to prevent municipalities or counties which have established or joined in establishing county departments of health from enacting and enforcing new ordinances or regulations for the further protection of the public health Provided That this act shall be considered as establishing uniform requirements and regulations and that nothing herein contained



shall be deemed to prevent municipalities or counties which have established or joined in establishing county departments of health from ordaining and enforcing such additional requirements in excess of the requirements and regulations hereunder as may be deemed necessary from time to time for the preservation of public health and to require applications from and to issue permits to such persons as may be defined by local ordinances or regulations

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Bane,	Haluska,	McMenamin,	Snowden,
Barr,	Hare,	McPherson, Jr.	Stevenson,
Barrett,	Holland,	Meade,	Stiefel,
Berger,	Kephart,	Neff,	Taylor,
Blass,	Kessler,	Pechan,	Toole,
Byrne,	Lane,	Peelor,	Wade,
Chapman,	Leader,	Propert,	Walker,
Crowe,	Letzler,	Robinson,	Watkins,
Dent,	Mahanay,	Rosenfeld,	Watson,
Diehm,	Mallery,	Ruth,	Wolfe,
DiSilvestro,	McCreesh,	Scarlett,	Wood,
Fleming,	McGinnis,	Silvert,	Yosko,
Freed,			

#### NAYS—1

Wagner,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1334, as follows:

An Act to amend section one of the act approved the seventh day of April one thousand nine hundred and twenty-seven (P. L. 144) entitled "An act authorizing boards of health to require roving bands or bands of nomads commonly called gypsies declared to be nuisances or menaces to health to leave municipalities and providing penalties" by adding county departments of health and joint-county departments of health as alternate health authorities which may make findings and issue orders under the act

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the seventh day of April one thousand nine hundred and twenty-seven (P. L. 144) entitled "An act authorizing boards of health to require roving bands or bands of nomads commonly called gypsies declared to be nuisances or menaces to health to leave municipalities and providing penalties" is hereby amended to read as follows

Section 1 Be it enacted &c That whenever a roving band or band of nomads commonly called gypsies shall be located within any municipality or shall carry on its business or practice its craft within such municipality and the board of health of the municipality or the county department of health or joint-county department of health shall be of the opinion and so find that such band is a nuisance or a menace to the public health (it) the board of health of the municipality or the county department of health or joint-county department of health shall have power by written notice to order such roving band or band of nomads to leave said municipality within the time speci-

fied in said notice It shall be unlawful for any such roving band or band of nomads or any member thereof to fail or to refuse to comply with any such order of a board of health or county department of health or joint-county department of health Any person failing to comply with any such order shall upon conviction thereof in a summary proceeding before any magistrate alderman or justice of the peace be sentenced for each offense to pay a fine of fifty dollars and in default of the payment of such fine and costs be sentenced to undergo imprisonment in the county jail for a period of thirty days

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Bane,	Haluska,	McMenamin,	Snowden,
Barr,	Hare,	McPherson, Jr.	Stevenson,
Barrett,	Holland,	Meade,	Stiefel,
Berger,	Kephart,	Neff,	Taylor,
Blass,	Kessler,	Pechan,	Toole,
Byrne,	Lane,	Peelor,	Wade,
Chapman,	Leader,	Propert,	Walker,
Crowe,	Letzler,	Robinson,	Watkins,
Dent,	Mahanay,	Rosenfeld,	Watson,
Diehm,	Mallery,	Ruth,	Wolfe,
DiSilvestro,	McCreesh,	Scarlett,	Wood,
Fleming,	McGinnis,	Silvert,	Yosko,
Freed,			

#### NAYS—1

Wagner,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1348, as follows:

An Act to amend Section 1 of the act approved the eighth day of May one thousand nine hundred one (P. L. 150) entitled "An act providing for the raising of revenue for State purposes by imposing upon certain foreign corporations limited partnership and joint-stock associations a bonus of one-third of one per centum upon the capital actually employed in Pennsylvania and requiring the filing of certain reports in the office of the Auditor General" by exempting from the provisions thereof foreign nonprofit corporations

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1 of the act approved the eighth day of May one thousand nine hundred one (P. L. 150) entitled "An act providing for the raising of revenue for State purposes by imposing upon certain foreign corporations limited partnership and joint-stock associations a bonus of one-third of one per centum upon the capital actually employed in Pennsylvania and requiring the filing of certain reports in the office of the Auditor General" is hereby amended to read as follows

Section 1 Be it enacted &c That from and after the passage of this act all corporations limited partnerships or joint stock associations except foreign insurance companies and foreign nonprofit corporations which shall have been issued a certificate of authority to do business from the Department of State chartered or created by or under the laws of any other State or of the United States or of any foreign country whose principal office or chief place



of business is located in this Commonwealth or which have any part of their capital actually employed wholly within this State in addition to complying with the laws now in force as to such corporations limited partnership or joint-stock associations shall pay to the State Treasurer for the use of the Commonwealth a bonus of one-third of one per centum upon the amount of their capital actually employed or to be employed wholly within the State of Pennsylvania and a like bonus upon each subsequent increase of capital so employed

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bane,	Haluska,	McPherson, Jr.	Stevenson,
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peelor,	Wade,
Byrne,	Lane,	Probert,	Wagner,
Chapman,	Leader,	Robinson,	Walker,
Crowe,	Letzler,	Rosenfeld,	Watkins,
Dent,	Mahanay,	Ruth,	Watson,
Diehm,	Mallery,	Scarlett,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,	McMenamin,		

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1376, as follows:

An Act to further amend subsection (a) of section two hundred seven and subsection (f) of section four hundred forty-eight and to amend section two thousand one hundred eleven of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by prescribing the qualifications for the Secretary of Health and by reconstituting the Advisory Health Board and further prescribing its powers and duties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (a) of section two hundred seven

of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as last amended by the act approved the eighteenth day of February one thousand nine hundred forty-nine (P. L. 16) is hereby further amended to read as follows

Section 207 Appointment the Governor shall nominate and by and with the advice and consent of two-thirds of all the members of the Senate appoint

(a) The Secretary of the Commonwealth the Attorney General the Superintendent of Public Instruction the Adjutant General the Insurance Commissioner and the Secretary of Banking the Secretary of Agriculture the Secretary of Forests and Waters the Secretary of Mines the Secretary of Highways the Secretary of Health the Commissioner of the Pennsylvania State Police the Secretary of Labor and Industry the Secretary of Welfare the Secretary of Property and Supplies the Secretary of Revenue the Secretary of Public Assistance the Secretary of Commerce and the members of all independent administrative boards and commissions

The Adjutant General may have the rank of Major General of the Adjutant General's Department in the Pennsylvania National Guard or Pennsylvania Guard or the Governor may designate the ranking line officer of the Pennsylvania National Guard or Pennsylvania Guard or an officer of the Regular Army United States Navy United States Coast Guard or United States Marine Corps as Adjutant General provided that should the ranking line officer be also appointed Adjutant General he shall receive only the salary provided by law for the Adjutant General and provided further that should the ranking line officer be called into the service of the United States a Deputy Adjutant General to be designated by the Governor shall act as Adjutant General during his absence no Adjutant General shall be appointed who shall not have served at least ten years as a commissioned officer in the Pennsylvania National Guard Pennsylvania Guard or equivalent length of service in the Regular Army of the United States United States Navy United States Coast Guard or United States Marine Corps or Officers Reserve Corps of the United States Army United States Navy Reserve United States Coast Guard Reserve or United States Marine Corps Reserve which service may be cumulative that is service in any one or more of the foregoing services may be added together

The Secretary of Health shall be a doctor of medicine licensed to practice medicine in Pennsylvania or eligible to be so licensed

Section 2 Subsection (f) of section four hundred forty-eight of said act as last amended by the acts approved the twenty-second day of May one thousand nine hundred forty-seven (P. L. 269) and the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 935 Act No. 390) is hereby further amended to read as follows

Section 448 Advisory Boards and Commissions The advisory boards and commissions within the several administrative departments shall be constituted as follows

\* \* \* \* \*

(f) The Advisory Health Board shall consist of the Secretary of Health or in his place his duly authorized



deputy and [seven] ten members [a majority] five of whom shall be [physicians graduates of legally constituted medical colleges and of at least ten years' experience in the practice of their profession] doctors of medicine licensed to practice medicine in Pennsylvania one [of whom shall be] a dentist [and] licensed to practice dentistry in Pennsylvania one [of whom shall be] a pharmacist [graduates of legally constituted dental and pharmacy colleges respectively and of at least ten years' experience in the practice of their profession] registered with the State Board of Pharmacy and one [of whom shall be a civil] an engineer registered with the State Registration Board for professional engineers who is experienced in sanitary engineering The Secretary of Health or in his place his duly authorized deputy shall be chairman of the board

The term of office of each appointed member of the board shall be four years measured from the third Tuesday of January of the year in which he takes office or until his successor has been appointed and has qualified except that in the initial appointment of the members of the board one member shall be appointed for a term of one year three members for a term of two years three members for a term of three years and three members for a term of four years

[Four] Six members of the board together with the Secretary of Health or in his place his duly authorized deputy shall constitute a quorum

Each appointed member of the board shall receive actual traveling expenses and per diem compensation at the rate of \$25.00 a day for time actually devoted to the business of the board

Section 3 Section two thousand one hundred eleven of the said act is hereby amended to read as follows

Section 2111 The Advisory Health Board shall have the power and its duty shall be

(a) To advise the Secretary of Health on such matters as he may bring before it

(b) To make such reasonable rules and regulations not contrary to law as may be deemed by the board necessary for the prevention of disease and for the protection of the lives and health of the people of the Commonwealth and for the proper performance of the work of the Department of Health and such rules and regulations when made by the board shall become the rules and regulations of the department

(c) To adopt rules and regulations for personal administration based upon merit and fitness including standards of recruitment selection tenure removal and working conditions and to prescribe qualifications for professional technical and executive personnel appointed or employed by the State Department of Health and by the departments or boards of health of counties or other political subdivisions No restrictions shall be imposed relating to race religion residence or political affiliation

(d) To prescribe minimum health activities and minimum standards of performance of health services for counties or other political subdivisions

Section 4 All other acts and parts of acts inconsistent herewith are hereby repealed

Section 5 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Bane,	Haluska,	McPherson, Jr.	Stevenson,
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peelor,	Wade,
Byrne,	Lane,	Propert,	Wagner,
Chapman,	Leader,	Robinson,	Walker,

Crowe,  
Dent,  
Diehm,  
DiSilvestro,  
Fleming,  
Freed,

Letzler,  
Mahanay,  
Mallery,  
McCreesh,  
McGinnis,  
McMenamin,

Rosenfeld,  
Ruth,  
Scarlett,  
Silvert,  
Snowden,

Watkins,  
Watson,  
Wolfe,  
Wood,  
Yosko,

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1377, as follows:

An Act to amend sections two four five and six of the act approved the second day of July one thousand eight hundred and ninety-five (P. L. 428) entitled "An act to regulate and license public lodging-houses in the different cities in this Commonwealth" by adding county departments of health and joint-county departments of health to the health authorities empowered by the act to render certificates make inspections and adopt rules and regulations

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections two four five and six of the act approved the second day of July one thousand eight hundred and ninety-five (P. L. 428) entitled "An act to regulate and license public lodging houses in the different cities in this Commonwealth" are hereby amended to read as follows

Section 2 The mayor of any city in this Commonwealth may license persons to keep public lodging-houses in said city upon payment of a fee of two dollars and upon compliance with and subject to the following provisions and requirements

The said license shall expire on the thirty-first day of December in the year in which it is issued It shall specify particularly the place licensed and it shall not protect the licensee in carrying on business in any other place

No such license shall be granted to a person by the mayor who is not of good moral character and no license shall be issued until the building inspectors of said city and the fire marshal or if such officials do not exist such other official or person as the mayor shall name to examine into the safety of the building license for which is applied for shall certify that the building is safe for the load it will probably have to carry is provided with all the fire-escapes required by law and with such additional means of escape in case of fire as the construction of the building its surroundings and the use to which it is to be put required to be adopted for the safety of the lodgers

No such license shall be granted until the mayor shall receive a certificate from the health authorities of said city or from the county department of health or joint-county department of health setting forth that the plumbing in the building sought to be licensed is in accordance with the rules of the said health authorities of the city or county or if no such rules have been adopted that the plumbing is in good condition and further that the building is supplied with a sufficient number of water closets and urinals for the people intended to be accommodated and with good and sufficient means of ventilation

Section 4 The keeper of every public lodging-house shall at all times when required by the fire marshal the fire chief or by any officer connected with the building inspectors or with the board of health or bureau of health or county department of health or joint-county department of health or with the police department or bureau or by the mayor or any one delegated by him give such official full and free access to said lodging-house or to any part thereof

Section 5 The health authorities of said city or the county department of health or joint-county department



of health may from time to time adopt rules and regulations for the government of public lodging-houses in cities for the cleansing and disinfection of the same or of the furniture bedding and other personal property in and upon the same as may in the judgment of said health authorities of the city or county be necessary and proper for the public [safety] health

Section 6 Any keeper of a public lodging-house who shall fail to comply with any provision of this act or with any requirement of the health authorities of said city or the county department of health or joint-county department of health or shall so conduct his lodging-house as to render it a nuisance to the neighborhood in which it is situated shall forfeit his license Provided however That no license shall be forfeited by the mayor of the city in which it was issued except after public hearing by him of which the lodging-house keeper shall have at least one week's notice

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Bane,	Haluska,	McPherson, Jr.	Stevenson,
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peelor,	Wade,
Byrne,	Lane,	Probert,	Wagner,
Chapman,	Leader,	Robinson,	Walker,
Crowe,	Letzler,	Rosenfeld,	Watkins,
Dent,	Mahanay,	Ruth,	Watson,
Diehm,	Mallery,	Scarlett,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,	McMenamin,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1487, as follows:

An Act to provide for the expenses of the Joint State Government Commission of the General Assembly beginning June first one thousand nine hundred and fifty-one and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and fifty-one

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of thirty-five thousand dollars (\$35,000) or as much thereof as may be necessary is hereby specifically appropriated from the General Fund to the Joint State Government Commission of the General Assembly for the payment of wages and other compensation of employees and for the payment of general expenses necessary for the proper conduct of the work of the Joint State Government Commission beginning June first one thousand nine hundred and fifty-one and until such time as moneys appropriated for such commission for the 1951-1953 biennium shall become available and for the payment of bills incurred by said Commission and remaining unpaid at the close of the fiscal year end-

ing May thirty-first one thousand nine hundred and fifty-one to be paid on warrants of the Auditor General in favor of the Chairman of said Commission on the presentation of his requisition for the same The Chairman shall file an accounting of said expenses with the Auditor General

Section 2 Effective Date This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### NAYS—0

Bane,	Haluska,	McPherson, Jr.	Stevenson,
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peelor,	Wade,
Byrne,	Lane,	Probert,	Wagner,
Chapman,	Leader,	Robinson,	Walker,
Crowe,	Letzler,	Rosenfeld,	Watkins,
Dent,	Mahany,	Ruth,	Watson,
Diehm,	Mallery,	Scarlett,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,	McMenamin,		

#### AYES—50

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

#### HOUSE BILL No. 186 CALLED UP FROM POSTPONED CALENDAR

Mr. WALKER. Mr. President, I call up from the Third Reading Postponed Calendar House Bill No. 186.

#### BILL RECOMMITTED

Mr. WALKER. Mr. President, I move that House Bill No. 186, on third reading, entitled:

An Act to add Section 2.1 to the act approved the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1652) entitled "An act relating to the propagation and growth of nut trees and other trees bearing crops excluding our present commercial fruit trees in this Commonwealth providing for the appointment qualifications term and compensation of an Expert Tree Crops Advisor prescribing his powers and duties imposing and conferring certain powers and duties on the Secretary of Agriculture in respect thereto and making an appropriation" by authorizing the Pennsylvania States College to undertake the development of a research program for certain purposes and making an appropriation therefor.

be recommitted to the Committee on Agriculture, for the purpose of further amendment.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.



## SECOND READING CALENDAR

## BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 576, entitled:

An Act to further amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by permitting certain districts to make their own enumeration for per capita tax purposes.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

## BILL POSTPONED

Mr. WALKER. Mr. President, I move that House Bill No. 576, the bill just read, be placed on the Third Reading Postponed Calendar.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

## BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 634, on second reading, entitled:

An Act to amend the act approved the first day of June one thousand nine hundred fifteen (P. L. 701) entitled "An act regulating the payment of persons in the employ of the Commonwealth" by providing for pay-days every two weeks.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

## BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 718, entitled:

An Act making a deficiency appropriation to aid certain school districts.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

## BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 745, on second reading, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of

certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" by creating the Pennsylvania Library Council prescribing its powers and duties providing for a State librarian and for certification of libraries and librarians and for minimum standards for public library service.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 811, on second reading, entitled:

An Act to add section 1501.1 to the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by empowering township supervisors to compel connection with and use of sewer systems constructed by municipal authorities to impose penalties to enforce regulations and orders and to connect properties of owners failing or neglecting to make connection.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

## BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 826, entitled:

An Act to further amend the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by redefining the term "final salary" and further providing the manner of computing employees' annuities.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 878, entitled:

An Act to amend the act approved the thirteenth day of June one thousand nine hundred eleven (P. L. 903) entitled "An act to prevent frauds against carriers of pas-



sengers for hire within this Commonwealth and prescribing penalties for the breach of the provisions hereof" by changing penalties and defining magistrate.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 984, entitled:

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further providing for exceptions to compulsory attendance.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1056, on second reading, entitled:

An Act to further amend clause (q) of section seven hundred thirty-one of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by providing additional penalties.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

### BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1057, entitled:

An Act to add Section 6.1 to the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1216) entitled "An act to define real estate brokers and real estate salesmen and providing for the licensing regulation and supervision of resident and nonresident real estate brokers and real estate salesmen and their business" by authorizing the issuance of limited real estate brokers' and salesmen's licenses exclusively within the limited field or branch of the real estate business applying to cemetery lots plots and mausoleum spaces or openings and conferring powers and imposing duties upon the Department of Public Instruction and the State Real Estate Commission with respect to examination for the issuance of such licenses.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1068, entitled:

An Act to further amend Section 2405 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain department boards and commissions shall be determined" by permitting delivery of unserviceable property to Superintendent of Public Instruction without charge for assignment to School districts.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1108, entitled:

An Act to repeal the act approved the sixth day of June one thousand nine hundred thirteen (P. L. 452) entitled "An act to amend an act 'Providing for the appointment of a board of visitation for institutions societies and associations caring for dependent neglected or delinquent children' approved the twenty-sixth day of February Anno Domini one thousand nine hundred and three and making it the duty of the board of visitation to visit all institutions within the county which receive their inmates from more than one county and are in whole or in part supported and managed by the Commonwealth and all institutions which are wholly supported and managed by any county city borough or township of the poor district of the Commonwealth and providing for the making of nominations of appointment on the boards of visitation."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1133, entitled:

An Act to further amend sections seven, eleven and twenty-one and to add section twenty-one point one to the act, approved the sixth day of August, one thousand nine hundred forty-one (P. L. 861), entitled "An act to create a uniform and exclusive system for the administration of parole in this Commonwealth; establishing the 'Pennsylvania Board of Parole'; conferring and defining its jurisdiction, duties, powers and functions, including the supervision of persons placed on probation in certain designated cases; providing for the method of appointment of its members; regulating the appointment, removal and discharge of its officers, clerks and employes; dividing the Commonwealth into administrative districts



for purposes of parole; fixing the salaries of members of the board and of certain other officers and employees thereof; making violations of certain provisions of this act misdemeanors; providing penalties therefor; and for other cognate purposes, and making an appropriation," by removing the ceiling on salaries of the secretary of the board and of district supervisors, making the amount of such salaries subject to the determination of the Executive Board and by further defining the jurisdiction, duties, powers and functions of the Pennsylvania Board of Parole.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. KEPHART offered the following amendments:

Amend Sec. 1 (Sec. 5), page 3, line 19, by striking out the word "fourteen" and inserting in lieu thereof: "twelve" amend Sec. 1 (Sec. 5), page 3, line 19, by inserting after the word "thousand" the following: "five hundred"; amend Sec. 1 (Sec. 5), page 4, line 1, by striking out "(\$14,000)" and inserting in lieu thereof: "(\$12,500)"; amend Sec. 1 (Sec. 5), page 4, line 3, by striking out "thirteen" and inserting in lieu thereof: "eleven"; amend Sec. 1 (Sec. 5), page 4, line 3, by inserting after the word "thousand" the following: "five hundred"; amend Sec. 1 (Sec. 5), page 4, line 4, by striking out "(\$13,000)" and inserting in lieu thereof: "(\$11,500)".

They were agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. KEPHART offered the following amendments:

Amend Sec. 2 (Sec. 7), page 4, line 17, by striking out the bracket before the word "not"; amend Sec. 2 (Sec. 7), page 4, line 18, by inserting brackets before and after the word "five" and adding immediately thereafter the following: "six"; amend Sec. 2 (Sec. 7), page 4, line 18, by inserting brackets before and after the figure "(\$5000)" and adding immediately thereafter the following: "(\$6000)"; amend Sec. 2 (Sec. 7), page 4, line 18, by striking out the bracket after the word "annum".

They were agreed to.

The section was agreed to as amended.

The third section was read.

On the question,

Will the Senate agree to the section?

Mr. KEPHART offered the following amendments:

Amend Sec. 3 (Sec. 11), page 5, line 10, by striking out the bracket before the word "for"; amend Sec. 3 (Sec. 11), page 5, line 11, by inserting brackets before and after the word "six" and adding immediately thereafter the following: "seven"; amend Sec. 3 (Sec. 11), page 5, line 12, by inserting brackets before and after the figure "(\$6000)" and adding immediately thereafter the following: "(\$7000)"; amend Sec. 3 (Sec. 11), page 5, line 12, by inserting brackets before and after the word "four" and adding immediately thereafter the following: "five"; amend Sec. 3 (Sec. 11), page 5, line 13, by inserting a bracket before the figure "(\$4500)"; amend Sec. 3 (Sec. 11), page 5, line 13, by inserting after "(\$4500)" the following: "(\$5500)".

They were agreed to.

The section was agreed to as amended.

The fourth, fifth, sixth and seventh sections were read and agreed to.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. KEPHART offered the following amendment:

Amend title, page 2, line 10 from top of page, by striking out the word "removing" and inserting in lieu thereof: "increasing."

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

## BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1346, entitled:

An Act to amend the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by clarifying certain provisions thereof and correcting grammatical and typographical errors therein.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1347, entitled:

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by making corrections and conforming certain provisions to existing practice.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1370, entitled:

An Act to further amend Section 2004 of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating



to cities of the third class and amending revising and consolidating the law relating thereto" by limiting to forty-eight hours the work week of police officers except in emergencies.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1378, on second reading, entitled:

An Act providing for the examination licensure and registration of persons firms or corporations engaged in the business or work of plumbing or house and building drainage and prescribing certain rules regulations and requirements for the construction of plumbing house and building drainage and cesspools in cities of the second class second class A and third class and imposing fines penalties and forfeitures for violation thereof and providing for administration of this act by county departments of health or joint-county departments of health in cities of the second class second class A and third class which are within the jurisdiction of such departments of health and repealing certain laws.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

### BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1379, entitled:

An Act to authorize the revival of judgments entered in favor of the Commonwealth of Pennsylvania by filing a suggestion of nonpayment.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1380, entitled:

An Act to amend the title and to further amend section four of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2045) entitled as amended "An act relating to the support of indigent persons providing for the support of such persons by certain relatives and for the recovery of public moneys expended for care and assistance from the property and estates of such persons providing for guardians of the person and property of such persons providing for the arrest and seizure and sale of the property of deserters and providing procedure" by further defining the liability of property for expenses incurred for support maintenance assistance and burial.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1431, on second reading, entitled:

An Act providnig for the licensure and regulation of commercial boarding homes for the aged conferring certain powers and duties upon the Department of Welfare imposing license fees and providing penalties.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

### BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1432, entitled:

An Act to further amend Section 1 of the act, approved the eleventh day of July one thousand nine hundred twenty-three (P. L. 1032) entitled "An act providing for the abatement of nuisances caused by the improper grading or defective paving or encroaching fences in alleys in cities of the first class for the establishment of lines and grades for and grading paving or repaving of said alleys and the grading of private alleys hereafter laid out and for apportioning the cost and for the filing of liens therefor" by giving property owners a longer period of time in which to abate nuisances

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1449, entitled:

An Act to amend the act approved the twelfth day of June one thousand nine hundred fifty-one (Act Number 141) entitled "An act relating to mental health including mental illness mental defect epilepsy and inebriety and amending revising consolidating and changing the laws relating thereto" by further defining "qualified physician" and "medical examiner."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1463, entitled:

An Act to repeal the act approved the twenty-sixth day of February one thousand nine hundred three (P. L. 8) entitled "An act providing for the appointment of boards of visitation for institutions societies and associations caring for dependent neglected and delinquent children.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1470, entitled:

An Act to repeal the act approved the thirteenth day of April one thousand eight hundred sixty-eight (P. L.



1017) entitled "An act to provide for the collection of state county poor and military taxes in the county of Bedford" so far as it relates to Bedford County.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1476, entitled:

An Act to further amend Article III of the act approved the seventh day of March one thousand nine hundred one (P. L. 20) entitled "An act for the government of cities of the second class" by fixing maximum hours of service for patrolman and providing for compensation for extra services in emergencies.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1504, entitled:

An Act to amend the act approved the twenty-sixth day of May one thousand nine hundred forty-nine (P. L. 1828) entitled "An act concerning the investment powers and duties of guardians committees trustees and other fiduciaries except personal representatives and prescribing the nature and kind of investments which may be made and retained by such fiduciaries" by declaring the obligations of Redevelopment Authorities issued pursuant to the law of Pennsylvania to be legal investments for fiduciaries.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1512, entitled:

An Act relating to records of governmental departments or callings or private businesses institutions professions or callings authorizing the reproduction or recording thereof by any photographic photostatic microfilm microcard miniature photographic or other similar process providing for the admissibility of such reproductions in evidence and the disposition of the original records.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1535, entitled:

An Act to amend clauses (r) and (s) of subsection B of section four of the act approved the second day of May one thousand nine hundred forty-five (P. L. 382) entitled "An act providing for the incorporation as bodies corporate and politic of "Authorities" for municipalities

counties and townships prescribing the rights powers and duties of such Authorities heretofore or hereafter incorporated authorizing such Authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such authorities authorizing such Authorities to enter in contracts with and to accept grants from the Federal Government or any agency thereof and conferring exclusive jurisdiction on certain courts over rates" by clarifying and correcting the provisions of said clauses authorizing Authorities to charge the cost of sewer construction against properties benefited improved or accommodated thereby and providing for the enforcement of such charges.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILL POSTPONED

Mr. WALKER. Mr. President, I move that House Bill No. 1574, on second reading, entitled:

An Act to further amend the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by changing certain provisions relating to contracts recreation places highways and expense accounts of delegates to conventions.

be placed on the Second Reading Postponed Calendar.

Mr. DIEHM. Mr. President, I second the motion.

The motion was agreed to.

### BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1578, entitled:

An Act to further amend Section 4 of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1019) entitled "An act relating to statutory laws prescribing an enacting clause for statutes fixing the effective date and time of statutes hereafter enacted providing for notice of application for local and special legislation for the correction of errors in statutes and for the printing and publication of statutes prescribing rules for the interpretation of statutes defining certain words and phrases when used in statutes and prescribing rules for the construction and operation of amendments reenactments and appeals of statutes" by changing the effective date of laws in certain cases.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1605, entitled:

An Act authorizing allocations to the Treasury Department and the Department of the Auditor General from the appropriation to the Department of Public Assistance Act 27-A approved June thirtieth one thousand nine hundred fifty-one for the administrative expenses in auditing and disbursing the appropriations made by said act during the month of August one thousand nine hundred fifty-one.



And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1611, entitled:

An Act making an appropriation to the Department of Welfare for the purpose of administering the "Pennsylvania Hospital Survey and Construction Act of 1947."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1612, entitled:

An Act making an appropriation for the payment of expenses incurred by the State Council of Civil Defense.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1613, entitled:

An Act making an appropriation to the Department of Public Instruction including proceeds of publications sold for the purpose of revising the curricula of elementary secondary and vocational schools.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1614, entitled:

An Act making an appropriation to the State Tax Equalization Board for payment of necessary expenses.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1615, entitled:

An Act making an appropriation to the State Veterans' Commission for the expenses of the commission furnishing certain assistance to needy Pennsylvania veterans of any war or their dependents for participation in certain defense activities for the rehabilitation and care of veterans including the acquisition of land by purchase condemnation or gift and construction of buildings for such purpose.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1616, entitled:

An Act making an appropriation to the Department of Mines for the purpose of administering the provisions of "The Coal Mine Sealing Act of 1947."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1617, entitled:

An Act making an appropriation for the maintenance repair and improvement of the Port of Philadelphia.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1618, entitled:

An Act making an appropriation to air certain school districts.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1619, entitled:

An Act making an appropriation to the Department of Labor and Industry to meet the obligation of the Commonwealth to pay a part of the compensation payable for certain occupational diseases.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1620, entitled:

An Act making an appropriation to the Department of Labor and Industry for the payment of additional workmen's compensation in cases of second injuries.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.



Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1621, entitled:

An Act making an appropriation to The Brandywine Battlefield Park Commission for the payment of necessary expenses.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

## FIRST READING CALENDAR

### BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 587, on first reading, entitled:

An Act providing a method for the reestablishment of townships of the first class from any city to which they have been annexed regulating the proceedings pertaining thereto and reestablishing the same as separate school districts.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

## BILLS ON FIRST READING

Mr. WALKER. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. LETZLER. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 134, entitled:

An Act to amend further Section 5 of the act approved the thirteenth day of June one thousand eight hundred and thirty-six (P. L. 551) entitled "An act relating to roads, highways and bridges," as amended by extending the width of a public road in the instance of multiple lane highways to increase the maximum width by the additional footage that shall be necessary in the judgment of the Secretary of Highways for center or dividing strips.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 253, entitled:

An Act to further amend clause (2) of Section 12 of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employees serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by further providing for disability retirement allowances of persons able to engage in gainful occupations.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 356, entitled:

An Act to further amend the act approved the second day of May one thousand nine hundred forty-five (P. L. 382) entitled "An act providing for the incorporation as bodies corporate and politic "Authorities" for municipalities counties and townships prescribing the rights powers and duties of such Authorities heretofore or hereafter incorporated authorizing such Authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such Authorities authorizing such Authorities to enter into contracts with and accept grants from the Federal Government or any agency thereof and conferring exclusive jurisdiction on certain courts over rates" by extending the provisions thereof to school districts for limited purposes changing provisions for incorporation withdrawal from the jonder in Authorities amendment of articles of incorporation boards of Authorities and citizenship of members thereof and providing for extensions of corporate existence transfers of existing facilities to Authorities and conveyances of projects upon termination or assumption of liabilities.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 361, entitled:

An Act to further amend section 6 of the act, approved the nineteenth day of June, one thousand nine hundred eleven (P. L. 1055) entitled "An act authorizing the release on probation of certain convicts, instead of imposing sentences; the appointment of probation and parole officers, and the payment of their salaries and expenses; regulating the manner of sentencing convicts in certain cases, and providing for their release on parole; their conviction of crime during parole, and their rearrest and reconviction for breach of parole; and extending the powers and duties of boards of prison inspectors of penitentiaries," by further regulating the manner of sentencing of convicts in certain cases.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 512, entitled:

An Act to amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, for-



feitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by directing the issuance of special registration plates to war amputees and paralytics; and exempting such persons from the payment of certain fees in connection with motor vehicles.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 596, entitled:

An Act to amend Section 2 of the act, approved the eighteenth day of April, one thousand nine hundred twenty-three (P. L. 75), entitled "An act authorizing the courts of common pleas to change the name of persons; prescribing the procedure, and the effect of the decree thereon," by reducing the time in which the petition shall be heard.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 713, entitled:

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing boards of school directors to enter into contracts with and make appropriations to the county board of school directors for services further providing for the appointment and payment of a secretary and a treasurer of the county board of school directors and auditing the treasurer's accounts and providing for the assessment of school districts for special services furnished by the county board of school directors.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 791, entitled:

An Act to amend Section 1 of the act approved the fifteenth day of May one thousand nine hundred thirty-nine (P. L. 134) entitled "An act relating to fireworks defining fireworks prohibiting the sale offering or exposing for sale and use of fireworks except in certain cases authorizing cities boroughs towns and townships to issue permits for fireworks displays and to regulate the same imposing duties on the Pennsylvania Motor Police sheriffs police officers and constables and providing penalties" by prohibiting the sale offering or exposing for sale and use of devices by which missiles or projectiles are discharged.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 795, entitled:

An Act vesting and confirming in cities of the second class all right, title and interest of the Commonwealth in certain streets, lanes and alleys situate within such cities.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 816, entitled:

An Act to facilitate vehicular traffic across the Commonwealth by providing for the construction, operation and maintenance of a turnpike from a connection with the Pennsylvania Turnpike System at such point west of the Susquehanna River as the Pennsylvania Turnpike Commission may decide is most feasible and practicable to a point on or near the boundary line between the Commonwealth of Pennsylvania and the State of Maryland, and conferring powers and imposing duties on the Pennsylvania Turnpike Commission; authorizing the issuance of turnpike revenue bonds, notes or other obligations of the Commonwealth payable solely from revenues of the Commission including tolls or from such funds as may be available to the Commission for that purpose to pay the cost of such turnpike providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act; providing for the collection of tolls for the payment of such bonds, notes or other obligations and for the cost of maintenance, operation and repair of the turnpike; making such turnpike bonds, notes or other obligations exempt from taxation; constituting such bonds legal investments in certain instances; requiring suits against the Commission to be brought in Dauphin County; prescribing conditions on which such turnpike shall become free; providing for grade separations, grade changes, relocations, restorations and vacation of public roads and State highways affected by the turnpike; providing for the purchasing or condemnation of land and procedure for determining damages in condemnation; granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the Commission; and authorizing the issuance of turnpike revenue refunding bonds.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 822, entitled:

An Act to amend clause (7) of Section 2401 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by providing for appointment of school auditors to fill vacancies in such office in union school districts.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 823, entitled:

An Act to amend the act approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class, and amending, revising and consolidating the law relating thereto," by prescribing a minimum period of continuous service for retirement of members of the police force, and providing for the payment of service increments to such employees in addition to their retirement allowances.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 976, entitled:



An Act to amend Section 1 of the act approved the twentieth day of May one thousand nine hundred forty-nine (P. L. 1489) entitled "An act providing for a two-platoon system for firemen employed and paid by cities of the second class A and fixing the maximum hours of service in any one day or week for such platoons with certain exceptions" by further prescribing the maximum hours of service for such employes in any one week.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1027, entitled:

An Act to amend subsection (b) of Section 4 of the act approved the twenty-third day of May one thousand nine hundred forty-five (P. L. 903) entitled "An act authorizing cities of the third class to establish an optional retirement system for officers and employes independently of any pension system or systems existing in such cities" by limiting rights to involuntary retirement and providing for the reinstatement of certain persons to the pension rolls of certain cities.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1064, entitled:

An Act to amend Section 1132 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by conferring jurisdiction on the County Court of Allegheny County in certain cases of appeal from decisions of the Superintendent of Public Instruction

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1185, entitled:

An Act to further amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing school directors of the third class to elect an associate superintendent in lieu of a district superintendent prescribing his powers and duties and fixing his compensation.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1237, entitled:

An Act to amend Section 1 of the act approved the sixth day of May one thousand nine hundred twenty-nine (P. L. 1557) entitled "An act permitting the sale of mortgaged real estate under a judgment upon the bond accompanying such mortgage to be made by the sheriff upon a writ of fieri facias without inquisition and without any other writ" by extending the provisions thereof to promissory notes accompanying mortgages

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1318, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of Clarion State Teachers College to acquire certain tracts of land for the use of Clarion State Teachers College and making an appropriation.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1351, entitled:

An Act to further amend subsection C of Section 1 of the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 1145) entitled "An act empowering cities of the second class cities of the second class A cities of the third class boroughs towns townships of the first class school districts of the second class school districts of the third class and school districts of the fourth class to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes and permitting penalties to be imposed and enforced providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court by excluding taxes imposed on real property transfers in certain school districts in determining tax limitations

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1482, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire by gift suitable ground and buildings to be used by the Department of Welfare as a State training school for female juvenile delinquents.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1484, entitled:

An Act to facilitate vehicular traffic across the Commonwealth by providing for the construction operation and maintenance of a turnpike from a connection with the Pennsylvania Turnpike System at such point east of the Susquehanna River as the Pennsylvania Turnpike Commission may decide is most feasible and practicable to a point on or near the boundary line between the Commonwealth of Pennsylvania and the State of New York between the Susquehanna and Delaware Rivers and conferring powers and imposing duties on the Pennsylvania Turnpike Commission authorizing the issuance of turnpike revenue bonds notes or other obligations of the Commonwealth payable solely from revenues of the Commission including tolls or from such funds as may be available to the Commission for that purpose to pay the cost of such turnpike providing that no debt of the Commonwealth shall be incurred in the exercise of any of the



powers granted by this act providing for the collection of tolls for the payment of such bonds notes or other obligations and for the cost of maintenance operation and repair of the turnpike making such turnpike bonds notes or other obligations exempt from taxation constituting the same legal investments in certain instances requiring suits against the Commission to be brought in Dauphin County prescribing conditions on which such turnpike shall become free providing for grade separations grade changes relocations restorations and vacation of public roads and State highways affected by the turnpike providing for the purchasing or condemnation of land and procedure for determining damages in condemnation granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the Commission and authorizing the issuance of turnpike revenue refunding bonds.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1507, entitled:

An Act to further amend section seven hundred six and subsection (c) of section nine hundred three of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highway of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by increasing the fee for annual registration and the maximum gross weight allowed for certain two-wheeled semi-trailers.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1508, entitled:

An act to amend Section 3 of the act approved the twenty-eighth day of July one thousand nine hundred forty-one (P. L. 535) entitled "An act providing for the redemption of real property purchased by political subdivisions at tax sales upon the payment of the amount charged against the same and costs by installment payments and prescribing the procedure therefor" by providing that default in the payment of any installment when due or the payment of current taxes shall terminate the right of redemption.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1513, entitled:

An Act to amend Section 412 of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1242) entitled "An act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto" by defining the estate of substitute rights of way for public service companies and requiring conveyance thereof.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1526, entitled:

An Act authorizing the Department of Property and Supplies to exchange certain lands located in Penn Township Snyder County Pennsylvania necessary for the better administration of the Selinsgrove State Colony for Epileptics.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1552, entitled:

An Act to amend subsection (d) of section 4 and section 9.1 of the act approved the thirty-first day of March one thousand nine hundred forty-nine (P. L. 372) entitled "An act to promote the welfare of the people of the Commonwealth creating The General State Authority as a body corporate and politic with power to construct improve equip furnish and operate projects and to lease the same and to fix fees rentals and charges for the use thereof authorizing and regulating the issuance of bonds for said Authority and providing for the payment of such bonds and the rights of the holders thereof and to enter into agreements with the Government of the United States or any Federal agency and authorizing the Department of Property and Supplies to grant assign convey or lease to the Authority lands of the Commonwealth and interests therein and to acquire lands therefor granting the right of eminent domain empowering The General State Authority to sell and convey projects and property to the Commonwealth and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act" by authorizing the leasing of wholly or partially completed projects of the General State Authority.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1577, entitled:

An Act fixing the salary of the Director of the Legislative Reference Bureau.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1628, entitled:

An Act to amend the title and certain sections of and to add new sections to the act approved the thirtieth day of June, one thousand nine hundred forty-seven (P. L. 1154) entitled "An act to prohibit the manufacture and sale of oleomargarine or butterine and other similar products when colored in imitation of yellow butter; to provide for



license fees to be paid by manufacturers, wholesale and retail dealers, and by proprietors of hotels, restaurants, dining-rooms, and boarding-houses; for the manufacture or sale of oleomargarine, butterine or other similar products not colored in imitation of yellow butter; to regulate the manufacture, sale and advertising of oleomargarine, butterine or other similar products, not colored in imitation of yellow butter; and prevent and punish fraud and deception in such manufacture, sale, and advertising as an imitation butter; to prescribe penalties and punishment for violation of this act and the means and method of procedure for its enforcement; to regulate certain matters of evidence in such procedure; and to prescribe certain powers and duties of the Department of Agriculture," by permitting the manufacture and except in certain cases the sale of colored oleomargarine, butterine and similar products.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

### HOUSE MESSAGE

#### HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL NO. 13

The Clerk of the House of Representatives being introduced, presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 13, entitled:

An Act requiring political subdivisions to satisfy of record at their expense certain lost liens for taxes against real property sold at sheriffs' sales under certain conditions.

#### HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL NO. 1288

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1288, entitled:

An Act to further amend clause fifth of subsection (a) of Section 3 of the act, approved the thirteenth day of May, one thousand nine hundred nine (P. L. 520), entitled "Pure Food Law," by changing the amount of sulphur dioxide which may be used in the preparation of certain foods.

#### HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL NO. 1487

He also presented communication from the House of Representatives informing the Senate that the House has

concurred in amendments made by the Senate to House Bill No. 1487, entitled:

An Act to provide for the expenses of the Joint State Government Commission of the General Assembly for the two fiscal years beginning June first one thousand nine hundred and fifty-one and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and fifty-one.

### BILLS SIGNED

The President (Lieutenant-Governor Lloyd H. Wood) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 13, entitled:

An Act requiring political subdivisions to satisfy of record at their expense certain lost liens for taxes against real property sold at sheriffs' sales under certain conditions.

House Bill No. 1288, entitled:

An Act to further amend clause fifth of subsection (a) of Section 3 of the act, approved the thirteenth day of May, one thousand nine hundred nine (P. L. 520), entitled "Pure Food Law," by changing the amount of sulphur dioxide which may be used in the preparation of certain foods.

House Bill No. 1487, entitled:

An Act to provide for the expenses of the Joint State Government Commission of the General Assembly for the two fiscal years beginning June first one thousand nine hundred and fifty-one and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and fifty-one.

Whereupon,

The President (Lieutenant-Governor Lloyd H. Wood) in the presence of the Senate signed the same.

### ADJOURNMENT

Mr. WALKER. Mr. President, I move that the Senate do now adjourn until Wednesday, August 15, 1951, at 10:00 o'clock, a. m., Eastern Standard Time.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 5:06 o'clock, p. m., Eastern Standard Time, until Wednesday, August 15, 1951, at 10:00 o'clock, a. m., Eastern Standard Time.



## HOUSE OF REPRESENTATIVES

TUESDAY, August 14, 1951.

The House met at 12:00 o'clock noon EST.

The SPEAKER (Herbert P. Sorg) in the Chair.

## PRAYER

The Reverend John Yates, guest Chaplain and Pastor of the Presbyterian Church, Harrisburg, offered the following prayer:

Almighty God, we humbly beseech Thee to bless and prosper the consultations of this Legislature to the end that wise laws and concord, truth and justice may prevail for this Commonwealth, so dear to us all. In the Name of Jesus Christ we pray. Amen.

## JOURNAL APPROVED

The SPEAKER. Are there any corrections to the Journal of Monday, August 13, 1951? If not, and without objection, the Journal is approved.

## BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

## SENATE BILL No. 190.

An Act relating to the change of corporate names of churches or religious corporations as a result of the union merger or consolidation of the national or international church body of what such corporation is an affiliate subsidiary or component part providing for the filing of a certificate of change of name by such corporations with the Department of State and the recording thereof in the county of incorporation and the effect thereof

## SENATE BILL No. 236.

An Act to further amend subsection (a) of Section 722 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by including Philippine Pacific War Veterans Navy Club of the United States and the United States Army Ambulance Corps among the organizations exempt from payment of registration fees of vehicles used by such organizations

## SENATE BILL No. 379.

An Act to add section 4.1 to the act approved the twentieth day of July one thousand nine hundred seventeen (P. L. 1143) entitled "An act relating to free public nonsectarian libraries and branch libraries within this Commonwealth providing for their establishment maintenance and regulation and for the maintenance and regulation of such free public nonsectarian libraries as may have been already established by the several counties cities boroughs towns and townships and providing that all library property and all gifts devises grants or endowments for library purposes shall be exempt from taxation and providing that the several counties cities boroughs towns and townships may levy taxes condemn private property and borrow money for library purposes and imposing penalties for injuring library property and for violations of library regulations and repealing existing laws in relation to the above subjects" by further regulating county libraries permitting cities boroughs towns and townships to withdraw from county library districts and payment of county library tax

## SENATE BILL No. 418.

An Act to further amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by permitting the Department of State to copy and destroy or return certain documents permitting corporations to borrow money acquire and dispose of real estate and make alter amend and repeal by-laws with the approval of a majority of the members present and entitled to vote thereon permitting a change of registered office pursuant to action of directors permitting directors to fill vacancies in the board of directors resulting from an increase in the number of directors deleting certain requirements as to the appointment compensation and duties of agents providing that meetings of members at which directors are to be elected may be adjourned for periods of fifteen days each fixing the method of cumulative voting in cases where directors are elected separately by the members of different classes defining "doing business" by foreign corporations and further providing for service of process on the Secretary of the Commonwealth with respect to such corporations

## SENATE BILL No. 508.

An Act to amend Sections 1 and 2 of the act approved the eighteenth day of April one thousand nine hundred forty-five (P. L. 253 No 114) entitled "An act relating to suits by shareholders against officers or directors in a corporation domestic or foreign to enforce a secondary right because the corporation refuses to enforce rights which may be asserted by it requiring that plaintiff be a shareholder at the time of the transaction of which he complains or that his shares thereafter devolved upon him by operation of law requiring security for defendant's expenses including attorneys' fees and providing for the assessment and recovery of such expenses including attorneys' fees" by extending the provisions thereof to corporations having no capital stock and authorizing



corporations to indemnify directors officers and other persons against certain expenses

#### SENATE BILL No. 733.

An Act concerning mutual military aid and assistance by and between the Commonwealth of Pennsylvania and other states in an emergency and agreeing to approving and authorizing and empowering the Governor to enter into a compact with the State of New Jersey and the State of New York and any other state concurring therein or otherwise approving thereof for such purpose

#### SENATE BILL No. 739.

An Act creating Mercy-Douglass State Hospital in Philadelphia County and authorizing the Department of Property and Supplies to sublease said Hospital to Mercy-Douglass Hospital and providing for the management thereof by the Board of Trustees of Mercy-Douglass Hospital

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

#### LEAVE OF ABSENCE

By consent of the House leave of absence was granted as follows:

Mr. Kohl for Mr. JUMP for the remainder of the week.

#### COMMUNICATION AND BILL TAKEN FROM TABLE

Mr. JOHNSON. Mr. Speaker, I move that House Bill No. 13, Printer's No. 776, together with communication from the Senate be taken from the table.

The motion was agreed to.

#### SENATE MESSAGE

##### AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

#### HOUSE BILL NO. 13.

An Act requiring political subdivisions to satisfy of record at their expense certain lost liens for taxes and municipal claims against real property sold at sheriffs' sales county tax claim bureaus' public sales under certain conditions

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerks read the amendments as follows:

Amend the title, Page 1, Line 4, by striking out after the word "sales" the words "or county treasurers' tax sale."

Amend Section 1, Page 1, Line 4, by striking out after the word "bureau" the words "or by a county treasurer."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. JOHNSON. Mr. Speaker, I request that the House concur in the amendments inserted by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—205

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarraff,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Beas,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McNally,	Schuster,
Beech,	Hagerty,	McGee,	Scott,
Berkstresser,	Hall,	McInroy,	Seyler,
Blair,	Hamilton, R. E.,	McKinney,	Shoemaker,
Bloom,	Hamilton, W. H.,	McMillen,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenshield,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Herach,	Miller, J. C.,	Stank,
Breisch,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Minters,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchia,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendening,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tomphins,
Cooper,	Kamyk,	Najaka,	Toomey,
Corr,	Keller,	Naugle,	VanSant,
Costa,	Kent,	Needham,	Varallo,
Coyle,	Kline,	Olsen,	Varnier,
Dalrymple,	Kohl,	Penglass,	Verona,
Davis,	Kolankiewicz,	Peta,	Wachhaus,
Dennison,	Kornick,	Petrosky,	Wargo,
Dougherty,	Krats,	Pettigrew,	Waterhouse,
Dowling,	Kubacki,	Pfaff,	Watkins,
DuBois,	Lafors,	Pichney,	Weidner,
Duffy,	Lederer,	Pitzer,	Welsh,
Dunn,	Leisey,	Polaski,	Wescott,
Erb,	Leonard, L.,	Polen,	Westrick,
Ewing,	Leonard, W. C.,	Price, H. W. Jr.,	Wheeler,
Fenrich,	Leven,	Price, R. A.,	White,
Ferster,	Light,	Readinger,	Williams,
Filip,	Limper,	Reagan,	Witt,
Filo,	Loftus,	Reese,	Wood,
Firmstone,	Lopresti,	Reidenbach,	Yeakel,
Flack,	Lovett,	Reilly, J. M.,	Yester,
Frost,	Lutty,	Rigby,	Yetzer,
Gaffney,	Lyons,	Riley, R. L.,	Young,
Geer,	Madden,	Robertson,	Ziegler,
Gibson,	Madigan,	Rose,	Sorg,
Gleason,	Markley,	Rosen,	Speaker
Good,		Rovansek,	

#### NAYS—0

#### NOT VOTING—2

Jump,

Whalley.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

#### COMMUNICATION AND BILL TAKEN FROM TABLE

Mr. JOHNSON. Mr. Speaker, I move that House Bill No. 1102, Printer's No. 781, together with communication from the Senate be taken from the table.

The motion was agreed to.

#### SENATE MESSAGE

##### AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:



## HOUSE BILL NO. 1102.

An Act to provide for liens for the cost of hospital care and treatment of persons wilfully or negligently injured the liens to exist on rights of action and on counterclaims and on verdicts and judgments recovered as the result of such injuries and on moneys paid in settlement of such actions and counterclaims and providing rights of action to recover such liens if not paid

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the bill, Section 1, Page 3, Line 10, by inserting after the word "record" the words "and to any insurance carrier which has insured him against such liability."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. JOHNSON. Mr. Speaker, I move that the House nonconcur in the amendments made by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

## COMMUNICATION AND BILL TAKEN FROM TABLE

Mr. JOHNSON. Mr. Speaker, I move that House Bill No. 1288, Printer's No. 805, together with communication from the Senate be taken from the table.

The motion was agreed to.

## SENATE MESSAGE

## AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

## HOUSE BILL NO. 1288.

An Act to further amend clause fifth of subsection (a) of Section 3 of the act approved the thirteenth day of May one thousand nine hundred nine (P. L. 520) entitled "An act relating to food defining food providing for the protection of the public health and the prevention of fraud and deception by prohibiting the manufacture or sale the offering for sale or exposing for sale or the having in possession with intent to sell of adulterated misbranded or deleterious foods prescribing certain duties of the Dairy and Food Commissioner in reference thereto and providing penalties for the violation thereof" by changing the amount of sulphur dioxide which may be used in the preparation of certain foods

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the bill, Section 1, Page 4, Line 12, by inserting after the word "twenty" the word "five" and by striking out "(2000)" and inserting in lieu thereof "(2500)."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. JOHNSON. Mr. Speaker, I request that the House concur in the amendments inserted by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—205

Amarando,	Goodling,	Mazza,	Royer,
Andrews,	Graybill,	McConnell,	Rubin,
Banker,	Greenwood,	McCormack,	Sarrafi,
Barkdoll,	Greer,	McCullough,	Sax,
Baumunk,	Guarnieri,	McDermitt,	Scanlon,
Bear,	Gutendorf,	McGee,	Schmidt,
Beaver,	Guthrie,	McInroy,	Schuster,
Beech,	Hagerty,	McKinney,	Scott,
Berkstresser,	Hall,	McMillen,	Seyler,
Blair,	Hamilton, R. K.,	McNally,	Shoemaker,
Bloom,	Hamilton, W. H.,	Metz,	Shotwell,
Boles,	Harney,	Mihm,	Smith,
Bolton,	Haudenschild,	Mikula,	Snider,
Bomberger,	Headlee,	Miller, H. G.,	Sollenberger,
Boorse,	Helm,	Miller, J. C.,	Spencer,
Bower,	Hersch,	Mills,	Stank,
Breisch,	Hewitt,	Mintess,	Stimmel,
Breth,	Hocker,	Monroe,	Stoner,
Brown,	Hoggard,	Moore, C. E.,	Swartz,
Bucchin,	Hunter,	Moore, H. A.,	Swope,
Byrne,	Jenkins,	Moran,	Tahl,
Cella,	Johnson,	Muldowney,	Taylor,
Clapper,	Jones, G. E.,	Munley,	Thompson, E. F.,
Clendenning,	Jones, J. M.,	Murray,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Musto,	Toll,
Conway,	Jones, T. H. W.,	Najaka,	Tompkins,
Cooper,	Kamyk,	Naugle,	Toomey,
Corr,	Keller,	Needham,	VanSant,
Costa,	Kent,	Olsen,	Varallo,
Coyle,	Kline,	Penglase,	Varner,
Dalrymple,	Kohl,	Peta,	Verona,
Davis,	Kolankiewicz,	Petrosky,	Wachhaus,
Dennison,	Kornick,	Pettigrew,	Wargo,
Dougherty,	Kratz,	Pfaff,	Waterhouse,
Dowling,	Kubacki,	Pichney,	Watkins,
DuBols,	Lafore,	Pitzer,	Weidner,
Duffy,	Lederer,	Polaski,	Welsh,
Dunn,	Lelsey,	Polen,	Wescott,
Erb,	Leonard, L.,	Price, H. W. Jr.,	Westrick,
Ewing,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Fenrich,	Leven,	Readinger,	White,
Ferster,	Light,	Reagan,	Williams,
Filip,	Limper,	Reese,	Wilt,
Filo,	Loftus,	Reidenbach,	Wood,
Firmstone,	Lopresti,	Reilly, J. M.,	Yeakel,
Flack,	Lovett,	Rigby,	Yester,
Frost,	Lutty,	Riley, R. L.,	Yetzer,
Gaffney,	Lyons,	Robertson,	Young,
Geer,	Madden,	Rose,	Ziegler,
Gibson,	Madigan,	Rosen,	Sorg,
Gleason,	Markley,	Rovansek,	Speaker
Good,	Maxwell,		

## NAYS—0

## NOT VOTING—2

Jump, Whalley.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

## COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

## APPROVAL OF HOUSE CONCURRENT RESOLUTION

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, August 10, 1951.  
To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 1269, Printer's No. 526, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

JOHN S. FINE.



## RECONSIDERATION OF VOTE

Mr. HAUDENSHIELD. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

Mr. HAROLD G. MILLER. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Allegheny Mr. Haudenshield vote on the final passage of this bill?

Mr. HAUDENSHIELD. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Blair, Mr. Miller, vote on the final passage of this bill?

Mr. HAROLD G. MILLER. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. HAUDENSHIELD. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question,

Will the House agree to the bill on third reading?

Mr. HAUDENSHIELD. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Title, page 2, line 1 of Title, by striking out the word "Canonsburg" and inserting in lieu thereof "Morganza."

Amend Sec. 1, (Sec. 15), page 2, line 12, by striking out the word "Canonsburg" and inserting in lieu thereof "Morganza."

Amend Sec. 1, (Sec. 15), page 3, line 14 by striking out the word "consequence" and inserting in lieu thereof "consequence."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

## COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

## APPROVAL OF HOUSE CONCURRENT RESOLUTION

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, August 10, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 1270, Printer's No. 534, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

JOHN S. FINE.

## RECONSIDERATION OF VOTE

Mr. HAUDENSHIELD. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

Mr. HAROLD G. MILLER. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Allegheny, Mr. Haudenshield, vote on the final passage of this bill?

Mr. HAUDENSHIELD. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Blair, Mr. Miller, vote on the final passage of this bill?

Mr. HAROLD G. MILLER. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. HAUDENSHIELD. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question,

Will the House agree to the bill on third reading?

Mr. HAUDENSHIELD. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Title, page 1, last time of Title, by inserting after the word "Commonwealth" the following "and the Department of Welfare."

Amend Sec. 1, page 2, line 6 and 7, by striking out the word "Cannonsburg" and inserting in lieu thereof "Morganza."

Amend Sec. 1, page 2, line 11, by striking out the word "Cannonsburg" and inserting in lieu thereof "Morganza."

Amend Sec. 2, page 2, line 17, by striking out the word "Cannonsburg" and inserting in lieu thereof "Morganza."

Amend Sec. 2, page 3, line 5, by striking out the word "Cannonsburg" and inserting in lieu thereof "Morganza."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

## BILLS INTRODUCED AND REFERRED

By Mr. THOMAS H. W. JONES. HOUSE BILL No. 1659.

An Act to amend section 15 of the act, approved the third day of July, one thousand nine hundred forty-seven (P. L. 1283), entitled "An act concerning the ascertainment of principal and income; and the apportionment of receipts and expenses among tenants and remaindermen" by changing the effective date thereof in respect to certain wills, trust agreements or trust relations.

Referred to the Committee on Judiciary.

By Mr. DAVIS.

HOUSE BILL No. 1660.

An Act to further amend the act approved the first day of May, one thousand nine hundred twenty-nine (P. L.



905) entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matters of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by requiring that logs, carried on certain vehicles and trailers, be securely fastened.

Referred to the Committee on Motor Vehicles.

By Mr. DUNN. HOUSE BILL No. 1661.

An Act providing for the conducting of and legalizing lotteries by the State; imposing duties on the Liquor Control Board; creating a State Lottery Commission; and making appropriations.

Referred to the Committee on Appropriations.

By Mr. JOHNSON. HOUSE BILL No. 1662.

An Act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania in order to purchase and cancel all, or any part of, the obligations of The General State Authority, and the State Highway and Bridge Authority, or either of them in certain cases.

Referred to the Committee on State Government.

By Mr. JOHNSON. HOUSE BILL No. 1663.

An Act to amend clause (a), of section one thousand eight hundred two of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges, abolishing, creating, reorganizing, or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employees in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments, boards and commissions shall be determined," as amended, by authorizing the Department of Forests and Waters to acquire mineral, gas, and oil rights under existing State forests or under land contiguous thereto.

Referred to the Committee on Game and Forestry.

By Messrs. WEIDNER and DENNISON.  
HOUSE BILL No. 1664.

An Act to further amend the act, approved the first

day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by further fixing fees for annual registration and chassis and maximum gross weights of certain commercial vehicles.

Referred to the Committee on Motor Vehicles.

By Mr. SCANLON. HOUSE BILL No. 1665.

An Act to amend Sections 3, 4 and 5 of the act, approved the twenty-fifth day of June, one thousand nine hundred thirty-seven (P. L. 2326) entitled "An act creating in counties of the first class the position of bail approval commissioner; prescribing the powers and duties thereof; limiting jurisdiction to cases in which real property is offered as bail; and conferring and imposing such powers and duties upon the controllers of counties of the first class; providing for the appointment by such bail approval commissioner certain necessary clerks and employees, and prescribing the duties and compensation thereof; imposing duties on judges or officers of any of the courts of counties of the first class, and upon magistrates in counties of the first class; and requiring all departments of counties and cities of the first class to supply certain information; prescribing offenses; and providing penalties therefor," by transferring in certain cases the office of bail commissioner from the controller to the Revenue Commissioner and increasing the maximum salary of assistants and employees and the fees for bail approval certificates.

Referred to the Committee on City and County—First Class.

By Mr. JOHN C. MILLER. HOUSE BILL No. 1666.

An Act regulating the operation of certain fire-houses and fire-stations maintained by boroughs and townships having paid firemen.

Referred to the Committee on Municipal Corporations.

By Messrs. McCORMACK and RUBIN.  
HOUSE BILL No. 1667.

An Act to amend the act, approved the twenty-fourth day of July, one thousand nine hundred thirteen (P. L. 965), entitled "An act defining commodities; regulating the sale thereof; and providing penalties for violation hereof," by further defining "liquid commodity" and regulating the sale of candy and candy products and frozen fluid products.

Referred to the Committee on State Government.

By Messrs. GEER and WILT. HOUSE BILL No. 1668.

An Act to add clause LXVI to Section 1202 of the act, approved the fourth day of May, one thousand nine hun-



dred twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," by empowering boroughs to appropriate money for the expenses of paid or volunteer firemen in attending fire schools.

Referred to the Committee on Boroughs.

By Mr. GREER.

HOUSE BILL No. 1169.

An Act to amend section one thousand three hundred ten point of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," by providing for the sale of escheatable property by the Secretary of Revenue.

Referred to the Committee on Ways and Means.

By Mr. ANDREWS.

HOUSE BILL No. 1670.

An Act to amend the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization or certain administrative departments, boards and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employees in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments, boards, and commissions shall be determined," by authorizing the adoption of annual State budgets, and convening of special sessions of the General Assembly for such purpose.

Referred to the Committee on State Government.

## SENATE MESSAGE

### SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

### SENATE BILL No. 187.

An Act to fix the salaries and compensation of the judges of the Supreme Court the judges of the Superior Court the judges of the courts of common pleas the judges of the orphans' courts the judges of the Municipal Court of Philadelphia and the judges of the County Court of Allegheny County certain associate judges not learned in the law and repealing certain acts inconsistent herewith.

Referred to the Committee on State Government.

### SENATE BILL No. 441.

An Act to add Sections 602.1 and 705.1 to further amend Section 802 to add Sections 804.1 and 901.1 to the act approved the fifth day of August one thousand nine hundred forty-one (P. L. 752) entitled "An act regulating and improving the civil service of certain departments and agencies of the Commonwealth vesting in the State Civil Service Commission and a Personnel Director certain powers and duties providing for classification of positions adoption of compensation schedules and certification of payrolls imposing duties upon certain officers and employees of the Commonwealth authorizing service to other State departments or agencies and political subdivisions of the Commonwealth in matters relating to civil service defining certain crimes and misdemeanors imposing penalties making certain appropriations and repealing certain acts and parts thereof" by providing that substitutes may hold positions only until employees on military leave return relating to rights of transferred reassigned or promoted employees during probationary periods and providing for employee audits from time to time.

Referred to the Committee on State Government.

## RESOLUTIONS INTRODUCED AND REFERRED

By Mr. STIMMEL.

RESOLUTION No. 74.

In the House of Representatives, August 13, 1951.

Whereas, The act, approved the 14th day of May, 1915, P. L. 524 and its amendments, make it unlawful for any department, bureau, commission or any other branch of the State government or any board of trustees or custodians of State property to purchase, secure or obtain any policy of insurance on any property owned by the Commonwealth excepting policies of insurance covering loss or damage arising from boiler explosion; and

Whereas, The said act also creates a fund for the rebuilding, restoration and replacement of any structure, property or equipment owned by the Commonwealth and damaged or destroyed by fire or other casualty; and

Whereas, It is desirable that the policy established by the said act of 1915 should be restudied with a view to making any changes or corrections which would be advantageous due to altered conditions and circumstances in regard to the purchase of insurance as compared to self-insurance; therefore be it

Resolved, That this House of Representatives hereby directs the Joint State Government Commission to study the Act approved the 14th day of May, 1915, P. L. 524, and the method provided in it for the rebuilding and replacement of Commonwealth property damaged by fire or other casualty; and be it further

Resolved, That the Commission shall report its findings and recommendations to the next regular session of the General Assembly together with such legislation as it may propose to carry out such recommendations.

Referred to the Committee on Rules.

By Mr. ROBERTSON.

(Concurrent) RESOLUTION No. 75.

In the House of Representatives, August 13, 1951.

Resolved, (if the Senate concurs) That concurrent



resolution No. 5 approved the third day of April, 1947 (P. L. 1850) as amended by concurrent resolution No. 2 approved the twenty-fourth day of March, 1949 (P. L. 2135), is hereby further amended to read as follows:

"Whereas, The Pennsylvania Roadside Council, wishing to cooperate in the nationwide Blue Star Memorial Program sponsored by the National Council of State Garden Clubs, is desirous of recognizing and commemorating the splendid services and achievements of our sons and daughters who served in the Armed Forces of the United States in World War II; and

Whereas, It is fitting and appropriate that legislative recognition be accorded the services and sacrifices of citizens so valiantly rendered; and

Whereas, The State of New Jersey has designated one of its state highways leading to Easton, Pennsylvania, as New Jersey's link in this nationwide program; therefore be it

Resolved (if the Senate concurs) That State Highway Route Number 22 from Easton to Harrisburg, the Pennsylvania Turnpike from the eastern terminus as is or may be established by the Pennsylvania Turnpike Commission to the western terminus thereof, located at a point on the western boundary line of the Commonwealth of Pennsylvania touching on the State of Ohio, State Highway Route Number 30 from Irwin to Pittsburgh via the Penn-Lincoln Parkway and State Highway Route Number 22 from Pittsburgh to the Pennsylvania-West Virginia State line is designated as the Blue Star Drive, as a memorial in commemoration of the services of the men and women of Pennsylvania who served in the Armed Forces of the United States in World War II, and be it further

Resolved, That the Department of Highways shall erect along said highways suitable tablets or markers and shall carry out suitable landscape development to perpetuate this resolution but shall not replace or change the officially designated route number or name or marker thereof of any highway or turnpike hereby included as a part of such Blue Star Drive."

Referred to the Committee on Rules.

### PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. COOPER asked and obtained permission for the Committee on Banking and Building and Loan Associations to meet during the session of the House.

### PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. READINGER asked and obtained unanimous consent to add the name of Mr. Weidner as an additional sponsor to House Bill 1599.

### REPORTS FROM COMMITTEES

Mr. WESTRICK from the Committee on Education, reported as committed, House Bill No. 240, entitled:

An Act to amend section two thousand five hundred nine of the act approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial school amending, revising, consolidating, and changing the laws relating thereto" by increasing reimbursement on account of courses for handicapped children.

Mr. FERSTER from the Committee on Education, reported as committed, House Bill No. 862, entitled:

An Act to add Section 510.1 to the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto,"

by authorizing school directors of school districts in townships of the second class to appoint special school police and defining the power and duties of such police.

Mr. SHOEMAKER from the Committee on Counties, reported as amended, House Bill No. 967, entitled:

An Act to further amend the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh, and eighth classes; and revising, amending and consolidating the laws relating thereto," providing for disability leave with salary, and hospital and medical expenses, for employes of jails and workhouses in counties of the second class temporarily incapacitated in the performance of duties.

Mr. HELM from the Committee on Education, reported as committed, House Bill No. 1350, entitled:

An Act to amend Section 2508 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by providing for the allocation of funds to school districts for programs essential to mobilization, or de-mobilization, of civilian manpower.

Mr. HAROLD G. MILLER from the Committee on Welfare, reported as amended, House Bill No. 1497, entitled:

An Act to amend the act, approved the twelfth day of June, one thousand nine hundred fifty-one (Act No. 141), entitled "An act relating to mental health including mental illness mental defect epilepsy and inebriety and amending revising consolidating and changing the laws relating thereto," by changing and adding definitions; further providing for the licensing of private institutions, the functions of various State institutions, the procedure relating to the admission, commitment, transfer, escape, discharge, leave of absence, care, rights and employment of patients, and in certain cases, the costs incident thereto, and relating to the appointment of guardians of the person; removing inoperative and unnecessary provisions; making editorial changes; and adding and changing penalties.

Mr. BOLTON from the Committee on Banking and Building and Loan Associations, reported as committed, House Bill No. 1553, entitled:

An Act to further amend section twenty-seven of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 748), entitled, as amended, "An act relating to and regulating the purchase and sale of securities; providing for the registration and regulation of certain individuals and entities selling, contracting to sell or dispose of, attempting or offering to dispose of, soliciting offers to buy, or inducing holders thereof to exchange, securities defined herein, including securities issued by them, or engaging in the business of inducing holders of securities to effect the sale thereof in order to produce funds to pay for other investments sold by them, or in the business of buying securities directly from individuals who are not registered hereunder, or in the business of advising others as to the value or investment qualifications of securities and the management of investment accounts, and the solicitors of such investment advisers; providing for the revocation and suspension of registrations; conferring powers and imposing duties on the Pennsylvania Securities Commission and otherwise providing for the administration of this act; providing for appeals to the Court of Common Pleas of Dauphin County, and to the Supreme Court of Pennsylvania; conferring jurisdiction upon the several courts of common



pleas to issue injunctions against violations of this act and to appoint receivers and prescribing fees and penalties," as previously reenacted and amended, by increasing the fees charged by the Pennsylvania Securities Commission.

Mr. WEIDNER from the Committee on Education, reported as committed, House Bill No. 1580, entitled:

An Act to further amend subsection (a) of Section 672 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by changing the time for the levy and assessment of school taxes in certain cases.

Mr. PAUL F. JONES from the Committee on Education, reported as committed, House Bill No. 1581, entitled:

An Act to amend the act, approved the eleventh day of May, one thousand nine hundred five (P. L. 518), entitled "An act making an appropriation for the erection of a home or school for indigent orphans, to be called the Thaddeus Stevens Industrial and Reform School of Pennsylvania, in which school provision shall be made for giving instruction in reading, writing, arithmetic, drawing, duties of citizenship, elementary manual training, the elements of farming, and other requisite branches," by further providing for the course of instruction and the admission of students at such institution; and authorizing certain tuition charges for its use.

Mr. SCANLON from the Committee on Education, reported as committed, House Bill No. 1588, entitled:

An Act to further amend Section 672 of the act, approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by increasing the limitation on tax rates which may be levied and assessed for school purposes in districts of the second, third and fourth class.

Mr. COSTA from the Committee on Education, reported as committed, House Bill No. 1589, entitled:

An Act to further amend Section 9 of the act, approved the fifth day of July, one thousand nine hundred forty-seven (P. L. 1217), entitled "An act to promote the education and educational facilities of the people of the Commonwealth of Pennsylvania; creating a State Public School Building Authority as a body corporate and politic with power to construct, improve and operate projects and to lease the same and to fix and collect fees, rentals and charges for the use thereof; authorizing school districts to enter into contracts to lease; authorizing and regulating the issuance of bonds by said Authority; and providing for the payment of such bonds and the rights of the holders thereof; granting the right of eminent domain; increasing the powers and duties of the Department of Public Instruction; and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted under this act; and making an appropriation to said Authority to pay expenses incident to its formation," by further providing for examination of the books and accounts of the Authority.

Mr. HARVEY A. MOORE from the Committee on Counties, reported as committed, House Bill No. 1599, entitled:

An Act providing for an expense allowance for members of the board of inspectors of the Berks County Prison.

Mr. MORAN from the Committee on Labor Relations, reported as amended, House Bill No. 1606, entitled:

An Act to further amend the act, approved the first day of July, one thousand nine hundred thirty-seven (P. L. 2681), entitled "An act relating to, and regulating the manufacture, storing, and possession of explosives; requiring permits for magazines, and prescribing permit fees; and providing penalties," by regulating the transportation of explosives, requiring permits for blasting, including prosecution by the Pennsylvania State Police, and otherwise extending the regulation of explosives and increasing fees.

Mr. HERSCH from the Committee on Labor Relations, reported as committed, House Bill No. 1607, entitled:

An Act providing for the marking of liquefied petroleum gas containers and prohibiting the refilling or use of such containers without authorization by the owner thereof; authorizing the Department of Labor and Industry, after public hearing, to prescribe uniform regulations for safety in the design, construction, location, installation and operation of equipment for storing, handling, transporting by tank truck or tank trailer and utilizing liquefied petroleum gases for fuel purposes, and for the odorization of said gases used therewith; prohibiting the adoption by municipalities or other political subdivisions of ordinances or regulations in conflict with this act; providing for prosecutions for violations of this act by summary proceedings and prescribing the penalty therefor.

Mr. BUCCHIN from the Committee on Welfare, reported as amended, House Bill No. 1624, entitled:

An Act to further amend the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2051), entitled "An act relating to public assistance; providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged persons, blind persons and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooperate with, and to accept and disburse moneys received from, the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Boards of Trustees of the Mothers' Assistance Fund, and Boards of Trustees of Pension Fund for the Blind; and repealing laws relating to mothers' assistance, pensions for the blind, old age assistance, and the State Emergency Relief Board," by further prescribing the powers and duties of the Department of Public Assistance and the local boards, further defining "Assistance" and those persons eligible for assistance, further prescribing residence requirements with respect to assistance, changing the terms of county board members, clarifying the provisions with respect to the payment to the United States of its share of moneys received by way of restitution, prescribing additional penalties, and repealing a certain act.

Mr. ROBERTSON from the Committee on Counties, reported as committed, House Bill No. 1637, entitled:

An Act to further amend sections two, three and four of the act, approved the eleventh day of June, one thousand nine hundred thirty-five (P. L. 326), entitled "An act relating to counties of the first class; defining deceased service persons; providing for contributions by the county to the funeral expenses for such persons and their widows; providing for the erection and care of markers, headstones, and flags, and for the compilation of war records," by removing limitation regulating contributions made by county commissioners towards funeral expenses of deceased service persons and their widows.



Mr. HELM from the Committee on Education, reported as committed, House Bill No. 1639, entitled:

An Act defining and providing for the licensing and regulation of private driver education or training schools; conferring powers and imposing duties on the Department of Public Instruction; and imposing penalties.

Mr. ROBERTSON from the Committee on Counties, reported as committed, House Bill No. 1642, entitled:

An Act to further amend Sections 422, 423 and 424 of the act approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by removing limitation regulating contributions made by county commissioners towards funeral expenses of deceased service persons and their widows.

Mr. SHOEMAKER from the Committee on Counties, reported as committed, House Bill No. 1643, entitled:

An Act fixing the fees and mileage of the coroner in counties of the sixth class.

Mr. KOLANKIEWICZ from the Committee on Education, reported as committed, Senate Bill No. 41, entitled:

A Supplement to the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by extending certain benefits heretofore granted to school employees entering the armed forces of the United States to certain other similarly qualified school employees.

Mr. McMILLEN from the Committee on Education, reported as committed, Senate Bill No. 191, entitled:

An Act to further amend Section 671 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by authorizing the change of the fiscal year by districts of the second class.

Mr. DUNN from the Committee on Counties, reported as committed, Senate Bill No. 319, entitled:

An Act to further amend Section 1 of the act approved the seventeenth day of June one thousand nine hundred thirteen (P. L. 507) entitled "An act to provide revenue for State and County purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenues for State purposes" by providing for the method of valuation of taxable shares of stock in any regulated investment company.

Mr. BERKSTRESSER from the Committee on Counties, reported as committed, Senate Bill No. 675, entitled:

An Act to further amend the act approved the sixth day of May one thousand eight hundred seventy-four (P. L. 125) entitled "An act regulating State tax on certain county offices" by increasing the maximum amount of fees that certain county officers may retain before being required to pay over half the excess to the county treasurer.

Mr. BOORSE from the Committee on Counties, reported as committed, Senate Bill No. 677, entitled:

An Act to amend the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 973) entitled "An act relating to the annual salaries of certain county officers of counties of the third class" by increasing the salaries of certain county officers.

Mr. WHEELER from the Committee on Counties, reported as committed, Senate Bill No. 678, entitled:

An Act to amend the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 973) entitled "An act relating to the annual salaries of certain county officers of counties of the third class" by increasing the salaries of certain county officers.

Mr. ERB from the Committee on Counties, reported as committed, Senate Bill No. 679, entitled:

An Act to amend the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 972), entitled "An act relating to the annual salaries of certain county officers of counties of the fifth class" by increasing the salaries of certain county officers.

Mr. BOORSE from the Committee on Counties, reported as amended, Senate Bill No. 680, entitled:

An Act to amend the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 928) entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the sixth class" by increasing the salaries of certain county officers.

Mr. KELLER from the Committee on Counties, reported as committed, Senate Bill No. 681, entitled:

An Act to amend the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 971) entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the eighth class" by increasing the salaries of certain county officers.

Mr. DAVIS from the Committee on Counties, reported as committed, Senate Bill No. 682, entitled:

An Act to amend the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 938) entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the seventh class" by increasing the salaries of certain county officers.

Mr. LEISEY from the Committee on Counties, reported as amended, Senate Bill No. 688, entitled:

An Act to further amend Section 303 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms



of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" by directing that an allowance be paid to certain county controllers for the expenses pertaining to the institution district for a temporary period.

Mr. SNIDER from the Committee on Counties, reported as committed, Senate Bill No. 723, entitled:

An Act to amend section 3 of the act approved the fifteenth day of June one thousand nine hundred thirty-nine (P. L. 359) entitled "An act relating to recognizances and official bonds of present and future sheriffs and coroners and to their sureties thereon imposing the expense of corporate suretyships on such obligations upon the several counties and various duties upon the courts of common pleas and county officers thereof authorizing the substitution of approved surety companies for individual or corporate sureties upon such obligations and the release of any surety upon any such recognizance by such recognizance by such court upon certain conditions dispensing with sureties on such recognizances but providing for the acknowledgment recording and indexing of same as liens on certain real estate regulating such liens and releases therefrom providing for refunds to sheriffs and coroners of certain premiums paid to sureties on their official bonds and recognizances and repealing inconsistent laws except as to existing claims or pending suits thereunder subject to certain limitations" by fixing the time the lien of such recognizances shall run including those heretofore executed.

Mr. KELLER from the Committee on Education, reported as committed, Senate Bill No. 771, entitled:

An Act to further amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by empowering the board of school directors in every school district to insure all of its employees against liability for personal damages sustained by pupils or others as the result of the employees' negligence in the performance of his or her duties during the course of his or her employment.

Mrs. VARALLO from the Committee on Education, reported as committed, Senate Bill No. 801, entitled:

An Act to further amend the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by permitting employees to make up back payments to the retirement system from time they enter school service and securing to employees the full benefits of the retirement system from the time they entered school service.

Mr. GLEASON from the Committee on Boroughs, reported as committed, Senate Bill No. 808, entitled:

An Act to further amend Section 1201 of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" by further providing for the sale of borough property.

Mrs. MONROE from the Committee on Welfare, re-reported as committed, House Bill No. 640, entitled:

An Act to amend the act approved the sixth day of June one thousand eight hundred ninety-three (P. L. 326) entitled "A supplement to an act entitled 'An act in relation to the imprisonment government and release of convicts in the Pennsylvania Industrial Reformatory at Huntingdon' approved the twenty-eighth day of April Anno Domini one thousand eight hundred and eighty-seven" by correcting the name of said institution and of the governing board thereof.

Mr. LOVETT from the Committee on Labor Relations, re-reported as amended, House Bill No. 390, entitled:

An Act requiring all buildings under construction or alteration which are to be five stories or more in height to be equipped with an elevator for the use of building construction workmen imposing certain duties upon the department of Labor and Industry and providing penalties.

### BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

#### HOUSE BILL No. 13.

An Act requiring political subdivisions to satisfy of record at their expense certain lost liens for taxes and municipal claims against real property sold at sheriffs' sales county tax claim bureaus' public sales under certain conditions

#### HOUSE BILL No. 1288.

An Act to further amend clause fifth of subsection (a) of Section 3 of the act approved the thirteenth day of May one thousand nine hundred nine (P. L. 520) entitled "An act relating to food defining food providing for the protection of the public health and the prevention of fraud and deception by prohibiting the manufacture or sale the offering for sale or exposing for sale or the having in possession with intent to sell of adulterated misbranded or deleterious foods prescribing certain duties of the Dairy and Food Commissioner in reference thereto and providing penalties for the violation thereof" by changing the amount of sulphur dioxide which may be used in the preparation of certain foods

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

### BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1644, entitled:

An Act declaring the Communist Party and similar revolutionary organizations illegal making membership in the Communist Party or any organization furthering the revolutionary conspiracy by force and violence a felony and providing penalties

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.



Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1647, entitled:

An Act to add section three hundred twenty-seven to the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by making it a crime to picket or parade in or near any building housing a court of the Commonwealth of Pennsylvania with the intent of influencing any judge juror witness or court officer in the discharge of his duty and prescribing penalties

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading,

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 729, entitled:

An Act to repeal Sections 2 and 3 of the act approved the eleventh day of April one thousand eight hundred sixty-six (P. L. 635) entitled "A further supplement to the act consolidating the city of Philadelphia for the purpose of introducing a sufficient supply of fresh and pure water for the use of the citizens of said city" by eliminating the right of the City of Philadelphia to enter upon or take certain land in adjoining counties by eminent domain proceedings for water supply purposes and the manner of ascertaining damages for such taking

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

### BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 646, entitled:

An Act to amend Section 13 of the act approved the fifth day of May one thousand nine hundred twenty-one (P. L. 389) entitled "An act to regulate and control the manufacture sale offering for sale giving away and use of weights and measures and of weighing and measuring devices in the Commonwealth of Pennsylvania providing for the approval and disapproval of such weights measures and devices by the Bureau of Standards and prescribing penalties" by providing for the inspection of new second-hand or repaired weighing or measuring devices

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 598, entitled:

An Act to further amend Section 10 of the act approved the twenty-ninth day of May one thousand eight hundred eighty-five (P. L. 29) entitled "An act to provide for the incorporation and regulation of natural gas companies" by providing that natural gas companies shall have the right of eminent domain for underground storage of natural gas or manufactured fuel gas and regulating the exercise of such right

The first section was read.

On the question,

Will the House agree to the section?

Mr. JOHNSON offered the following amendments:

Amend Sec. 1, (Sec. 10), page 4, lines 8 and 9, by striking out all of line 8, and "eighty per cent exhausted" in line 9.

Amend Sec. 1, (Sec. 10), page 4, line 30, by striking out "seventy-five" and inserting in lieu thereof: "ninety".

Amend Sec. 1, (Sec. 10), page 5, line 16 to 19, both inclusive, by striking out "and if such operator or" in line 16, all of lines 17 and 18, and "edy by injunction and for damages" in line 19.

They were agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

### BILLS PASSED OVER

There being no objection

Senate Bill No. 653, Printer's No. 407,

Senate Bill No. 654, Printer's No. 449,

Senate Bill No. 655, Printer's No. 378 and

Senate Bill No. 656, Printer's No. 405,

were passed over at the request of the SPEAKER.

### BILLS ON SECOND READING POSTPONED

Agreeably to order,

The bill having been called up from the postponed calendar, by Mr. WATERHOUSE.

The House resumed the consideration on second reading of House Bill No. 774, entitled:

An Act to amend Section 201 of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 571) entitled "An act relating to assessment for taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects property and persons subject to and exempt from taxation for county borough township school except in cities and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for the assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of ward borough town and township assessors abolishing the office of assistant triennial assessor in townships of the first class providing for the appointment of a chief assessor assistant assessors and other employees providing for their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the recorder of deeds and eliminating the triennial assessment" by further defining real estate to be valued and assessed for taxation

The first section was read.

On the question,

Will the House agree to the section?

### BILL RECOMMITTED

Mr. WATERHOUSE. Mr. Speaker, it is with a great deal of reluctance that I make this motion, but I have spent a great deal of time in checking the support we have, and being satisfied that there is not sufficient support to pass this bill, or to defeat a motion to recommit, I move that this bill be recommitted to the Committee on Counties for further study.

The motion was agreed to.

Agreeably to order,

The bill having been called up from the postponed calendar, by Mr. WATERHOUSE.

The House resumed the consideration on second reading of House Bill No. 775, entitled:



An Act to further amend Section 201 of the act approved the twenty-second day of May one thousand nine hundred thirty-three (P. L. 853) entitled "An act relating to taxation designating the subjects property and persons subject to and exempt from taxation for all local purposes providing for and regulating the assessment and valuation of persons property and subjects of taxation for county purposes and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuations amending revising and consolidating the law relating thereto and repealing existing laws" by further defining real estate to be valued and assessed for taxation.

The first section was read.

On the question,

Will the House agree to the section?

### BILL RECOMMITTED

Mr. WATERHOUSE. Mr. Speaker, I move that this bill be recommitted to the Committee on Counties for the purpose of further study.

The motion was agreed to.

Mr. ANDREWS. Mr. Speaker, I rise for the purpose of thanking the gentleman from Erie for making the motion that he did and conserving the time of the House.

The SPEAKER. The Chair also thanks the gentleman from Erie.

### BILLS ON FINAL PASSAGE

#### BILL PASSED OVER

There being no objection

House Bill No. 1557, Printer's No. 860, was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the consideration on final passage of Senate Bill No. 365, as follows:

An Act to further amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by permitting the Department of State to copy and destroy or return certain documents permitting directors to fill vacancies in the board of directors resulting from an increase in the number of directors deleting certain requirements as to the appointment compensation and duties of agents providing that meetings of shareholders at which directors are to be elected may be adjourned for periods of fifteen days each fixing the method of cumulative voting in cases where directors are elected separately by the holders of different classes of shares providing that courts having jurisdiction over trustees who are evenly divided as to how shares shall be voted may direct the voting of such shares deleting require-

ments as to the voting of shares of foreign corporations owned by other corporations providing that articles of incorporation may be amended to eliminate the preemptive rights of shareholders and providing for the purchase of and payment of shares of certain shareholders who dissent therefrom specifying cases of merger or consolidation of which sixty days' notice to shareholders must be given providing that shareholders of a parent corporation shall have no right to dissent from a merger or consolidation of such parent and one or more wholly-owned subsidiaries thereof provided the state of incorporation and relative rights and preferences of the shareholders of the parent corporation are not changed thereby agent to accept service of process in cases arising out of acts further providing for advertising of merger or consolidation by domestic corporations for merger and consolidation of foreign business corporations defining "doing business" by foreign corporations and further providing for service of process on the secretary of the Commonwealth with respect to such corporations and prescribing procedure for rescinding a certificate of election to dissolve

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section ten of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" is hereby amended to read as follows

Section 10 Powers of Department of State The Department of State shall have the power and authority reasonably necessary to enable it to administer this act efficiently and to perform the duties imposed upon it by this act All articles papers and other documents required by this act to be filed with the Department of State shall be made in such form as shall be prescribed by that department The Department of State may make a copy on microfilm or otherwise of any document filed with or by it pursuant to this act or any act hereby repealed and thereafter destroy such document or return it to the person who filed the same

Section 2 Paragraph A of Section two hundred six of said act as amended by the act approved the second day of July one thousand nine hundred thirty-seven (P. L. 2828) is hereby further amended to read as follows

Section 206 Filing of Articles Certificate of Incorporation A The incorporators shall deliver or cause to be delivered to the Department of State the articles of incorporation and proof of the advertisement required by the preceding section If the Department of State finds that the articles conform to law it shall forthwith but not prior to the day specified in the advertisement required by the preceding section endorse its approval thereon and when all bonus fees and charges have been paid as required by law shall [file the articles and] issued to the incorporators or their representatives a certificate of incorporation to which shall be attached [a copy of] the approved articles and shall make and retain a copy thereof The articles upon being approved [and filed] by the Department of State shall constitute the charter of the corporation

Section 3 Paragraph (3) of Section three hundred twenty of said act as last amended by the act approved the thirty-first day of July one thousand nine hundred forty-one (P. L. 636) is hereby further amended to read as follows



(3) A certificate of any amendment to articles of incorporation a certificate of change of registered office a certificate of dissolution a certificate of reduction of stated capital or a certificate of merger or consolidation executed as hereinafter provided and made by such corporation pursuant to the foregoing provisions together with a certificate or certificates from the proper department or departments evidencing payment by the corporation of all bonus taxes and charges as required by law shall be delivered to the Department of State. If the Department of State finds that the certificate of amendment change of registered office dissolution reduction of stated capital or of merger or consolidation conforms to law that notice of intention to file such certificate has been duly advertised in accordance with the provisions of this act and that the certificate evidencing payment of bonus or taxes or charges is in proper form it shall upon payment of the filing fee forthwith endorse its approval thereon and shall [file the certificate and] issue to the corporation a certificate of amendment dissolution reduction of stated capital merger or consolidation to which shall be attached [a copy of] the certificate [of incorporation] so delivered to it Upon the [filing] approval of such certificate by the Department of State the amendment dissolution reduction of stated capital merger or consolidation shall be effective. Such certificate shall be made executed and acknowledged as may be directed by such decrees or orders by the trustee or trustees or receiver or receivers appointed in the bankruptcy proceedings (or a majority thereof) or if none be appointed and acting by officers of the corporation or by a master or other representative appointed by the court or judge or referee and shall certify that (a) provision for the making of such certificate agreement or instrument is contained in the plan of reorganization or arrangement or in a decree or order of the court or judge or referee relative thereto and (b) that the plan or arrangement has been confirmed as provided in the National Bankruptcy Act but no final decree has been entered in the bankruptcy proceeding closing the case and discharging the trustee or trustees or receiver or receivers if any.

Section 4 Subsection (3) of Section four hundred two of said act as amended by the act approved the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1773) is hereby further amended to read as follows

Section 402 Number Qualifications and Election of Directors Subject to the provisions of this act the number qualifications terms of office manner of election time and place of meeting compensation and powers and duties of the directors may be prescribed from time to time by the by-laws Except as otherwise provided in the by-laws

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(3) Vacancies in the board of directors including vacancies resulting from an increase in the number of directors shall be filled by a majority of the remaining members of the board though less than a quorum and each person so elected shall be a director until his successor is elected by the shareholders who may make such election at the next annual meeting of the shareholders or at any special meeting duly called for that purpose and held prior thereto.

Section 5 Section four hundred six of said act as last amended by the act approved the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1773) is hereby further amended to read as follows

Section 406 Officers [and Agents] Every business corporation shall have a president a secretary and a treasurer and may have such other officers and assistant officers [and agents] as it shall authorize from time to time. The articles or by-laws may prescribe special qualifications for such officers. The president and secretary shall be natural persons of full age the treasurer however may be a corporation but if a natural person shall be of full age. Unless the articles or by-laws provide otherwise the board of directors shall elect [or appoint] and fix the compensation of such officers and assistant officers [and agents]. Such officers and assistant officers [and agents] shall be elected [or appointed] at such time in such manner and for such terms as the by-laws shall prescribe. It shall not be necessary for the officers to be directors. If the by-laws so provide any two or more offices may be held by the same

person except the offices of president and secretary. The board of directors may secure the fidelity of any or all of such officers by bond or otherwise. Unless otherwise provided in the by-laws the board of directors shall have power to fill any vacancies in any office occurring from whatever reason. All officers [and agents] of the corporation as between themselves and the corporation shall respectively have such authority and perform such duties in the management of the property and affairs of the corporation as may be provided in the by-laws or in the absence of controlling provisions in the by-laws as may be determined by resolution of the board of directors.

Section 6 Paragraph D of Section five hundred one of said act is hereby amended to read as follows

D Adjournment or adjournment of any annual or special meeting may be taken but any meeting at which directors are to be elected shall be adjourned only from day to day or for such longer periods not exceeding fifteen days each as the holders of a majority of the shares present in person or by proxy shall direct until such directors have been elected.

Section 7 Section five hundred five of said act is hereby amended to read as follows

Section 505 Elections of Directors Cumulative Voting Unless otherwise provided in the by-laws elections for directors need not be by ballot except upon demand made by a shareholder at the election and before the voting begins. In all elections for directors every shareholder entitled to vote shall have the right in person or by proxy to multiply the number of votes to which he may be entitled by the total number of directors of all classes to be elected by either the holders of the class or classes of shares of which his shares are a part or by the holders of any other class or classes of shares and he may cast the whole number of such votes for one candidate or he may distribute them among any two or more candidates. The candidates receiving the highest number of votes from each class or group of classes entitled to elect directors separately up to the number of directors to be elected by such class or group of classes shall be elected.

Section 8 Section five hundred seven of said act is hereby amended to read as follows

Section 507 Voting by Joint Holders of Shares Where shares are held jointly or as tenants in common by two or more persons such shares shall be voted and any proxy shall be given by the person or persons designated for that purpose in the agreement under which such shares are held jointly or by tenancy in common. If the agreement does not determine the question which person or persons shall vote such shares or give any proxy in regard thereto the will of the majority of such persons shall control the manner of voting or the giving of a proxy. If only one or more of such persons is present in person or by proxy he or they shall have the right to vote all such shares and all of the shares standing in the names of such persons shall be deemed to be represented for the purpose of determining a quorum. Where in any case such persons are equally divided upon the manner of voting the shares held by them the vote of such shares shall be divided equally among such persons. Except as hereinafter provided the same shall be true in the case of trustees however appointed [by the court of common pleas] unless the instrument by which the trust was created or the decree of court appointing them otherwise directs. Where in any case such trustees are equally divided upon the manner of voting the shares jointly held by them it shall be lawful for the court [of common pleas] having jurisdiction over the trustees upon petition filed by any of the trustees or by any beneficiary to direct the voting of such shares in the manner which in the opinion of the court will be for the best interests of the parties beneficially interested in the shares.

Section 9 Section five hundred eight of said act as amended by the act approved the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1773) is hereby further amended to read as follows

Section 508 Voting Shares Held By Corporation Any corporation owning shares in [another] a domestic business corporation may vote the same by any of its officers



or by proxy appointed by any such officer unless some other person by resolution of its board of directors shall be appointed its general or special proxy in which case such person shall be entitled to vote the shares. Shares of its own capital stock belonging to a domestic business corporation shall not be voted directly or indirectly at any meeting and shall not be counted in determining the total number of outstanding shares for voting purposes at any given time but shares of its own capital stock held by it in a fiduciary capacity may be voted and shall be counted in determining the total number of outstanding shares at any given time.

Section 10 Paragraph C of Section six hundred two of said act is hereby amended to read as follows:

C Prior to the issue of any shares of a series established by resolution adopted by the board of directors the corporation shall present to the Department of State a statement executed under the seal of the corporation signed and verified by two duly authorized officers thereof and setting forth

- (1) The name of the corporation
- (2) The resolution establishing and designating the series and fixing and determining the relative rights and preferences thereof
- (3) The date and the manner of the adoption of such resolution

If the Department of State finds that such statement conforms to law and the articles of the corporation and when all fees have been paid as required by law it shall endorse its approval thereon [shall file the statement] and shall issue to the corporation or its representative [a copy of] the approved statement and shall make and retain a copy thereof. Upon the [filing] approval of such statement by the Department of State the resolution establishing and designating the series and fixing and determining the relative rights and preferences thereof shall become effective.

Section 11 Paragraph C of Section seven hundred five of said act as last amended by the act approved the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1773) is hereby further amended to read as follows:

C The statement shall be delivered to the Department of State either prior to or within thirty days after the date of such redemption and cancellation. If the Department of State finds that the statement conforms to law it shall upon payment of the filing fee endorse its approval thereon [shall file the statement and] shall issue to the corporation or its representative [a copy of] the approved statement and shall make and retain a copy thereof. The [filing] approval of such statement shall operate as an amendment to the article of the corporation and shall reduce the number of shares of the class so redeemed which the corporation is authorized to issue by the number of the shares so redeemed and cancelled. Nothing contained in this section shall be construed to prohibit a reduction of authorized capital stock or a reduction of stated capital in any other manner permitted by this act.

Section 12 Paragraph C of Section seven hundred six of said act as last amended by the act approved the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1773) is hereby further amended to read as follows:

C The statement shall be delivered to the Department of State. If the Department of State finds that such statement conforms to law it shall upon payment of the filing fee endorse its approval thereon [shall file the statement and] shall issue to the corporation or its representative [a copy of] the approved statement and shall make and retain a copy thereof. Upon the [filing] approval of such statement the reduction shall be effective.

Section 13 Paragraph C of Section seven hundred eight of said act as added by the act approved the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1773) is hereby further amended to read as follows:

C The statement shall be delivered to the Department of State within thirty days after the adoption of the resolution aforesaid. If the Department of State finds that the statement conforms to law it shall endorse its approval thereon [shall file the statement and] shall issue to the

corporation or its representative [a copy of] the approved statement and shall make and retain a copy thereof. If the resolution aforesaid provided for a reduction in the number of shares which the corporation is authorized to issue the [filing] approval of such statement shall operate as an amendment to the articles of the corporation and shall reduce the number of shares of the class so cancelled which the corporation is authorized to issue by the number of shares so cancelled otherwise the shares so cancelled shall upon such [filing] approval have the status of authorized but unissued shares. Nothing contained in this section shall be construed to prohibit a reduction of authorized capital stock or a reduction of stated capital in any other manner permitted by this act.

Section 14 Section eight hundred eight of said act as last amended by the act approved the second day of May one thousand nine hundred forty-seven (P. L. 139) is hereby further amended to read as follows:

Section 808 Filing of Articles of Amendment The articles of amendment proof of the advertisement heretofore required in this article shall be delivered by the corporation or its representative to the Department of State. If the Department of State finds that such articles conform to law it shall upon payment of the filing fee forthwith but not prior to the day specified in the advertisement required by the preceding section endorse its approval thereon [and] shall [file the articles and] issue to the corporation or its representative a certificate of amendment to which shall be attached [a copy of] the approved articles and shall make and retain a copy thereof.

Section 15 Article eight of said act is hereby amended by adding at the end thereof a new section to read as follows:

Section 810 Rights of Dissenting Shareholders A If any amendment to the articles of a corporation shall limit or deny any preemptive right of any outstanding shares the holder of any outstanding shares affected adversely by such amendment who shall have filed with the corporation prior to or at the meeting of shareholders at which the proposed amendment was submitted to a vote written objection to such proposed amendment and shall not have voted in favor thereof and who within twenty days after the effective date of the amendment shall also make written demand on the corporation for the payment of the fair value of his shares as of the day prior to the date on which the vote was taken approving the amendment without regard to any depreciation or appreciation thereof in consequence of the amendment shall be paid by the corporation the fair value of his shares upon surrender of the share certificate or certificates representing his shares. The demand of the shareholder shall state the number and class of the shares owned by him. Unless a shareholder files such written objection and also makes such demand within the twenty-day period he shall be conclusively presumed to have consented to the amendment and shall be bound by the terms thereof. If within thirty days after the date on which such amendment became effective the value of such shares shall be agreed upon between the dissenting shareholder and the corporation payment thereof shall be made in cash within ninety days after the date on which such amendment became effective upon the surrender of the share certificate or certificates representing his shares. Upon payment of the agreed value the dissenting shareholder shall cease to have any interest in such shares or in the corporation.

B If within such period of thirty days the shareholder and the corporation do not so agree then the dissenting shareholder may within sixty days after the expiration of the thirty-day period apply by petition to the court of common pleas in equity within the county in which the registered office of the corporation is situated for the appointment by the court of three disinterested persons to appraise the fair value of his shares without regard to any depreciation thereof in consequences of the amendment. The award of the appraisers or of a majority of them shall be submitted to the court for determination and the judgment of the court thereon shall be final and conclusive. The costs of such appraisal including a reasonable fee to the appraisers shall be fixed by the court and shall be borne



by the corporation unless in the opinion of the court the action of any shareholder in refusing the offer of the corporation has been arbitrary vexatious or in bad faith in which case the costs shall be assessed in the discretion of the court. The award shall be payable only upon and simultaneously with the surrender to the corporation of the share certificate or certificates representing the shares of the dissenting shareholder. If the award shall not be paid by the corporation within thirty days after the order of the court thereon the amount of the award shall be a judgment against the corporation and may be collected as other judgments in such court are by law collectible. Upon the payment of the award or judgment the dissenting shareholder shall cease to have any interest in such shares or in the corporation. Such shares may be held and disposed of by the corporation as it may see fit. Unless the dissenting shareholder shall file a petition within the time herein limited such shareholder and all persons claiming under him shall be conclusively presumed to have approved and ratified the amendment and shall be bound by the terms thereof.

C The rights and remedies at law or in equity of any shareholder who desires to object to or to dissent from any such amendment shall be limited to those prescribed under this section and such rights and remedies under this section shall be exclusive.

D Whenever any such amendment is proposed a copy of this Section 810 shall be enclosed with the written notice mentioned in Section 803 of this act and said written notice shall state that Section 810 sets forth the exclusive rights and remedies of shareholders who would be affected adversely by the proposed amendment and who object thereto.

E The provisions of this section shall apply only to those business corporations which are or may become subject to the provisions of this act but which were not incorporated hereunder.

Section 16 Paragraph B of Section nine hundred two of said act as amended by the act approved the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1773) is hereby further amended to read as follows:

B The board of directors of each domestic corporation upon approving such plan of merger or plan of consolidation shall by resolution direct that the plan be submitted to a vote of the shareholders of such corporation entitled to vote thereon at an annual or special meeting of the shareholders. Written notice shall not less than ten days before such annual or special meeting be given to each shareholder of record of such corporation whether or not entitled to vote on such plan unless the plan of merger or plan of consolidation contemplates [an increase in the aggregate of the authorized capital stock of the constituent corporations] that the aggregate par value or aggregate authorized number of shares of the surviving or new corporation shall be so increased over the aggregate par value or aggregate authorized number of shares of a domestic corporation party to such plan that the increase if effectuated by amendment to the articles of incorporation of such corporation would necessitate a meeting of shareholders called on sixty days' notice under Section 8 E of this act in which event sixty days' notice of such meeting shall be given to each shareholder of each such domestic corporation. The notice shall state the place day hour and purpose of the meeting and a copy or a summary of the plan of merger or plan of consolidation as the case may be shall be included in or enclosed with such notice.

Section 17 Sections nine hundred four and nine hundred five of said act as last amended by the act approved the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1773) are hereby further amended to read as follows:

Section 904 Advertisement the constituent domestic corporations shall advertise before or after the approval of plan of merger by the shareholders their intentions to file articles of merger or articles of consolidation as the case may be with the Department of State in newspapers published in the counties in which the registered offices of the corporations are located in a manner similar to that heretofore prescribed in this act in the case of the

formation of a business corporation advertisements shall appear at least three days prior to the day on which the articles of merger or articles of consolidation are presented to the Department of State and shall set forth briefly:

(1) The name and the location of the registered office of each of the corporations intending to merge or consolidate.

(2) The name and the location of the proposed registered office of the domestic surviving or new corporation or in the case of a foreign surviving or new corporation the name of such corporation and its domiciliary state together with the location of its office registered with the state.

(3) A statement that the articles of merger or consolidation are to be filed under the provisions of this act.

(4) The purpose or purposes of the surviving or new corporation.

(5) The time when the articles of merger or consolidation will be delivered to the Department of State.

Section 905 Filing of Articles of Merger or Consolidation. The articles of merger or articles of consolidation as the case may be and proof of the advertisement required by the preceding section and a certificate or certificates from the proper department or departments evidencing payment by the corporation of all bonus taxes and charges as required by law shall be delivered to the Department of State except that no such certificates shall be required of the surviving corporation in cases of merger. If the Department of State finds that such articles conform to law and that the certificate or certificates evidencing payment of bonus or taxes or charges delivered therewith is in proper form it shall upon payment of the filing fee forthwith but not prior to the day specified in the advertisement required by the preceding section endorse its approval thereon and [file the articles and] issue to the surviving or new corporation or its representative a certificate of merger or a certificate of consolidation as the case may be to which shall be attached [a copy of] the approved articles and shall make and retain a copy thereof.

Section 18 Section nine hundred eight of said act is hereby amended by adding at the end thereof a new paragraph to read as follows:

E The provisions of subsections A and B of this Section 908 shall not apply to the merger or consolidation of two or more corporations one of which owns all of the outstanding shares of all the others immediately prior to the approval of the plan of merger or consolidation and at all times thereafter provided that neither the state of incorporation nor the preferences qualifications limitations restrictions or special or relative rights granted to or imposed upon the shares of any class of the parent corporation are altered by such plan. The shareholders of such parent corporation shall have no right to dissent from any such merger or consolidation.

Section 19 Paragraph A of Section nine hundred nine of said act as added by the act approved the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1773) is hereby amended to read as follows:

Section 909 Domestication of Foreign Corporations A. Any foreign business corporation holding a certificate of authority to do business in this Commonwealth may become a domestic corporation of this Commonwealth by delivering or causing to be delivered to the Department of State articles of domestication. If the Department of State finds that the articles conform to law it shall forthwith endorse its approval thereon and when all bonus fees and charges have been paid as required by law shall [file the articles and] issue to the foreign corporation a certificate of domestication to which shall be attached [a copy of] the articles and shall make and retain a copy thereof. The articles upon being approved [and filed] by the Department of State shall constitute the charter of the domesticated foreign corporation and it shall thereafter have all the powers and privileges and be subject to all the duties and limitations granted and imposed upon domestic corporations under the provisions of this act.

Section 20 Paragraph A of Section one thousand five of said act as last amended by the act approved the twenty-



third day of May one thousand nine hundred forty-nine (P. L. 1773) is hereby further amended to read as follows

Section 1005 Issuance of Certificate of Authority A If the Department of State finds that the provisions of this article have been complied with and that the applicant corporation is entitled to a certificate of authority to do business in this Commonwealth it shall forthwith but not prior to the day specified in the advertisement heretofore required in this article endorse its approval upon the application for a certificate of authority and when all bonus fees and charges have been paid as required by law shall [file the application and the copy of the articles and shall] issue to the corporation a certificate of authority to do business in this Commonwealth to which the application may be attached and shall make and retain a copy thereof The certificate of authority shall set forth the name of the corporation the address of its registered office in this Commonwealth and the character and nature of the business it is authorized to transact in this Commonwealth or a summary thereof Upon the approval of the application for a certificate of authority by the Department of State the corporation may do in this Commonwealth any or all of the kinds of the business referred to in the certificate of authority and no other subject however to the right of Commonwealth to cancel or revoke such right to transact business in this Commonwealth as provided in this act The certificate of authority shall be delivered to the corporation or its representative

Section 21 Paragraph C of Section one thousand seven and paragraph A of section one thousand nine of said act as last amended by the act approved the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1773) are hereby further amended to read as follows

C If the Department of State finds that the provisions of this article have been complied with and that the applicant corporation is entitled to an amended certificate of authority it shall upon payment of the filing fee forthwith but not prior to the day specified in the advertisement heretofore required by this section endorse its approval upon the application [and file the application and] issue to the applicant corporation an amended certificate of authority setting forth the desired changes to which the application shall be attached and shall make and retain a copy thereof

Section 1009 Merger or consolidation of foreign business corporations A whenever a foreign business corporation authorized by a certificate of authority to transact business in this Commonwealth shall be a party to a statutory merger or consolidation permitted by the laws of the state or country under which it is organized and such corporation shall be the surviving corporation shall forthwith file with the Department of State a copy of the articles of merger duly authenticated by the proper officer of the state or country under the laws of which such statutory merger was effected and pay to the Department of State the prescribed fee for such filing such copy shall be accompanied with certificates from the proper department board or commission evidencing payment by the merging corporation or corporations of all bonus fees or taxes owing the Commonwealth except that no such certificates shall be required of the surviving corporation in cases of merger it shall not be necessary for such corporation to procure either a new or amended certificate of authority to transact business in this Commonwealth unless the name of such corporation be changed thereby or unless the corporation desires to transact in this Commonwealth other or additional business than that which it is then authorized to transact in this Commonwealth

Section 22 Section one thousand eleven of said act as amended by the act approved the second day of July one thousand nine hundred thirty-seven (P. L. 2828) is hereby further amended to read as follows

Section 1011 Service of Process Upon the Secretary of the Commonwealth A service of process against a qualified foreign business corporation upon the Secretary of the Commonwealth shall be made by the sheriff of Dauphin County by leaving the fee the plaintiff is required by law to pay to the Secretary of the Commonwealth for this service and two copies of the process at the office of the

Secretary of the Commonwealth The sheriff shall make due return of his service of the process to the court magistrate or justice of the peace issuing the same Such process may be issued by any court magistrate or justice of the peace having jurisdiction of the subject matter of the controversy in any county of the Commonwealth in which the corporation shall have its registered office or in the county in which the right of action arose When legal process against any such corporation has been served upon the Secretary of the Commonwealth he shall immediately send by mail postage prepaid one copy of such process directed to the corporation at its registered office The fee paid by the plaintiff to the Secretary of the Commonwealth at the time of the service shall be taxed in the plaintiff's costs if he prevails in the suit necessitating the service of the process The Secretary of the Commonwealth shall keep a record of the day and hour of the service of such process on him and a certified copy of such record shall be sufficient evidence thereof The service of process on the Secretary of the Commonwealth under this section shall be of the same legal force and validity as if the process had been served on the corporation and the authority for such service of process shall continue in force as long as any liability remains outstanding against the corporation in the Commonwealth Nothing herein contained shall limit or affect the right to serve any process notice or demand required or permitted by law to be served upon a foreign corporation in any other manner now or hereafter permitted by law

B Any foreign business corporation which shall have done any business in this Commonwealth without procuring a certificate of authority to do so from the Department of State shall be conclusively presumed to have designated the Secretary of the Commonwealth as its true and lawful attorney authorized to accept on its behalf service of process in any action arising out of acts or omissions of such corporation within this Commonwealth on petition alleging conduct of business within the Commonwealth by any corporation not qualified by the Secretary of the Commonwealth or having otherwise designated him as agent for the service of process the court of the county in which the action is instituted shall authorize service to be made upon the Secretary of the Commonwealth service shall be made by the sheriff of such county by transmitting to the Secretary of the Commonwealth and to the defendant at his last known residence or place of business by registered mail return receipt requested a copy of such process together with a copy of the petition and order of the court properly certified as such by the prothonotary the return receipt by the post office department shall be evidence of service under this act nothing herein contained shall limit or affect the right to serve any process notice or demand required or permitted by law to be served upon a foreign corporation in any other manner now or hereafter permitted by law

C For the purposes of this act the entry of any corporation into this Commonwealth for the doing of a series of similar acts for the purpose of thereby realizing pecuniary benefit or otherwise accomplishing an object or doing a single act in this Commonwealth for such purpose with the intention of thereby initiating a series of such acts shall constitute "doing business"

Section 23 Section one thousand one hundred one of said act as last amended by the act approved the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1773) is hereby further amended to read as follows

Section 1101 Voluntary Dissolution by Incorporators The incorporators of a business corporation which has not commenced business or which has not issued any shares may effect the dissolution of the corporation by filing articles of dissolution with the Department of State The articles of dissolution shall be executed under the seal of the corporation signed and verified by a majority of the incorporators and shall set forth

- (1) The name of the corporation
- (2) The address including street and number if any of its registered office



- (3) The date of its incorporation
- (4) That the corporation has not commenced business and that none of its shares has been issued
- (5) That the amount if any actually paid in on subscriptions to its shares less any part thereof disbursed for necessary expenses has been returned to those entitled thereto
- (6) That no debt of the corporation remain unpaid
- (7) That all the incorporators elect that the corporation be dissolved

The articles of dissolution shall be delivered to the Department of State. If the Department of State finds that the articles conform to law it shall upon payment of the filing fee endorse its approval thereon [and shall file the articles] and issue a certificate of dissolution to the incorporators or their representative to which shall be attached [a copy of] the approved articles and shall make and retain a copy thereof. Upon the approval of the articles of dissolution the existence of the corporation shall cease.

Section 24 Section one thousand one hundred three of said act as amended by the act approved the second day of July one thousand nine hundred thirty-seven (P. L. 2828) is hereby further amended to read as follows:

Section 1103 Certificate of Election to Dissolve Upon the execution by all the shareholders of a written agreement for the voluntary dissolution of a corporation or upon the adoption at a meeting of the shareholders of a resolution for the voluntary dissolution of a corporation as the case may be a certificate of election to dissolve shall be executed under the seal of the corporation signed and verified by two duly authorized officers of the corporation which shall set forth:

- (1) The name of the corporation
- (2) The address including street and number if any of the registered office of the corporation in this Commonwealth
- (3) The names and respective addresses including street and number if any of its officers
- (4) The names and respective addresses including street and number if any of its directors
- (5) If the election to dissolve was by written agreement of all shareholders a statement that the agreement was signed by all shareholders of record of the corporation or signed in their names by their duly authorized attorneys
- (6) If the election to dissolve was by resolution adopted at a meeting of the shareholders the number of shares outstanding the number of shares entitled to vote in respect of the dissolution of the corporation and the number of shares voted for and against the voluntary dissolution of the corporation respectively and if the shares of any class are entitled to vote as a class the number of shares of such class and the number of shares of all other classes voted for and against the voluntary dissolution of the corporation

The certificate of election to dissolve shall be delivered to the Department of State. If the Department of State finds that the certificate conforms to law it shall endorse its approval hereon and when all fees required by law have been paid [shall file the certificate and] shall issue to the corporation or its representative [a copy of] the approved certificate and shall make and retain a copy thereof. Upon the [filing] approval by the Department of State of a certificate of election to dissolve the corporation shall cease to carry on its business except in so far as may be necessary for the proper winding up thereof but its corporate existence shall continue until a certificate of dissolution has been issued by the Department of State or until a decree dissolving the corporation has been entered by a court of common pleas as elsewhere provided in this act.

Section 25 Article XI of said act is hereby amended by adding after section one thousand one hundred three thereof a new section to read as follows:

Section 1103.1 Statement rescinding certificate of election to dissolve any business corporation which has heretofore elected to dissolve as provided in section 1102 of this act and has filed a certificate in evidence thereof in the Department of State as provided in section 1103 of this act may rescind such action in the same manner and by the same procedure as that provided in section 1102 of

this act for the election of a corporation to dissolve voluntarily and shall execute a statement rescinding certificate of election to dissolve under the seal of the corporation signed and verified by two duly authorized officers of the corporation which shall set forth:

- (1) The name of the corporation
- (2) The address including street and number if any of the registered office of the corporation in this Commonwealth
- (3) The names and respective addresses including street and number if any of its officers
- (4) The names and respective addresses including street and number of any of its directors
- (5) The date of filing of certificate of election to dissolve in Department of State
- (6) If the election to rescind was by resolution adopted at a meeting of the shareholders the number of shares outstanding the number of shares entitled to vote in respect of the rescission of the election to dissolve the corporation and the number of shares voted for and against the rescission of dissolution of the corporation respectively and if the shares of any class are entitled to vote as a class the number of shares of such class and the number of shares of all other classes voted for and against the rescission of the election to dissolve the corporation

The statement rescinding certificate of election to dissolve shall be delivered to the Department of State if the Department of State finds that the statement conforms to law it shall endorse its approval thereon and when all fees required by law have been paid shall issue to the corporation of its representative the approved statement and shall make and retain a copy thereof upon the approval by the Department of State of a statement rescinding certificate of election to dissolve the election to dissolve shall be void.

Section 26 Paragraph B of Section one thousand one hundred four of said act is hereby amended to read as follows:

B After the [filing] approval by the Department of State of a certificate of election to dissolve the board of directors shall immediately cause notice of the winding up proceedings to be mailed to each known creditor and claimant and to be published once a week for two successive weeks in two newspapers published in the English language one of which shall be a newspaper of general circulation and the others legal newspaper if any designated by the rules of court for the publication of legal notices otherwise in two newspapers of general circulation published in the county in which the registered office of the corporation is located. Where there is but one newspaper of general circulation published in any county advertisement in such newspaper shall be sufficient.

Section 26 Section one thousand one hundred five of said act as last amended by the act approved the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1773) is hereby further amended to read as follows:

Section 1105 Articles of Dissolution When all debts liabilities and obligations of the corporation have been paid and discharged or adequate provision shall have been made therefor and all of the remaining property and assets of the corporation shall have been distributed to its shareholders articles of dissolution shall be executed under the seal of the corporation and signed and verified by two duly authorized officers of the corporation which shall set forth:

- (1) The name of the corporation
- (2) The address including street and number if any of the registered office of the corporation
- (3) A statement that the corporation has therefore delivered to the Department of State a certificate of election to dissolve and the date on which the certificate was filed by the Department of State
- (4) A statement that all debts obligations and liabilities of the corporation have been paid and discharged or that adequate provision has been made therefor
- (5) A statement that all the remaining property and assets of the corporation have been distributed among its shareholders in accordance with their respective rights and interests



(6) A statement that there are no suits pending against the corporation in any court or that adequate provision has been made for the satisfaction of any judgment or decree which may be obtained against the corporation in each such pending suit

The articles of dissolution proof of the advertisement required by the preceding section and a certificate or certificates from the proper department or departments evidencing payment by the corporation of all bonus taxes and charges as required by law shall be delivered to the Department of State. If the Department of State finds that such articles conform to law and that the certificate delivered therewith evidencing payment of bonus or taxes or charges is in proper form it shall upon payment of the filing fee endorse its approval thereon and shall file the articles and issue to the corporation or its representative a certificate of dissolution to which shall be attached [a copy of] the approved articles and shall make and retain a copy thereof. Upon the approval of the articles of dissolution the existence of the corporation shall cease.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—205

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarra,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenschild,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stimmel,
Breisch,	Hewitt,	Mills,	Stoner,
Breth,	Hocker,	Mintess,	Swartz,
Brown,	Hoggard,	Monroe,	Swope,
Bucchin,	Hunter,	Moore, C. E.,	Tahl,
Byrne,	Jenkins,	Moore, H. A.,	Taylor,
Cella,	Johnson,	Moran,	Thompson, E. F.,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, R. L.,
Clendening,	Jones, J. M.,	Munley,	Toll,
Cochran,	Jones, P. F.,	Murray,	Tompkins,
Conway,	Jones, T. H. W.,	Musto,	Toomey,
Cooper,	Kamyk,	Najaka,	VanSant,
Corr,	Keller,	Naugle,	Varallo,
Costa,	Kent,	Needham,	Varner,
Coyle,	Kline,	Olsen,	Verona,
Dairymple,	Kohl,	Penglase,	Wachhaus,
Davis,	Kolankiewicz,	Peta,	Wargo,
Dennison,	Kornick,	Petrosky,	Waterhouse,
Dougherty,	Kratz,	Pettigrew,	Watkins,
Dowling,	Kubacki,	Pfaff,	Weidner,
DuBois,	Lafore,	Pichney,	Welsh,
Duffy,	Lederer,	Pitzer,	Wescott,
Dunn,	Lelsey,	Polaski,	Westrick,
Erb,	Leonard, L.,	Polen,	Wheeler,
Ewing,	Leonard, W. C.,	Price, H. W. Jr.,	White,
Fenrich,	Leven,	Price, R. A.,	Williams,
Ferster,	Light,	Readinger,	Wilt,
Filip,	Limper,	Reagan,	Wood,
Filo,	Loftus,	Reese,	Yeakel,
Firmstone,	Lopresti,	Reidenbach,	Yester,
Flack,	Lovett,	Reilly, J. M.,	Yetzer,
Frost,	Lutty,	Rigby,	Young,
Gaffney,	Lyons,	Riley, R. L.,	Ziegler,
Geer,	Madden,	Robertson,	Sorg,
Gibson,	Madigan,	Rose,	Speaker
Gleason,	Markley,	Rosen,	
Good,		Rovansek,	

## NAYS—0

## NOT VOTING—2

Jump,

Whalley,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the consideration on final passage of Senate Bill No. 703, as follows:

An Act authorizing the capture or destruction of unprotected birds in any city or borough in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Whenever the department or board of public health of any city or borough has determined that the presence of unprotected birds upon the streets parks buildings or other public places in such cities or boroughs is detrimental to public health such birds may be captured or destroyed by such department or board

Section 2 All acts and parts of acts are hereby repeal in so far as they are inconsistent with the provisions of this act

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—205

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarra,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Gutendorf,	McCullough,	Scanlon,
Bear,	Guthrie,	McDermitt,	Schmidt,
Beaver,	Guarnieri,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenschild,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Breisch,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendening,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Kamyk,	Najaka,	Toomey,
Corr,	Keller,	Naugle,	VanSant,
Costa,	Kent,	Needham,	Varallo,
Coyle,	Kline,	Olsen,	Varner,
Dairymple,	Kohl,	Peta,	Verona,
Davis,	Kolankiewicz,	Penglase,	Wachhaus,
Dennison,	Kornick,	Petrosky,	Wargo,
Dougherty,	Kratz,	Pettigrew,	Waterhouse,
Dowling,	Kubacki,	Pfaff,	Watkins,
DuBois,	Lafore,	Pichney,	Weidner,
Duffy,	Lederer,	Pitzer,	Welsh,
Dunn,	Lelsey,	Polaski,	Wescott,
Erb,	Leonard, L.,	Polen,	Westrick,
Ewing,	Leonard, W. C.,	Price, H. W. Jr.,	Wheeler,
Fenrich,	Leven,	Price, R. A.,	White,
Ferster,	Light,	Readinger,	Williams,
Filip,	Limper,	Reese,	Wilt,
Filo,	Loftus,	Reagan,	Wood,
Firmstone,	Lopresti,	Reidenbach,	Yeakel,
Flack,	Lovett,	Reilly, J. M.,	Yester,
Frost,	Lutty,	Rigby,	Yetzer,
Gaffney,	Lyons,	Riley, R. L.,	Young,
Geer,	Madden,	Robertson,	Ziegler,



Gibson, Gleason, Good,	Madigan, Markley,	Rose, Rosen, Rovansek,	Sorg, Speaker
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NAYS—0

NOT VOTING—2

Jump,                      Whalley,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

## BILLS ON THIRD READING

### BILL PASSED OVER

There being no objection,

House Bill No. 488, Printer's No. 476,  
was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1006, entitled:

An Act fixing the minimum salaries for tipstaves in the courts of record in counties of the fourth class.

On the question,

Will the House agree to the bill on third reading?

Mr. DOWLING. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk read the amendment as follows:

Amend Sec. 1, page 1, line 3, by inserting after the word "day" the following: The provisions of this act shall not apply in counties in which tipstaves are paid on a monthly basis.

The SPEAKER. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1286, as follows:

An Act authorizing the Commonwealth to negotiate temporary emergency loans to defray current and other expenses of the State government during any fiscal biennium evidenced by tax anticipation notes secured by and payable from current revenues of any current biennium levied assessed collectible and accruing during such fiscal biennium defining the powers and duties of the Governor the Auditor General and the State Treasurer in relation thereto providing for the payment of interest on and the repayment of such loans and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania enacts as follows

Section 1 Whenever the General Assembly has provided

revenues for the general purposes of any fiscal biennium and the Governor Auditor General and the State Treasurer determine such revenues will not be available in large part for the current and other expenses of the State government as a result of which the collectible revenues may not be sufficient to defray the current and other expenses of the State government the Governor the Auditor General and the State Treasurer on behalf of the Commonwealth of Pennsylvania are hereby authorized and directed during any biennium to borrow from time to time on the credit of the current revenues of any current biennium such sum or sums of money not exceeding in the aggregate one third of the moneys appropriated for any current biennium by the General Assembly for the general purposes of any fiscal biennium

Section 2 (a) Such loans shall be evidenced by notes of the Commonwealth of Pennsylvania All of said notes shall mature not later than May 31 of the second year of any current biennium Such notes are hereby declared to be tax anticipation notes Such notes or renewals thereof shall be issued from time to time for such total amounts in such sums and subject to such terms and conditions rates of interest not in excess of four and one-half (4½) per cent per annum and time of payment of interest as the Governor Auditor General and the State Treasurer shall determine and direct

(b) All notes issued under the authority of this act shall bear either the signatures of the Governor the Auditor General and the State Treasurer or the facsimile signatures of the Governor the Auditor General and the State Treasurer in which latter event such notes shall be countersigned by two officers of the Philadelphia National Bank (Loan and Transfer Agent of the Commonwealth) All such notes shall bear a facsimile of the great seal of the Commonwealth

(c) All notes issued under the authority of this act shall have the qualities and incidents of negotiable instruments under the Negotiable Instruments Law of the Commonwealth

(d) The current revenues of any fiscal biennium period shall be pledged for the payment of the principal and interest of such notes during such fiscal biennium and shall be payable in lawful money of the United States All notes issued under the provisions of this act shall be exempt from taxation for State and local purposes

Section 3 The proceeds derived from the negotiation of loans under the provisions of this act shall be paid into the General Fund of the State Treasury and shall be used for the payment of appropriations made from such fund to defray the current and other expenses of the State government for the current fiscal biennium

Section 4 Any loans negotiated under the provisions of this act shall be secured by the current revenues levied and assessed for revenue purposes of every kind or character accruing to the General Fund of the State Treasury during the current fiscal biennium and shall be paid out of such revenues and so much of such revenues as shall be necessary for the payment of the principal and interest of such loans are hereby specifically appropriated The Department of Revenue shall allocate such revenues to said payments

Section 5 The provisions of this act are severable and if any of its provisions are held unconstitutional the decision so holding shall not be construed to impair any other provision of this act It is hereby declared that the legislative intent would have been to adopt this act had such unconstitutional provision not been included herein

Section 6 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:



YEAS—205

Amarando.	Goodling.	Maxwell.	Royer.
Andrews.	Graybill.	Mazza.	Rubin.
Banker.	Greenwood.	McConnell.	Sarraff.
Barkdoll.	Greer.	McCormack.	Sax.
Baumunk.	Guarnieri.	McCullough.	Scanlon.
Bear.	Gutendorf.	McDermitt.	Schmidt.
Beaver.	Guthrie.	McGee.	Schuster.
Beech.	Hagerty.	McInroy.	Scott.
Berkstresser.	Hall.	McKinney.	Seyler.
Blair.	Hamilton, R. K.	McMillen.	Shoemaker.
Bloom.	Hamilton, W. H.	McNally.	Shotwell.
Boles.	Harney.	Metz.	Smith.
Bolton.	Haudenshield.	Mihm.	Snider.
Bomberger.	Headlee.	Mikula.	Sollenberger.
Boorse.	Helm.	Miller, H. G.	Spencer.
Bower.	Hersch.	Miller, J. C.	Stank.
Brelsich.	Hewitt.	Mills.	Stimmel.
Breth.	Hocker.	Mintess.	Stoner.
Brown.	Hoggard.	Monroe.	Swartz.
Bucchin.	Hunter.	Moore, C. E.	Swope.
Byrne.	Jenkins.	Moore, H. A.	Tahl.
Cella.	Johnson.	Moran.	Taylor.
Clapper.	Jones, G. E.	Muldowney.	Thompson, E. F.
Clendenning.	Jones, J. M.	Munley.	Thompson, R. L.
Cochran.	Jones, P. F.	Murray.	Toll.
Conway.	Jones, T. H. W.	Musto.	Tompkins.
Cooper.	Kamyk.	Najaka.	Toomey.
Corr.	Keller.	Naugle.	VanSant.
Costa.	Kent.	Needham.	Varallo.
Coyle.	Kline.	Olsen.	Varner.
Dalrymple.	Kohl.	Penglase.	Verona.
Davis.	Kolankiewicz.	Peta.	Wachhaus.
Dennison.	Kornick.	Petrosky.	Wargo.
Dougherty.	Kratz.	Pettigrew.	Waterhouse.
Dowling.	Kubacki.	Pfaff.	Watkins.
DuBois.	Lafore.	Pichney.	Weidner.
Duffy.	Lederer.	Pitzer.	Welsh.
Dunn.	Lelsey.	Polaski.	Wescott.
Erb.	Leonard, L.	Polen.	Westrick.
Ewing.	Leonard, W. C.	Price, H. W. Jr.	Wheeler.
Fenrich.	Leven.	Price, R. A.	White.
Ferster.	Light.	Readinger.	Williams.
Filip.	Limper.	Reagan.	Wilt.
Filo.	Loftus.	Reese.	Wood.
Firmstone.	Lopresti.	Reidenbach.	Yeakel.
Flack.	Lovett.	Reilly, J. M.	Yester.
Frost.	Lutty.	Rigby.	Yetzer.
Gaffney.	Lyons.	Riley, R. L.	Young.
Geer.	Madden.	Robertson.	Ziegler.
Gibson.	Madigan.	Rose.	
Gleason.	Markley.	Rosen.	
Good.		Rovansek.	Speaker

NAYS—0

NOT VOTING—2

Jump, Whalley.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1559, as follows:

An Act providing that chattel mortgage and conditional sale contracts filed in the prothonotary's office shall be surrendered upon satisfaction of record to the person causing such satisfaction

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 All chattel mortgage and conditional sale contracts filed in the prothonotary's office shall be surrendered upon satisfaction of record to the person causing such satisfaction all chattel mortgage and conditional sale contracts which have heretofore been satisfied of record shall be destroyed by the prothonotary

Section 2 The following acts or parts of acts are hereby

repealed in so far as they are inconsistent with the provisions of this act

(1) Section 6 and 10 of the act approved the twelfth day of May one thousand nine hundred twenty-five (P. L. 603) entitled "An act concerning conditional sales and to make uniform the law relating thereto"

(2)Section 8 of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1358) entitled "An act relating to chattel mortgages on any chattel or chattels of any kind or description including but not limited to livestock poultry farm machinery farm equipment and crops grown growing or to be grown designating the operation and effect of the lien of such mortgages providing for the filing indexing and docketing of such mortgages and related instruments in prothonotaries' offices and prescribing prothonotaries' fees providing for the filing in Pennsylvania of similar lien instruments originally filed or recorded in other states regulating the assignment release satisfaction and extension of the lien of such mortgages prescribing methods of foreclosure defining defaults and violations and fixing penalties"

Section 3 All other acts and parts of acts are hereby repealed in so far as they are inconsistent with the provisions of this act

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Amarando.	Graybill.	Mazza.	Royer.
Andrews.	Greenwood.	McConnell.	Rubin.
Banker.	Greer.	McCormack.	Sarraff.
Barkdoll.	Guarnieri.	McCullough.	Sax.
Baumunk.	Gutendorf.	McDermitt.	Scanlon.
Bear.	Guthrie.	McGee.	Schmidt.
Beaver.	Hagerty.	McInroy.	Schuster.
Beech.	Hall.	McKinney.	Scott.
Berkstresser.	Hamilton, R. K.	McMillen.	Seyler.
Blair.	Hamilton, W. H.	McNally.	Shoemaker.
Bloom.	Harney.	Metz.	Shotwell.
Boles.	Haudenshield.	Mihm.	Smith.
Bolton.	Headlee.	Mikula.	Snider.
Bomberger.	Helm.	Miller, H. G.	Sollenberger.
Boorse.	Hersch.	Miller, J. C.	Spencer.
Bower.	Hewitt.	Mills.	Stank.
Brelsich.	Hocker.	Mintess.	Stimmel.
Breth.	Hoggard.	Monroe.	Stoner.
Brown.	Hunter.	Moore, C. E.	Swartz.
Bucchin.	Jenkins.	Moore, H. A.	Swope.
Byrne.	Johnson.	Moran.	Tahl.
Cella.	Jones, G. E.	Muldowney.	Taylor.
Clapper.	Jones, J. M.	Munley.	Thompson, E. F.
Clendenning.	Jones, P. F.	Murray.	Thompson, R. L.
Cochran.	Jones, T. H. W.	Musto.	Toll.
Conway.	Kamyk.	Najaka.	Tompkins.
Cooper.	Keller.	Naugle.	Toomey.
Corr.	Kent.	Needham.	VanSant.
Costa.	Kline.	Olsen.	Varallo.
Coyle.	Kohl.	Penglase.	Varner.
Dalrymple.	Kolankiewicz.	Peta.	Verona.
Davis.	Kornick.	Petrosky.	Wachhaus.
Dennison.	Kratz.	Pettigrew.	Wargo.
Dougherty.	Kubacki.	Pfaff.	Waterhouse.
Dowling.	Lafore.	Pichney.	Watkins.
Duffy.	Lederer.	Pitzer.	Weidner.
Dunn.	Lelsey.	Polaski.	Welsh.
Erb.	Leonard, L.	Polen.	Wescott.
Ewing.	Leonard, W. C.	Price, H. W. Jr.	Westrick.
Fenrich.	Leven.	Price, R. A.	Wheeler.
Ferster.	Light.	Readinger.	White.
Filip.	Limper.	Reagan.	Williams.
Filo.	Loftus.	Reese.	Wilt.
Firmstone.	Lopresti.	Reidenbach.	Wood.
Flack.	Lovett.	Reilly, J. M.	Yeakel.
Frost.	Lutty.	Rigby.	Yester.
Gaffney.	Lyons.	Riley, R. L.	Yetzer.
Geer.	Madden.	Robertson.	Young.
Gibson.	Madigan.	Rose.	Ziegler.



Gleason, Markley, Rosen, Sorg,  
Good, Maxwell, Rovanssek, Speaker  
Goodling.

## NAYS—1

## NOT VOTING—2

DuBois,  
Jump, Whalley.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

## BILLS PASSED OVER

There being no objection,

House Bill No. 1566, Printer's No. 767 and

House Bill No. 1567, Printer's No. 839

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1645, as follows:

An Act transferring money from the World War II Veterans' Compensation Fund to the World War II Veterans' Compensation Sinking Fund for the purpose of meeting interest and sinking fund requirements on World War II Veterans' Compensation Bonds

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of six million dollars (\$6,000,000), is hereby transferred from the World War II Veterans' Compensation Fund to the World War II Veterans' Compensation Sinking Fund and is hereby appropriated to meet interest and sinking fund requirements on the World War II Veterans' Compensation Bonds during the two fiscal years ending May thirty-first one thousand nine hundred fifty-three to the following schedule

September 1 1951	\$2,812,500.00
February 15 1952	471,250.00
March 1 1952	2,716,250.00
Total	\$6,000,000.00

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—205

Amarando,	Goodling,	Mazza,	Royer,
Andrews,	Graybill,	McConnell,	Rubin,
Banker,	Greenwood,	McCullough,	Sarraff,
Barkdoll,	Geer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McDermit,	Scanlon,
Bea,	Gutendorf,	McGee,	Schmidt,
Beaver,	Guthrie,	McInroy,	Schuster,
Beech,	Hagerty,	McKinney,	Scott,
Berkstresser,	Hall,	McMillen,	Seylar,
Blair,	Hamilton, R. E.,	McNally,	Shoemaker,
Bloom,	Hamilton, W. E.,	Meiz,	Shotwell,
Boles,	Harney,	Mihan,	Smith,
Bolton,	Haudenschild,	Mikula,	Snider,
Bomberger,	Headlee,	Miller, H. G.,	Sollenberger,
Boorse,	Helm,	Miller, J. C.,	Spencer,
Bower,	Hersch,	Milb,	Stank,
Breisch,	Hewitt,	Mintess,	Stimmel,
Breth,	Hocker,	Monroe,	Stener,
Brown,	Hoggard,	Moore, C. E.,	Swartz,
Bucchia,	Hunter,	Moore, H. A.,	Swope,
Byrne,	Jenkins,	Moran,	Tahl,
Cella,	Johnson,	Muldowney,	Taylor,
Clapper,	Jones, G. E.,	Munley,	Thompson, E. F.,
Clendening,	Jones, J. M.,	Murray,	Thompson, R. L.,

Cochran,	Jones, P. F.,	Musto,	Toll,
Conway,	Jones, T. H. W.,	Najaka,	Tompkins,
Cooper,	Kamyk,	Naugle,	Toomey,
Corr,	Keller,	Needham,	VanSant,
Costa,	Kent,	Olsen,	Varallo,
Coyle,	Kilne,	Pengilase,	Varner,
Dairymple,	Kohl,	Peta,	Verona,
Davis,	Kolankiewicz,	Petrosky,	Wachhaus,
Dennison,	Kornick,	Pettigrew,	Wargo,
Dougherty,	Kratz,	Pfaff,	Waterhouse,
Dowling,	Kubacki,	Pichney,	Watkins,
DuBois,	Lafore,	Pitzer,	Weidner,
Duffy,	Lederer,	Polaski,	Welsh,
Dunn,	Leisey,	Polen,	Wescott,
Erb,	Leonard, L.,	Price, H. W. Jr.,	Westrick,
Ewing,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Fenrich,	Leven,	Readinger,	White,
Ferster,	Light,	Reagan,	Williams,
Fillip,	Limper,	Reese,	Wilt,
Filo,	Loftus,	Reidenbach,	Wood,
Firmstone,	Lopresti,	Relly, J. M.,	Yeakel,
Flack,	Lovett,	Rigby,	Yester,
Frost,	Lutty,	Riley, R. L.,	Yetzer,
Gaffney,	Lyons,	Robertson,	Young,
Greer,	Madden,	Rose,	Ziegler,
Gibson,	Madigan,	Rosen,	Sorg,
Gleason,	Markley,	Rovanssek,	Speaker
Good,	Maxwell,		

## NAY—0

## NOT VOTING—2

Jump, Whalley.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1654, as follows:

An Act to provide for the expenses of the Joint State Government Commission of the General Assembly for the two fiscal years beginning June first one thousand nine hundred and fifty-one and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and fifty-one

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 the sum of three hundred fifty thousand dollars (\$350,000) or as much thereof as may be necessary is hereby specifically appropriated from the General Fund to the Joint State Government Commission of the General Assembly for the payment of wages and other compensation of employees and for the payment of general expenses necessary for the proper conduct of the work of the Joint State Government Commission for the two fiscal years beginning June first one thousand nine hundred and fifty-one and for the payment of bills incurred by said Commission and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and fifty-one to be paid on warrants of the Auditor General in favor of the Chairman of said Commission on the presentation of his requisition for the same The Chairman shall file an accounting of said expenses with the Auditor General

Section 2 Effective Date This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:



## YEAS—205

Amarando.	Goodling.	Maxwell.	Royer.
Andrews.	Graybill.	Mazza.	Rubln.
Banker.	Greenwood.	McConnell.	Sarra.
Barkdoll.	Greer.	McCormack.	Sax.
Baumunk.	Guarnieri.	McCullough.	Scanlon.
Bear.	Gutendorf.	McDermitt.	Schmidt.
Beaver.	Guthrie.	McGee.	Schuster.
Beech.	Hagerty.	McInroy.	Scott.
Berkstresser.	Hall.	McKinney.	Seyler.
Blair.	Hamilton, R. K.	McMillen.	Shoemaker.
Bloom.	Hamilton, W. H.	McNally.	Shotwell.
Boies.	Harney.	Metz.	Smith.
Bolton.	Haudenschild.	Mihm.	Snider.
Bomberger.	Headlee.	Mikula.	Sollenberger.
Boorse.	Helm.	Miller, H. G.	Spencer.
Bower.	Hersch.	Miller, J. C.	Stank.
Brelsich.	Hewitt.	Mills.	Stimmel.
Breth.	Hocker.	Mintess.	Stoner.
Brown.	Hoggard.	Monroe.	Swartz.
Bucchin.	Hunter.	Moore, C. E.	Swope.
Byrne.	Jenkins.	Moore, H. A.	Tahl.
Cella.	Johnson.	Moran.	Taylor.
Clapper.	Jones, G. E.	Muldowney.	Thompson, E. F.
Clendenen.	Jones, J. M.	Munley.	Thompson, R. L.
Cochran.	Jones, P. F.	Murray.	Toll.
Conway.	Jones, T. H. W.	Musto.	Tompkins.
Cooper.	Kamyk.	Najaka.	Toomey.
Corr.	Keller.	Naugle.	VanSant.
Costa.	Kent.	Needham.	Varallo.
Coyle.	Kline.	Olsen.	Varner.
Dairymple.	Kohl.	Penglase.	Verona.
Davis.	Kolankiewicz.	Peta.	Wachhaus.
Dennison.	Kornick.	Petrosky.	Wargo.
Dougherty.	Kratz.	Pettigrew.	Waterhouse.
Dowling.	Kubacki.	Pfaff.	Watkins.
DuBois.	Lafore.	Pichney.	Weidner.
Duffy.	Lederer.	Pitzer.	Welsh.
Dunn.	Leisey.	Polaski.	Wescott.
Erb.	Leonard, L.	Polen.	Westrick.
Ewing.	Leonard, W. C.	Price, H. W. Jr.	Wheeler.
Fenrich.	Leven.	Price, R. A.	White.
Ferster.	Light.	Readinger.	Williams.
Filip.	Limper.	Reagan.	Wilt.
Filo.	Loftus.	Reese.	Wood.
Flack.	Lopresti.	Reidenbach.	Yeakel.
Firmstone.	Lovett.	Reilly, J. M.	Yester.
Frost.	Lutty.	Rigby.	Yetzer.
Gaffney.	Lyons.	Riley, R. L.	Young.
Geer.	Madden.	Robertson.	Ziegler.
Gibson.	Madigan.	Rose.	Sorg.
Gleason.	Markley.	Rosen.	Speaker
Good.		Rovansek.	

## NAYS—0

## NOT VOTING—2

Jump. Whalley.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 110, as follows:

An Act to facilitate traffic in the northern section of the Commonwealth by providing for the construction operation and maintenance of a turnpike from a point on the Erie extension to a point on the Scranton extension of the Pennsylvania Turnpike or to a point on the northeastern extension of the Pennsylvania Turnpike at such points as the Pennsylvania Turnpike Commission may decide are the most feasible and practicable for the further extension of the Pennsylvania Turnpike from or near the City of Erie in Erie County to or near the City of Scranton in Lackawanna County or to a point on the northeastern extension of the Pennsylvania Turnpike conferring powers and impos-

ing duties on the Pennsylvania Turnpike Commission authorizing the issuance of turnpike revenue bonds of the Commonwealth payable solely from tolls to pay the cost of such turnpike and to issue notes or other evidences of indebtedness providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act providing for the collection of tolls for the payment of such bonds notes or other evidences of indebtedness and for the cost of maintenance operation and repair of the turnpike making such turnpike bonds notes or other evidences of indebtedness exempt from taxation constituting such bonds legal investments in certain instances requiring suits against the commission to be brought in Dauphin County prescribing conditions on which such turnpike shall become free providing for grade separations grade changes relocations restoration and vacation of public roads and State highways affected by the turnpike providing for the purchasing or condemnation of land and procedure for determining damages in condemnation granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the commission and authorizing the issuance of turnpike revenue refunding bonds

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 This act shall be known and may be cited as the "Pennsylvania Turnpike Northern Extension Act."

Section 2 In order to facilitate vehicular traffic in the western section of the Commonwealth the Pennsylvania Turnpike Commission heretofore created by virtue of the provisions of the act approved the twenty-first day of May one thousand nine hundred thirty-seven (P. L. 774) is hereby authorized and empowered to construct operate and maintain a turnpike at such location as shall be approved by the Governor and the Department of Highways from a point on the Erie extension to a point on the Scranton extension of the Pennsylvania Turnpike or to a point on the northeastern extension of the Pennsylvania Turnpike at such points as the Pennsylvania Turnpike Commission may decide are the most feasible and practicable for the further extension of the Pennsylvania Turnpike system from or near the City of Erie in Erie County to or near the City of Scranton in Lackawanna County or to a point on the northeastern extension of the Pennsylvania Turnpike together with connecting roads tunnels and bridges and to issue turnpike revenue bonds of the Commonwealth payable solely from tolls to pay the cost of such construction

Section 3 The turnpike revenue bonds notes or other evidence of indebtedness issued under the provisions of this act shall not be deemed to be a debt of the Commonwealth or a pledge of the faith and credit of the Commonwealth but such bonds shall be payable exclusively from the fund herein provided therefor from tolls All such bonds shall contain a statement on their face that the Commonwealth is not obligated to pay the same or the interest thereon except from tolls and that the faith and credit of the Commonwealth is not pledged to the payment of the principal or interest of such bonds The issuance of turnpike revenue bonds under the provisions of this act shall not directly or indirectly or contingently obligate the Commonwealth to levy or to pledge any form of taxation whatever therefor or to make any appropriation for their payment

Section 4 The following words and terms shall have the following meanings

(a) The word "commission" shall mean the Pennsylvania Turnpike Commission heretofore created by the act approved the twenty-first day of May one thousand nine hundred and thirty-seven (P. L. 774) or if said commission shall be abolished any board commission or officer succeeding to the principal functions thereof or upon whom the powers and functions given by this act to said commission shall be given by law

(b) The word "owner" shall include all individuals copartnerships associations or corporations having any



title or interest in any property rights easements or franchises authorized to be acquired by this act

(c) The words "the turnpike" shall mean the turnpike to be constructed as hereinafter provided from a point on the Erie extension to a point on the Scranton extension of the Pennsylvania Turnpike or to a point on the northeastern extension of the Pennsylvania Turnpike at such points as the Pennsylvania Turnpike Commission may decide are the most feasible and practicable for the further extension of the Pennsylvania Turnpike system from or near the City of Erie in Erie County to or near the City of Scranton in Lackawanna County or to a point on the northeastern Extension of the Pennsylvania Turnpike and shall be deemed to include not only the turnpike and all connecting roads tunnels and bridges connected therewith but also all property rights easements and franchises relating thereto and deemed necessary or convenient for the construction or the operation thereof

(d) The term "cost of the turnpike" shall embrace the cost of constructing the turnpike and all connecting roads tunnels and bridges the cost of all lands property rights rights of way easements and franchises acquired which are deemed necessary or convenient for such construction the cost of all machinery and equipment financing charges interest prior to and during construction and for one year after completion of construction cost of traffic estimates and of engineering and legal expenses plans specifications surveys estimates of cost and of revenues other expenses necessary or incident to determining the feasibility or practicability of the enterprise administrative and legal expense and such other expenses as may be necessary or incident to the financing herein authorized the construction of the turnpike and connecting roads tunnels and bridges the placing of the same in operation and the condemnation of property necessary for such construction and operation Any obligation or expense contracted for by the commission with the Department of Highways of the Commonwealth of Pennsylvania or with the United States or any agency thereof for traffic surveys preparations of plans and specifications supervision of construction and other engineering administrative and legal services and expenses in connection with the construction of the turnpike or any of the connecting roads tunnels and bridges shall be regarded as part of the cost of the turnpike and shall be reimbursed or paid out of the proceeds of the turnpike revenue bonds hereinafter authorized

Section 5 The exercise by the commission of the powers conferred by this act in the construction operation and maintenance of the turnpike shall be deemed and held to be an essential governmental function of the Commonwealth

Section 6 The commission shall have the following powers and duties

(a) It shall maintain a principal office at such place as shall be designated by the commission

(b) The commission may contract and be contracted with in its own name

(c) The commission may sue and be sued in its own name plead and be impleaded Provided however That any and all actions at law or in equity against the commission shall be brought only in the proper courts at the county of Dauphin

(d) The commission shall have an official seal

(e) The commission shall make necessary rules and regulations for its own government and shall have power and authority to acquire own use hire lease operate and dispose of personal property real property and interests in real property and to make and enter into all contracts and agreements necessary or incidental to the performance of its duties and the execution of its powers under this act and to employ engineering traffic architectural and construction experts and inspectors and attorneys and such other employees as may in its judgment be necessary and fix their compensation Provided however That all contracts and agreements relating to the construction of the turnpike and connecting roads tunnels

and bridges shall be approved by the Department of Highways and the turnpike and connecting roads tunnels and bridges shall be constructed under the supervision of the Department of Highways

(f) The turnpike when completed and opened to traffic shall be maintained and repaired by and under the control of the commission through the Department of Highways of the Commonwealth and all charges and costs for such maintenance and repairs actually expended by said Department of Highways shall be paid to it by the commission upon certification thereof out of tolls Such turnpike shall also be policed and operated by such force of police tolltaker and other operating employees as the commission may in its discretion employ

(g) The commission shall have authority at its own cost to provide grade separations with respect to all public roads and State highways intersected by the turnpike and to change and adjust the lines and grades thereof so as to accommodate the same to the design of such grade separation Provided however That the damages incurred in changing and adjusting the lines and grades of such public roads and State highways shall be ascertained and paid by the commission in the same manner as is provided for by this act in regard to the location and construction of the turnpike

(h) If the commission shall find it necessary to provide a grade separation or change the site of any portion of any State highway or public road or vacate the same it shall cause it to be reconstructed and restored forthwith at the commission's own proper expense on the most favorable location and in as satisfactory a manner as the original road or vacate it as the case may be Provided That the method of acquiring the right-of-way and determining damages incurred in changing the location of or vacating such road or State highway shall be ascertained and paid for by the commission in the same manner as is provided for by this act in regard to the location and construction of the turnpike In such cases the plan of such reconstruction and restoration or vacation shall be submitted to the supervisors of the proper township for approval and in the event of failure of the supervisors to approve the plan then it shall be submitted to the Department of Highways for final approval In the case of State highways the plan shall be submitted to the Department of Highways for its approval

(i) The commission shall have authority to petition the court of quarter sessions of the county wherein is situate any public road or part thereof affected by the location therein of the turnpike for the vacation relocation or supply of the same or any part thereof with the same force and effect as is now given by existing laws to the inhabitants of any township of such county and the proceedings upon such petition whether it be for the appointment of viewers or otherwise shall be the same as provided by existing law for similar proceedings upon such petitions

(j) The commission shall otherwise have all of the powers and perform all of the duties prescribed by the act approved the twenty-first day of May one thousand nine hundred thirty-seven (P. L. 774)

(k) All public or private property damaged or destroyed in carrying out the powers granted by this act shall be restored or repaired and placed in their original condition as nearly as practicable or adequate compensation made therefor out of the funds provided under the authority of this act

Section 7 (a) Each member of the commission shall be reimbursed for the necessary expenses incurred in the performance of the duties performed under the provisions of this act

(b) All expenses incurred in carrying out the provisions of this act shall be paid solely from funds provided under the authority of this act and no liability or obligation shall be incurred hereunder beyond the extent to which money shall have been provided under the authority of this act

(c) Before the issuance of any turnpike revenue bonds



notes or other evidences of indebtedness under the provisions of this act each appointed member of the commission shall execute a bond in the penalty of twenty-five thousand dollars (\$25,000) and the secretary and treasurer shall execute a bond in the penalty of fifty thousand dollars (\$50,000) each such bond to me approved by the Governor and to be conditioned upon the faithful performance of the duties of his office under the provisions of this act which bonds shall be filed in the office of the Secretary of the Commonwealth

Section 8 (a) The commission is hereby authorized and empowered to condemn by resolution any lands interests in lands property rights rights of way franchises easements and other property deemed necessary or convenient for the construction and efficient operation of the turnpike or necessary in the restoration or relocation of of public or private property damaged or destroyed and the date of such resolution shall be the effective date of condemnation

(b) The commission is hereby authorized and empowered to acquire by purchase whenever it shall deem such purchase expedient any lands interests in lands property rights rights of way franchises easements and other property deemed necessary or convenient for the construction and efficient operation of the turnpike or necessary in the restoration or relocation of public or private property damaged or destroyed whether the same had therefore been condemned or otherwise upon such terms and at such price as may be considered by it to be reasonable and can be agreed upon between the commission and the owner thereof and to take title thereto in the name of the commission

Section 9 (a) Whenever a reasonable sum representing the damages cannot be agreed upon or whenever the owner is legally incapacitated or is unable to convey valid title or is absent or unknown either the commission acting through the Department of Justice or any owner or owners shall apply to the court of common pleas of the county in which the property is located or in the case of property located in two or more counties then in any one of such counties for the appointment of viewers to determine as hereinafter provided the amount of damages resulting from the taking Whereupon said court or any law judge thereof shall appoint three disinterested freeholders to view such property and estimate the value thereof None of the freeholders shall be a resident of the county wherein such application shall be made The court shall fix a time not less than twenty nor more than thirty days thereafter when the viewers shall meet upon the property and view the same The viewers shall cause at least ten days' personal notice of the time and place of such meeting to be given to the Attorney General to the commission and to the owner or owners if resident within said county If the owner is a corporation such notice shall be given to the president secretary or treasurer thereof if such officer resides within said county If neither owner nor any of such officers reside within the county or cannot be found therein or is unknown notice of such first meeting shall be given as the court may direct The viewers having been duly sworn or affirmed faithfully and impartially to perform the duties required of them under the provisions of this act shall at the time fixed for the first meeting proceed to ascertain as accurately as may be the value of such land property rights rights of way easements or franchises and to that end may require the attendance of any person whose testimony may be pertinent thereto and production of any such books or papers as the viewers may deem necessary If any person shall refuse to appear and testify before such viewers or refuse to produce such books and papers when they are required then the court or any judge thereof shall on application of the viewers or a quorum thereof make such order therein as may be necessary Whenever the viewers shall have ascertained the value of the lands property rights rights of way easements or franchises they shall prepare a full report of their labors Upon the completion of the

report the viewers shall fix a time when they shall meet and exhibit same Ten days' written notice of the time and place of such meeting together with a copy of said report shall be given to the commission to the Attorney General and to the owner or owners of the property condemned At the time and place mentioned in such notice the viewers shall meet and publicly exhibit the report and hear all exceptions thereto After making any changes in such report as they may deem necessary the same shall be filed in the court Within thirty days after the filing of the report in the court the commission acting through the Department of Justice or any person interested may file exceptions thereto Whereupon the court shall either confirm the report absolutely or modify it or refer it back to the same or to any viewers with like powers and duties of the former viewers Within thirty days after the final action on the report by the court the commission acting through the Department of Justice or any person interested may demand a trial by jury From the action of the court on exceptions or from any judgment after a jury trial an appeal may be taken by any party to the Supreme or Superior Court Each of the viewers shall receive a sum not exceeding ten dollars (\$10) for each day actually and necessarily employed in the performance of the duties herein prescribed and all necessary expenses actually incurred in the performance of his duties Title to any property condemned by the commission shall be taken in the name of the commission Prior to physical entry upon the land the commission shall be under no obligation to accept and pay for any property condemned or any costs incidental to any condemnation proceedings Provided however That in any condemnation proceedings the court having jurisdiction of the suit action or proceeding may make such orders as may be just to the commission and to the owners of the property to be condemned and may require an undertaking or other security to secure such owners against any loss or damage by reason of the failure of the commission to enter upon accept and pay for the property but neither such undertaking or security nor any act or obligation of the commission shall impose any liability upon the Commonwealth except such as may be paid from the funds provided under the authority of this act

The commission in its discretion may vacate any portion or all of the land condemned either prior to or after physical entry upon the land or any part thereof and prior to final determination of damages in such cases the commission shall be under no obligation to accept and pay for any property condemned and subsequently vacated provided however that in any such case the court having jurisdiction of the suit action or proceeding may make such orders as may be just to the commission and to the owners of the property and may require an undertaking or other security to secure such owners against any and all loss or damages occasioned to the owner from the time of the original condemnation to the time of the modification thereof but neither such undertaking or security nor any act or obligation of the commission shall impose any liability upon the Commonwealth except such as may be paid from the funds provided under the authority of this act

(b) In addition to the foregoing powers the commission and its authorized agents and employees may enter upon any lands waters and premises in the State for the purpose of making surveys soundings drillings and examinations as it may deem necessary or convenient for the purpose of this act and such entry shall not be deemed a trespass nor shall an entry for such purposes be deemed an entry under any condemnation proceedings which may be then pending Provided however That the commission shall make reimbursement for any actual damages resulting to such lands waters and premises as a result of such activities

(c) All counties cities boroughs townships and other political subdivisions and municipalities and all public agencies and commissions of the Commonwealth of Penn-



sylvania notwithstanding any contrary provision of law are hereby authorized and empowered to lease lend grant or convey to the commission upon its request upon such terms and conditions as the proper authorities of such counties cities boroughs townships other political subdivisions and municipalities or public agencies and commissions of the Commonwealth of Pennsylvania may deem reasonable and fair and without the necessity for any advertisement order of court or other action or formality other than the regular and formal action of the authorities concerned any real property which may be necessary or convenient to the effectuation of the authorized purposes of the commission including public roads and other real property already devoted to public use

Section 10 Whenever the commission has condemned any lands rights of way easements and franchises or interests therein as herein before provided and has tendered a bond or other security to secure the owner or owners for damages and the same has been accepted or if the acceptance of said bond has been refused and the same has been filed in and approved by the court of common pleas of the county in which the property is located or in the case of property located in two or more counties then in any one of such counties the commission shall have the right to immediate possession of the property covered by the bond and may enter thereon in the name of the commission If the owner lessee or occupier of any of said premises or any building or structure thereon shall refuse to remove his personal property therefrom or give up possession thereof the commission may proceed to obtain possession in the manner now provided by law for the obtaining possession by the Secretary of Highways of occupied structures

Section 11 (a) The commission is hereby authorized to provide by resolution at one time or from time to time for the issuance of turnpike revenue bonds of the Commonwealth for the purpose of paying the cost as hereinabove defined of the turnpike which resolution shall recite an estimate of such cost The principal and interest of such bonds shall be payable solely from the special fund herein provided for such payment The bonds shall be dated shall bear interest at such rate or rates not exceeding six per centum per annum payable semi-annually shall mature at such time or times not exceeding forty years from their date or dates as may be determined by the commission and may be made redeemable before maturity at the option of the commission at such price or prices and under such terms and conditions as may be fixed by the commission prior to the issuance of the bonds Provided however That the amount of premium on any bonds shall not cause the yield to be more than six per centum per annum from the date of such bonds to the date of their redemption The bonds may be issued in series with varying provisions as to rates of interest maturity and other provisions not inconsistent with this act but all bonds of whatever series shall share ratably in the tolls hereinafter pledged as security therefor The principal and interest of such bonds may be made payable in any lawful medium The commission shall determine the form of bonds including any interest coupons to be attached thereto and shall fix the denomination or denominations of the bonds and the place or places of payment of principal and interest thereof which may be at any bank or trust company within or without the Commonwealth The bonds shall be signed by the Governor and by the chairman of the commission and the official seal of the commission shall be affixed thereto and attested by the secretary and treasurer of the commission and any coupons attached thereto shall bear the facsimile signature of the chairman of the commission In case any officer whose signature shall appear on any bonds or coupons shall cease to be such officer before the delivery of such bonds such signature shall nevertheless be valid and sufficient for all purposes the same as if he remained in office until such delivery All turnpike revenue bonds issued under the provisions of this act shall have and are hereby declared to have all the qualities and inci-

dents of negotiable instruments under the Negotiable Instruments Law of the Commonwealth The bonds may be issued in coupon or in registered form or both as the commission may determine and provision may be made for the registration of any coupon bond as to principal alone and also as to both principal and interest and registered and coupon bonds shall be interchangeable The commission may sell such bonds in such manner and for such price as it may determine to be for the best interest of the Commonwealth but no such sale shall be made at a price so low as to require the payment of interest on the money received therefor at more than six per centum per annum computed with relation to the absolute maturity of the bonds in accordance with standard tables of bond values The proceeds of such bonds shall be used solely for the payment of the cost of the turnpike and shall be disbursed upon requisition of the chairman of the commission under such restrictions if any as the resolution authorizing the issuance of the bonds or the trust indenture hereinafter mentioned may provide If the proceeds of such bonds by error of calculation or otherwise shall be less than the cost of the turnpike additional bonds may in like manner be issued to provide the amount of such deficit and unless otherwise provided in the resolution authorizing the issuance of the bonds or in the trust indenture shall be deemed to be of the same issue and shall be entitled to payment from the same fund without preference or priority of the bonds first issued If the proceeds of the bonds shall exceed the cost of the turnpike the surplus shall be paid into the fund hereinafter provided for the payment of principal and interest of such bonds Prior to the preparation of definitive bonds the commission may under like restrictions issue temporary bonds with or without coupons exchangeable for definitive bonds upon the issuance of the latter The commission may also provide for the replacement of any bonds which shall become mutilated or be destroyed or lost Such turnpike revenue bonds may be issued without any other proceedings or the happening of any other conditions or things than those proceedings conditions and things which are specified and required by this act

Such bonds are hereby made securities in which all State and municipal officers and administrative departments boards and commissions of the Commonwealth all banks and bankers savings banks trust companies saving and loan associations investment companies and other persons carrying on a banking business all insurance companies insurance associations and other persons carrying on an insurance business and all administrators executors guardians trustees and other fiduciaries and all other persons whatsoever who now or may hereafter be authorized to invest in bonds or other obligations of the Commonwealth may properly and legally invest any funds including capital belonging to them or within their control and said bonds or other securities or obligations are hereby made securities which may properly and legally be deposited with and received by any State or municipal officers or agency of the Commonwealth for any purpose for which the deposit of bonds or other obligations of the Commonwealth is now or may hereafter be authorized by law

(b) The commission is hereby authorized to provide by resolution from time to time for the issuance of Pennsylvania Turnpike Commission notes or other evidences of indebtedness to provide for preliminary or interim financing up to but not exceeding the estimated total cost of the turnpike and to pledge as collateral for such notes turnpike revenue bonds issued under the provisions of this act all such notes or other evidences of indebtedness shall contain a statement on their face that the Commonwealth is not obligated to pay the same or interest thereon and that the faith and credit of the Commonwealth is not pledged to the payment of the principal or interest of such notes or other evidences of indebtedness the issuance of turnpike notes or other evidences of indebtedness under the provisions of this



act shall not directly or indirectly or contingently obligate the Commonwealth to levy or to pledge any form of taxation therefor or make any appropriation for their payment

Section 12 All moneys received from any bonds notes or other evidences of indebtedness issued pursuant to this act shall be applied solely to the payment of the cost of the turnpike or to the appurtenant fund and there shall be and hereby is created and granted a lien upon such moneys until so applied in favor of holders of such bonds notes or other evidences of indebtedness or the trustee hereinafter provided for in respect to such bonds notes or other evidences of indebtedness

Section 13 In the discretion of the commission such bonds notes or other evidences of indebtedness may be secured by a trust indenture by and between the commission and a corporate trustee which may be any trust company or bank having the powers of a trust company within or outside of the Commonwealth Such trust indenture may pledge or assign tolls and revenue to be received but shall not convey or mortgage the turnpike or any part thereof Either the resolution providing for the issuance of such bonds notes or other evidences of indebtedness or such trust indenture may contain such provisions for protecting and enforcing the rights and remedies of the bondholders or holders of notes or other evidences of indebtedness as may be reasonable and proper and not in violation of law including covenants setting forth the duties of the commission in relation to the acquisition of properties and the construction maintenance operation and repair and insurance of the turnpike and the custody safeguarding and application of all moneys It shall be lawful for any bank or trust company incorporated under the laws of this Commonwealth to act as depository of the proceeds of the bonds notes or other evidences of indebtedness or revenues and to furnish such indemnity bonds or to pledge such securities as may be required by the commission Such indenture may set forth the rights and remedies of the bondholders or holders of notes or other evidences of indebtedness and of the trustee and may restrict the individual right of action of bondholders or holders of notes or other evidences of indebtedness as is customary in trust indentures securing bonds debentures of corporations notes or other evidences of indebtedness In addition to the foregoing such trust indenture may contain such other provisions as the commission may deem reasonable and proper for the security of bondholders or holders of notes or other evidences of indebtedness All expenses incurred in carrying out such trust indenture may be treated as a part of the cost of maintenance operation and repair of the turnpike

Section 14 The accomplishment by the commission of the authorized purposes stated in this act being for the benefit of the people of the Commonwealth and for the improvement of their commerce and prosperity in which accomplishment the commission will be performing essential governmental functions the commission shall not be required to pay any taxes or assessments on any property acquired or used by it for the purposes provided in this act and the bonds or other securities and obligations issued by the commission their transfer and the income therefrom including any profits made on the sale thereof shall at all times be free from taxation within the Commonwealth

Section 15 The commission is hereby authorized to fix and to revise from time to time tolls for the use of the turnpike and the different parts or sections thereof and to charge and collect the same and to contract with any person partnership association or corporation desiring the use of any part thereof including the right of way adjoining the paved portion for placing thereon telephone telegraph electric light or power lines gas stations garages stores hotels restaurants and advertising signs or for any other purpose except for tracks for railroad or railways use and to fix the terms conditions rents and rates of charges for such use Such tolls shall

be so fixed and adjusted as to provide a fund at least sufficient with other revenues of the turnpike if any to pay (a) the cost of maintaining repairing and operating the turnpike and (b) the bonds notes or other evidences of indebtedness and the interest thereon and all sinking fund requirements and other requirements provided by the resolution authorizing the issuance of the bonds notes or other evidences of indebtedness or by the trust indenture as the same shall become due Such tolls shall not be subject to supervision or regulation by any other State commission board bureau or agency The tolls and all other revenues derived from the turnpike except such part thereof as may be required to pay the cost of maintaining repairing and operating the turnpike and to provide such reserve therefor as may be provided for in the resolution authorizing the issuance of the bonds notes or other evidences of indebtedness or in the trust indenture shall be set aside at such regular intervals as may be provided in such resolution or such trust indenture in a sinking fund which is hereby pledged to and charged with the payment of (1) the interest upon such bonds notes or other evidences of indebtedness as such interest shall fall due (2) the principal of the bonds notes or other evidences of indebtedness as the same shall fall due (3) the necessary fiscal agency charges for paying principal and interest and (4) any premium upon bonds retired by call or purchase as herein provided The use and disposition of such sinking fund shall be subject to such regulations as may be provided in the resolution authorizing the issuance of bonds notes or other evidences of indebtedness or in the trust indenture but except as may otherwise be provided in such resolution or trust indenture such sinking fund shall be a fund for the benefit of all bonds notes or other evidences of indebtedness issued hereunder without distinction or priority of one over another Subject to the provisions of the resolutions authorizing the issuance of bonds notes or other evidences of indebtedness or of the trust indenture any moneys in such sinking fund in excess of an amount equal to one year's interest on all bonds notes or other evidences of indebtedness then outstanding may be applied to the purchase or redemption of bonds notes or other evidences of indebtedness All bonds notes or other evidences of indebtedness so purchased or redeemed shall forthwith be cancelled and shall not again be issued

Section 16 The commission is hereby authorized to provide by resolution for the issuance of turnpike revenue refunding bonds of the Commonwealth for the purpose of refunding any turnpike revenue bonds notes or other evidences of indebtedness issued under the provisions of this act and then outstanding The issuance of such turnpike revenue refunding bonds the maturities and other details thereof the rights of the holders thereof and the duties of the Commonwealth and of the commission in respect to the same shall be governed by the foregoing provisions of this act in so far as the same may be applicable and by the following provisions

(a) No turnpike revenue refunding bonds shall be delivered unless delivered in exchange for turnpike revenue bonds notes or other evidences of indebtedness to be refunded thereby except in the amount necessary to provide for the payment of matured or redeemable turnpike revenue bonds notes or other evidences of indebtedness or turnpike revenue bonds notes or other evidences of indebtedness maturing or redeemable within three months including any redemption premium thereon

(b) No turnpike revenue refunding bonds shall be issued unless issued to refund turnpike revenue bonds notes or other evidences of indebtedness which have matured or will mature within three months or unless the interest rate of the turnpike revenue refunding bonds shall be at least one-fourth of one per centum less than the interest rate borne by the turnpike revenue bonds notes or other evidences of indebtedness to be refunded

Section 17 Any holder of bonds notes or other evidences of indebtedness issued under the provisions of this act or any of the coupons attached thereto and the trustee under the trust indenture if any except to the extent the rights



herein given may be restricted by resolution passed before the issuance of the bonds notes or other evidences of indebtedness or by the trust indenture may either at law or in equity by suit action mandamus or other proceedings protect and enforce any and all rights granted hereunder or under such resolution or trust indenture and may enforce and compel performance of all duties required by this act or by such resolution or trust indenture to be performed by the commission or any officer thereof including the fixing charging and collecting of tolls for the use of the turnpike

Section 18 When all bonds notes or other evidences of indebtedness and the interest thereon shall have been paid or a sufficient amount for the payment of all bonds notes or other evidences of indebtedness and the interest to maturity thereon shall have been set aside in trust for the benefit of the holders of such bonds notes or other evidences of indebtedness and shall continue to be held for that purpose the turnpike and the connecting roads tunnels and bridges shall become a part of the system of State highways and shall be maintained by the Department of Highways free of tolls and thereupon the commission shall be dissolved and all funds of the commission not required for the payment of the bonds notes or other evidences of indebtedness and all machinery equipment and other property belonging to the commission shall be vested in the Department of Highways

Section 19 The foregoing sections of this act shall be deemed to provide an additional and alternative method for the doing of the things authorized thereby and shall be regarded as supplemental and additional to powers conferred by other laws and shall not be regarded as in derogation of any powers now existing Such sections being necessary for the welfare of the Commonwealth and its inhabitants shall be liberally construed to effect the purposes thereof

Section 20 All acts and parts of acts inconsistent with this act are hereby repealed

Section 21 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—205

Amarando.	Goodling.	Mazza,	Royer,
Andrews.	Graybill,	McConnell,	Rubin.
Banker.	Greenwood,	McCormack,	Sarra,
Barkdoll,	Greer,	McCullough,	Sax,
Baumunk,	Guarnieri,	McDermitt,	Scanlon,
Bea,	Gutendorf,	McGee,	Schmidt,
Beaver,	Guthrie,	McInroy,	Schuster,
Beech,	Hagerty,	McKinney,	Scott,
Berkstresser,	Hall,	McMillen,	Seyler,
Blair,	Hamilton, R. K.,	McNally,	Shoemaker,
Bloom,	Hamilton, W. H.,	Metz,	Shotwell,
Boles,	Harney,	Mihm,	Smith,
Bolton,	Haudenschild,	Mikula,	Snider,
Bomberger,	Headlee,	Miller, H. G.,	Sollenberger,
Boorse,	Helm,	Miller, J. C.,	Spencer,
Bower,	Hersch,	Mills,	Stank,
Breisch,	Hewitt,	Mintess,	Stimmel,
Breth,	Hocker,	Monroe,	Stoner,
Brown,	Hoggard,	Moore, C. E.,	Swartz,
Bucchin,	Hunter,	Moore, H. A.,	Swope,
Byrne,	Jenkins,	Moran,	Tahl,
Cella,	Johnson,	Muldowney,	Taylor,
Clapper,	Jones, G. E.,	Munley,	Thompson, E. F.,
Clendenning,	Jones, J. M.,	Murray,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Musto,	Toll,
Conway,	Jones, T. H. W.,	Najaka,	Tompkins,
Cooper,	Kamyk,	Naugle,	Toomey,
Corr,	Keller,	Needham,	VanSant,
Costa,	Kent,	Olsen,	Varallo,
Coyle,	Kline,	Penglase,	Varner,
Dalrymple,	Kohl,	Peta,	Verona,

Davis,	Kolankiewicz,	Petrosky,	Wachhaus,
Dennison,	Kornick,	Pettigrew,	Wargo,
Dougherty,	Kratz,	Pfaff,	Waterhouse,
Dowling,	Kubacki,	Pichney,	Watkins,
DuBols,	Lafore,	Pitzer,	Weidner,
Duffy,	Lederer,	Polaski,	Welsh,
Dunn,	Leisey,	Polen,	Wescott,
Erb,	Leonard, L.,	Price, H. W. Jr.,	Westrick,
Ewing,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Fenrich,	Leven,	Readinger,	White,
Ferster,	Light,	Reagan,	Williams,
Fillip,	Limper,	Reese,	Wilt,
Filo,	Loftus,	Reidenbach,	Wood,
Flack,	Lopresti,	Reilly, J. M.,	Yeakel,
Firmstone,	Lovett,	Rigby,	Yester,
Frost,	Lutty,	Riley, R. L.,	Yetzer,
Gaffney,	Lyons,	Robertson,	Young,
Geer,	Madden,	Rose,	Ziegler,
Gibson,	Madigan,	Rosen,	Sorg,
Gleason,	Markley,	Rovansek,	Speaker
Good,	Maxwell,		

## NAYS—0

## NOT VOTING—2

Jump,

Whalley.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 211, as follows:

A Joint Resolution proposing an amendment to section one article fourteen of the Constitution of the Commonwealth of Pennsylvania permitting county treasurers to hold successive terms

The General Assembly of the Commonwealth of Pennsylvania hereby resolves as follows

Section 1 The following amendment to the Constitution of the Commonwealth of Pennsylvania be and the same is hereby proposed in accordance with the eighteenth article thereof

That section one of article fourteen of the Constitution of Pennsylvania is hereby amended to read as follows

Section 1 County officers shall consist of sheriffs coroners prothonotaries registers of wills recorders of deeds commissioners treasurers surveyors auditors or controllers clerks of the courts district attorneys and such others as may from time to time be established by law

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—193

Amarando.	Graybill,	Markley,	Rovansek.
Andrews.	Greenwood,	Maxwell,	Royer,
Banker.	Greer,	Mazza,	Rubin.
Barkdoll,	Guarnieri,	McConnell,	Sarra,
Baumunk,	Gutendorf,	McCormack,	Sax,
Bea,	Guthrie,	McDermitt,	Scanlon,
Beaver,	Hagerty,	McGee,	Schmidt,
Beech,	Hall,	McInroy,	Schuster,
Blair,	Hamilton, R. K.,	McKinney,	Scott,
Bloom,	Hamilton, W. H.,	McMillen,	Seyler,
Boles,	Harney,	McNally,	Shoemaker,
Bolton,	Headlee,	Metz,	Shotwell,
Bomberger,	Helm,	Mihm,	Smith,
Boorse,	Hersch,	Mikula,	Snider,
Breisch,	Hewitt,	Miller, H. G.,	Spencer,



Breth,	Hocker,	Mills,	Stank,
Brown,	Hoggard,	Mintess,	Stimmel,
Bucchin,	Hunter,	Monroe,	Swartz,
Byrne,	Jenkins,	Moore, C. E.,	Swope,
Cella,	Johnson,	Moore, H. A.,	Tahl,
Clapper,	Jones, G. E.,	Moran,	Taylor,
Clendenning,	Jones, J. M.,	Muldowney,	Thompson, E. F.,
Cochran,	Jones, P. F.,	Munley,	Thompson, R. L.,
Conway,	Jones, T. H. W.,	Murray,	Toil,
Cooper,	Kamyk,	Musto,	Tompkins,
Corr,	Keller,	Najaka,	Toomey,
Costa,	Kent,	Needham,	VanSant,
Coyle,	Kilne,	Olsen,	Varallo,
Dalrymple,	Kohl,	Penglase,	Varner,
Dennison,	Kolankiewicz,	Peta,	Verona,
Dougherty,	Kornick,	Petrosky,	Wachhaus,
Dowling,	Kratz,	Pettigrew,	Wargo,
Duffy,	Kubacki,	Pfaff,	Waterhouse,
Dunn,	Lafore,	Pichney,	Watkins,
Ewing,	Lederer,	Pitzer,	Weldner,
Fenrich,	Leisey,	Polaski,	Welsh,
Ferster,	Leonard, L.,	Polen,	Wescott,
Filip,	Leonard, W. C.,	Price, H. W. Jr.,	Westrick,
Filo,	Leven,	Price, R. A.,	Wheeler,
Firmstone,	Light,	Readinger,	White,
Flack,	Limper,	Reagan,	Williams,
Frost,	Loftus,	Reese,	Wilt,
Gaffney,	Lopresti,	Reidenbach,	Yeakel,
Geer,	Lovett,	Reilly, J. M.,	Yester,
Gibson,	Lutty,	Rigby,	Yetzer,
Gleason,	Lyons,	Riley, R. L.,	Young,
Good,	Madden,	Robertson,	Ziegler,
Goodling,	Madigan,	Rose,	Sorg,
		Rosen,	Speaker

## NAYS—12

Berkstresser,	DuBois,	McCullough,	Sollenberger,
Bower,	Erb,	Miller, J. C.,	Stoner,
Davis,	Haudenschild,	Naugle,	Wood,

## NOT VOTING—2

Jump,	Whalley,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 249, entitled:

An Act to amend subsection (a) of section 411 of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1053) entitled "An act relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utility business by prescribing defining and limiting their duties powers and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale method of regulating rates providing for the supervision of financial and contractual relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal

corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alteration relocation protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulation the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" by relieving cities of the second class A and third class and the counties in which they are located from payment of damages occasioned by and costs of construction reconstruction repair and maintenance of certain bridges and viaducts

On the question,

Will the House agree to the bill on third reading?

Mr. SCOTT. Mr. Speaker, I ask unanimous consent to offer an amendment, at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk read the amendment as follows:

Amend Section 1 (Sec. 411), page 7, line 9, by inserting after the word "located" the following: "but in each such case the charges which the city and county would have borne in the absence of such taking over shall be borne instead by the Commonwealth."

The SPEAKER. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 397, entitled:

An Act to further amend Section 11 of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees defining the uses and purposes thereof and the manner of payment therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and



providing penalties" by providing for retroactive service allowance of certain employes

On the question,

Will the House agree to the bill on third reading?

#### BILL RECOMMENDED

Mr. JOHNSON. Mr. Speaker, I move that this bill be recommitted to the Committee on appropriations.

The motion was agreed to.

#### BILL ON FINAL PASSAGE POSTPONED

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. WATERHOUSE.

The House resumed the consideration on final passage of House Bill No. 855, as follows:

An Act to amend the act approved the twelfth day of April one thousand nine hundred fifty-one (Act No. 21) entitled "An Act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State Liquor Store for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" and of fees and imposing penalties" by permitting the sale and possession of wine in packages not bearing the official seal of the board. The General Assembly of the Commonwealth of Pennsylvania hereby enacts, as follows

Section 1 Clause (f) of section 208 subsection (d) of section 305 subsection (e) of section 409 and clause (4) of section 491 of the act approved the twelfth day of April one thousand nine hundred fifty-one (Act No. 21) entitled "an act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State Liquor Stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" are hereby amended to read as follows

Section 208 Specific Subject on Which Board May Adopt Regulations Subject to the provisions of this act and without limiting the general power conferred by the preceding section the board may make regulations regarding

(f) The sealing and labeling of liquor and alcohol sold under this act and of liquor and alcohol lawfully acquired by any person prior to January first one thousand nine hundred and thirty-four This section shall not be construed to authorize the board to require that packages containing wine have affixed thereto the official seal of the board

Section 305 Sales by Pennsylvania Liquor Stores \* \* \* \*

(d) No liquor or alcohol except wine shall be sold to any purchaser except in a package bearing the official seal of the board required by this act [which] and no package shall [not] be opened on the premises of a Pennsylvania Liquor Store No manager or other employe of the board employed in a Pennsylvania Liquor Store shall allow any liquor or alcohol to be consumed on the store premises nor shall any person consume any liquor or alcohol on such premises

\* \* \* \* \* Section 409 sacramental wine licenses fees privileges restrictions

(e) Any wine purchased under the authority of this section shall not be used for any other than sacramental or religious purposes Sacramental wine may not be sold by any person except the holder of a sacramental wine license [All original containers from which sacramental wine is dispensed shall bear the official seal of the board]

Section 491 unlawful acts relative to liquor alcohol and liquor licensees

It shall be unlawful

\* \* \* \* \*

(4) Liquor packages without official seal for any person except a manufacturer or the board or the holder [of a sacramental wine license or] of an importer's license [or a priest clergyman or rabbi who has purchased wine from the holder of a sacramental wine license] or have or keep any liquor except wine within the Commonwealth unless the package (except the decanter or other receptacle containing liquor for immediate consumption) in which the liquor is contained while containing that liquor bears the official seal of the board The use of decanters or other similar receptacles by licensees shall be permitted only in the case of wines and then only in accordance with the regulations of the board but nothing herein contained shall prohibit the manufacture and possession of wine as provided in (2) of this section

On the question,

Shall the bill pass finally?

Mr. MORAN. Mr. Speaker, I would like to interrogate one of the sponsors of the bill, Mr. Waterhouse.

The SPEAKER. Will the gentleman from Erie, Mr. Waterhouse, permit himself to be interrogated?

Mr. WATERHOUSE. I shall, Mr. Speaker.

Mr. MORAN. Mr. Speaker, I would like to ask the gentleman, the sponsor of this bill, Mr. Waterhouse, to explain or tell the House just what this bill does.

Mr. WATERHOUSE. Mr. Speaker, in reply to the gentleman from Allegheny, Mr. Moran, this bill would eliminate the necessity of stamping each bottle individually. This is the custom now in about 21 of the States which consume 63.6 of the wine that is consumed in the United States.

Instead of stamping each bottle individually it would be paid on the case or on the shipment to the state liquor stores. Someone has said something about New Jersey. New Jersey has the same law as well as New York, Ohio and, as I say, there are 21.

Mr. MORAN. Mr. Speaker, I believe this is a very bad bill for the reason that I could order a case of wine, and the only stamp that I would have on it would be on the case. There would be no marking on the bottle. After I emptied that case I could have bottles in my possession which I could say came from the same case. There would be no way of checking up on me. I think this is a pretty bad bill. It is a good way for the state to lose a lot of money in taxes and I do not believe we should pass it.

Mr. ANDREWS. Mr. Speaker, I am in agreement with



the gentleman from Allegheny. As I understand the import of this measure, it removes the sale of wine from the jurisdiction of the Liquor Control Board. There will be no possibility of determining whether a bottle of wine had or had not passed through the channels of distribution controlled by the Liquor Control Board. It would seem to be a bill for the encouragement of unrestrained bootlegging in alien wines and as the gentleman from Allegheny has said, a step in the direction of dismantling the powers of the Liquor Control Board to accumulate a profit from the sale of wine.

Mr. WATERHOUSE. Mr. Speaker, in reply to the gentleman from Cambria, Mr. Andrews, also the gentleman from Allegheny, Mr. Moran, if this involved the liquor trade then I could only agree with the gentlemen. But due to the fact that wine is very cheap, 60 and 70 cents a fifth, I believe lots of it at that, I think we are probably just imagining what could happen and I am satisfied would not happen, because in 21 States apparently it is not happening. I am satisfied that if they are going to bootleg they certainly are not going to bother with 60 and 70 cent drinks. I think they would probably get into something that would involve more money.

Mr. ANDREWS. Mr. Speaker, the gentleman from Erie in his free hours may indulge himself in 60 cent red ink, but as have observed the habits of those who consume wine, most of the wine consumed does not fall in the 60 to 50 cent category. How under this bill are you going to keep track even of foreign imports of expensive wines? If you open the door to the 50 and 60 cent variety, you open the door to the more expensive wines bottled in California and bottled in Spain. There cannot be any distinction; there is no way of telling, if it does not bear the stamp of the Liquor Control Board.

Mr. WATERHOUSE. Mr. Speaker, in reply to the gentleman from Cambria, Mr. Andrews, I believe if he were to check with the liquor stores he would find that the volume is definitely in the cheaper wines. The people who buy the more expensive wines, of course, would not be legislators. So maybe he does not have as broad a view of this as he might have. I believe that those who do would be very sure they were getting what they were paying for. To be sure of that, you would buy it from a liquor store.

Briefly this bill has been before the House and was acted upon favorably several years ago. It was only through a little personal disturbance that it was not signed. I understand that is the history, but I believe it is good legislation. Arizona, California, Connecticut, Delaware, District of Columbia—and the District of Columbia could not be wrong—Florida, Kansas, Massachusetts, Michigan, Nevada, New Jersey, New York, North Carolina, Ohio, Oregon, Rhode Island, Texas, Vermont, Washington, Wisconsin and Wyoming. I don't know whether they have all adopted the same legislation.

Mr. Speaker, I hope that the Members of this House will see fit to support the bill.

Mr. ANDREWS. Mr. Speaker, I am wondering whether it was a slip of the lip when the gentleman from Erie said with respect to one variety of wine that if they wanted it they would buy it through the liquor store? Did he mean to infer that in order grades of wine if

they wanted to buy it they would not buy it through the liquor store?

Mr. WATERHOUSE. Mr. Speaker, that is not what I meant. He was referring to the higher priced wines. I think he would find that would be true in all priced wines. Due to the price structure I am quite sure that no one would care to take a chance on bootleg stuff when he can go to the liquor store and know what he is getting at a good price.

Mr. ANDREWS. Mr. Speaker, I do not care to prolong the discussion, but the gentleman's reading of a list of States lacks pertinence because he does not tell us what sort of distribution system the various States have, and he does not tell us the nature of their tax system, so that his list of States may or may not be pertinent.

Mr. LOVETT. Mr. Speaker, I would like to interrogate the sponsor of the bill.

The SPEAKER. Will the gentleman from Erie, Mr. Waterhouse, permit himself to be interrogated?

Mr. WATERHOUSE. I shall, Mr. Speaker.

Mr. LOVETT. Mr. Speaker, does the gentleman have any idea how much revenue the state stores would lose by the enactment of his bill?

Mr. WATERHOUSE. Mr. Speaker, I do not believe they would lose any revenue.

Mr. LOVETT. Mr. Speaker, none at all?

Mr. WATERHOUSE. Mr. Speaker, I do not believe so because they would collect the same amount of money they now collect.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—93

Banker,	Graybill,	Mihm,	Snider,
Beech,	Greer,	Mikula,	Sollenberger,
Blair,	Gutendorf,	Mintess,	Stank,
Bolton,	Hall,	Moore, C. E.,	Stimmel,
Boorse,	Hamilton, R. K.,	Moore, H. A.,	Stoner,
Bower,	Hamilton, W. H.,	Murray,	Taylor,
Brelsich,	Hewitt,	Najaka,	Tompkins,
Brown,	Johnson,	Naugle,	Thompson, R. L.,
Byrne,	Jones, T. H. W.,	Pichney,	Toomey,
Clendening,	Kline,	Pitzer,	VanSant,
Costa,	Kohl,	Polaski,	Varner,
Dalrymple,	Kolankiewicz,	Price, R. A.,	Wachhaus,
Dennison,	Lafore,	Readinger,	Waterhouse,
DuBols,	Leisey,	Reidenbach,	Watkins,
Dunn,	Leonard, W. C.,	Reilly, J. M.,	Weidner,
Erb,	Light,	Robertson,	Wescott,
Ewing,	Limper,	Rose,	Wheeler,
Fenrich,	Lyons,	Royer,	Williams,
Ferster,	Markley,	Sarraf,	Wilt,
Filo,	Mazza,	Sax,	Yester,
Firmstone,	McCormack,	Schuster,	Yetzer,
Frost,	McInroy,	Scott,	Sorg,
Gibson,	McKinney,	Shoemaker,	Speaker
Goodling,	Metz,	Smith,	

## NAYS—98

Andrews,	Greenwood,	Lopresti,	Reese,
Barkdoll,	Guarnieri,	Lovett,	Rigby,
Bear,	Guthrie,	Lutty,	Riley, R. L.,
Beaver,	Hagerty,	Madden,	Rosen,
Berkstresser,	Haudenshield,	Madigan,	Rovansek,
Bloom,	Headlee,	McCullough,	Rubin,
Breth,	Helm,	McDermitt,	Scanlon,
Bucchin,	Hersch,	McGee,	Schmidt,
Cella,	Hocker,	McMillen,	Seyler,
Clapper,	Hoggard,	McNally,	Shotwell,
Cochran,	Hunter,	Miller, H. G.,	Swartz,
Conway,	Jenkins,	Miller, J. C.,	Swope,
Corr,	Jones, G. E.,	Monroe,	Thompson, E. F.,
Coyle,	Jones, J. M.,	Moran,	Toll,
Davis,	Jones, P. F.,	Muldowney,	Varallo,



Dougherty,	Kamyk,	Munley,	Wargo,
Dowling,	Keller,	Musto,	Welsh,
Duffy,	Kornick,	Penglase,	Westrick,
Filip,	Kubacki,	Pettigrew,	White,
Flack,	Lederer,	Polen,	Wood,
Gaffney,	Leonard, L.,	Reagan,	Yeakel,
Good,	Leven,		

## NOT VOTING—16

Amarando,	Harney,	Mills,	Spencer,
Baumunk,	Jump,	Needham,	Tahl,
Boles,	Kent,	Olsen,	Verona,
Bomberger,	Kratz,	Peta,	Whalley,
Cooper,	Loftus,	Petrosky,	Young,
Geer,	Maxwell,	Pfaff,	Ziegler,
Gleason,	McConnell,	Price, H. W. Jr.,	

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 456, entitled:

An Act to further amend the act, approved the thirty-first day of May, one thousand nine hundred forty-seven (P. L. 368), entitled "An act to protect consumers in the purchase for fuel purposes of the hard coal known as anthracite; providing for and regulating the sale, offering for sale, resale, delivery and shipment of anthracite according to a standard provided for in this act; requiring producers and dealers and persons engaged in the sale and resale of anthracite, from storage yards or otherwise to consumers, to keep certain records; conferring powers on the Anthracite Committee and its agents, and providing penalties," by defining "Retail Dealer," "Wholesale Dealer," "Municipal Weighmasters," and "Municipality," requiring producers, wholesale dealers and municipal weighmasters to issue certain statements and keep certain records; imposing and changing penalties; providing for the payment of fines for violations to the Commonwealth; and providing for injunctions to restrain violations.

On the question,

Will the House agree to the bill on third reading?

Mr. SMITH. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Title, page 2 line 3 of Title, by striking out "and".

Amend Title, page 2, line 4 of Title, by inserting after "Municipality" the following: and "Storage Place for Anthracite".

Amend Sec. 1, (Sec. 2), page 3, lines 5 and 7, by inserting a bracket before the word "purchasing" in line 5, inserting a bracket after the word "anthracite" in line 7, and inserting immediately thereafter the following: "maintaining a place for the storage of anthracite, who purchases anthracite for resale to consumers regardless of the quantity sold or who sells to a retail dealer in lots not exceeding 20,000 pounds in any one transaction."

Amend Sec. 2, (Sec. 2), page 3, lines 14 and 15, by striking out "purchasing anthracite for resale to retail dealers or consumers in lots exceeding 20,000 pounds" and inserting in lieu thereof: "or his or its legal representative who purchases anthracite for resale to retail dealers in lots exceeding 20,000 pounds or one not maintaining a storage place for anthracite who sells anthracite to a consumer regardless of the quantity sold."

Amend Sec. 2, (Sec. 2), page 3, by inserting after line 20 the following:

(o) "Storage Place for Anthracite," an established place of business including a permanent office, storage facilities for not less than 250 ton of anthracite and its own weighing scales.

Amend Sec. 3, (Sec. 5), page 8, line 7, by striking out "railroad car number and the model and".

Amend Sec. 3, (Sec. 5), page 8, line 8, by inserting after the word "transported" the following: "and in the case of wholesale dealers and producers, the railroad car number and the model of the vehicle in which the anthracite is transported".

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 499, as follows:

An Act to add Section 15.1 to the act approved the eighth day of July one thousand nine hundred forty-one (P. L. 298) entitled "An act authorizing the creation of and providing for and regulating the maintenance and operation of a county employees' retirement system in counties of the fourth class imposing certain charges on counties and fixing penalties" by providing for optional minimum retirement allowances under certain conditions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the eighth day of July one thousand nine hundred forty-one (P. L. 298) entitled "An act authorizing the creation of and providing for and regulating the maintenance and operation of a county employees' retirement system in counties of the fourth class imposing certain charges on counties and fixing penalties" is hereby amended by adding after Section 15 thereof a new section to read as follows

Section 15.1 Optional Minimum Allowances At any time the board by rule may be increasing the county annuity authorize the payment of a minimum annual retirement allowance of twelve hundred dollars payable monthly in the amount of one hundred dollars to every beneficiary who has retired for superannuation after twenty years' service as a county employe but no county annuity shall in any case exceed fifty per centum of the average salary

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—205

Amarando,	Goodling,	Mazza,	Royer,
Andrews,	Graybill,	McConnell,	Rubin,
Banker,	Greenwood,	McCormack,	Sarraf,
Barkdoll,	Greer,	McCullough,	Sax,
Baumunk,	Guarnieri,	McDermitt,	Scanlon,
Bear,	Gutendorf,	McGee,	Schmidt,
Beaver,	Guthrie,	McInroy,	Schuster,
Beech,	Hagerty,	McKinney,	Scott,
Berkstresser,	Hall,	McMillen,	Seyler,
Blair,	Hamilton, R. K.,	McNally,	Shoemaker,
Bloom,	Hamilton, W. H.,	Metz,	Shotwell,
Boles,	Harney,	Mihm,	Smith,
Bolton,	Haudenschild,	Mikula,	Snider,
Bomberger,	Headlee,	Miller, H. G.,	Sollenberger,
Boorse,	Helm,	Miller, J. C.,	Spencer,
Bower,	Hersch,	Mills,	Stank,



Breisch,	Hewitt,	Mintess,	Stimmel,
Breth,	Hocker,	Monroe,	Stoner,
Brown,	Hoggard,	Moore, C. E.,	Swartz,
Bucchin,	Hunter,	Moore, H. A.,	Swope,
Byrne,	Jenkins,	Moran,	Tahl,
Cella,	Johnson,	Muldowney,	Thayer,
Clapper,	Jones, G. E.,	Munley,	Thompson, E. F.,
Clendening,	Jones, J. M.,	Murray,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Musto,	Toll,
Conway,	Jones, T. H. W.,	Najaka,	Tompkins,
Cooper,	Kamyk,	Naugle,	Toomey,
Corr,	Keller,	Needham,	VanSant,
Costa,	Kent,	Olsen,	Varallo,
Coyle,	Kline,	Penglase,	Varner,
Dalrymple,	Kohl,	Peta,	Verona,
Davis,	Kolankiewicz,	Petrosky,	Wachhaus,
Dennison,	Kornick,	Pettigrew,	Wargo,
Dougherty,	Kratz,	Pfaff,	Waterhouse,
Dowling,	Kubacki,	Pichney,	Watkins,
DuBois,	Lafore,	Pitzer,	Weidner,
Duffy,	Lederer,	Polaski,	Welsh,
Dunn,	Lelsey,	Polen,	Wescott,
Erb,	Leonard, L.,	Price, H. W. Jr.,	Westrick,
Ewing,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Fenrich,	Leven,	Readinger,	White,
Ferster,	Light,	Reagan,	Williams,
Filip,	Limper,	Reese,	Wilt,
Flo,	Loftus,	Reidenbach,	Wood,
Firmstone,	Lopresti,	Reilly, J. M.,	Yeakel,
Flack,	Lovett,	Rigby,	Yester,
Frost,	Lutty,	Riley, R. L.,	Yetzer,
Gaffney,	Lyons,	Robertson,	Young,
Geer,	Madden,	Rose,	Ziegler,
Gibson,	Madigan,	Rosen,	Sorg,
Gleason,	Markley,	Rovanssek,	Speaker
Good,	Maxwell,		

NAYS—0

NOT VOTING—2

Jump, Whalley,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 615, as follows:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by increasing annual registration fees for certain commercial motor vehicles truck tractors trailers and semi-trailers prescribing additional equipment requirements for certain vehicles increasing the maximum gross weights and axle loads allowed for certain vehicles

changing the requirements weighing vehicles and removal of excess loads [and] prescribing and changing penalties providing that certain penalties shall be enforced by liens upon vehicles and the sale of such vehicles and the sale of such vehicles free of all liens and encumbrances and imposing duties upon operators owners magistrates and sheriffs

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections seven hundred three and seven hundred four of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the act approved the twenty-sixth day of May one thousand nine hundred forty-three (P. L. 618) are further amended to read as follows:

Section 703 Commercial Motor Vehicles and Truck Tractors with Pneumatic Tires Commercial motor vehicles and truckand truck tractors with pneumatic tires other than those electrically operated shall be divided into eight (8) classes and the fee for annual registration of such vehicles in each of the respective classes based on the gross chassis weight as given and certified to by the manufacturer shall be as follows

Four-Wheeled Class	Chasis Weight in Pounds	Fee
R....Less than 2000		\$16.50
S....2000 and over but less than 3000		26.00
T....3000 and over but less than 4000		35.00
U....4000 and over but less than 5000	[45.00]	50.00
V....5000 and over but less than 600	[70.00]	80.00
W....6000 and over but less than 7500	[96.00]	110.00
Y....7500 and over but less than 9000	[120.00]	134.00
Z....9000 and over	[175.00]	192.00
Six-wheel (3-Axles) Class	Chassis Weight in Pounds	Fee
RZ....2000 and over but less than 3000		\$40.00
SZ....3000 and over but less than 4000		50.00
TZ....4000 and over but less than 5000		60.00
UZ....5000 and over but less than 6000	[98.00]	106.00
VZ....6000 and over but less than 7500	[168.00]	186.00
WZ....7500 and over but less than 9000	[186.00]	203.00
YZ....9000 and over but less than 12000	[215.00]	239.00
ZZ....12000 and over	[250.00]	294.00

Section 704 Commercial Motor Vehicles and Truck Tractors with Solid Rubber or Cushion Rubber Tires Commercial motor vehicles and truck tractors with solid rubber or cushion rubber tires approved by the Secretary of Highways of this Commonwealth other than those electrically operated shall be divided into eight (8) classes and the fee for the annual registration of such vehicles in each of the respective classes based on the gross chassis weight as given and certified to by the manufacturer shall be as follows

Four wheeled Class	Chasis Weight in Pounds (Solid Rubber Tires)	Fee
R....Less than 2000		\$28.00



S....2000 and over but less than 3000	45.00
T....3000 and over but less than 4000	60.00
U....4000 and over but less than 5000	[75.00] 82.00
V....5000 and over but less than 6000	[120.00] 132.00
W....6000 and over but less than 7500	[160.00] 181.00
Y....7500 and over but less than 9000	[204.00] 226.00
Z....9000 and over	[315.00] 346.00

Six-Wheeled (3 Axles)

Class	Chassis Weight in Pounds (Solid Rubber Tires)	Fee
RZ....2000 and over but less than 3000		\$65.00
SZ....3000 and over but less than 4000		75.00
TZ....4000 and over but less than 5000		90.00
UZ....5000 and over but less than 6000	[158.00]	171.00
VZ....6000 and over but less than 7500	[288.00]	319.00
WZ....7500 and over but less than 9000	[311.00]	340.00
YZ....9000 and over but less than 12000	[340.00]	378.00
ZZ....12000 and over	[375.00]	440.00

Class	Chassis Weight in Pounds (Cushion Rubber Tires)	Fee
R....Less than 2000		\$25.00
S....2000 and over but less than 3000		35.00
T....3000 and over but less than 4000		50.00
U....4000 and over but less than 5000	[60.00]	66.00
V....5000 and over but less than 6000	[92.00]	102.00
W....6000 and over but less than 7500	[124.00]	140.00
Y....7500 and over but less than 9000	[156.00]	173.00
Z....9000 and over	[228.00]	251.00

Class	Chassis Weight in Pounds (Cushion Rubber Tires)	Fee
RZ....2000 and over but less than 3000		\$55.00
SZ....3000 and over but less than 4000		65.00
TZ....4000 and over but less than 5000		70.00
UZ....5000 and over but less than 6000	[133.00]	144.00
VZ....6000 and over but less than 7500	[213.00]	236.00
WZ....7500 and over but less than 900	[236.00]	258.00
YZ....9000 and over but less than 1200	[265.00]	294.00
ZZ....12000 and over	[300.00]	352.00

Section 2 Section seven hundred six of said act as amended by the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 751) is further amended to read as follows

Section 706 Trailers and Semi-Trailers Trailers and semi-trailers equipped with pneumatic or solid rubber or cushion rubber tires approved by the Secretary of Highways shall be divided into seven (7) classes and the fee for annual registration of such vehicles in each of the respective classes based on the combined weight of chassis and body if so constructed or the gross weight of the trailer or semi-trailer exclusive of the load to be transported shall be as follows

Two-Wheeled Class	Semi-Trailer	Fee
Weight in Pounds	Tire Equipment	
	Pneumatic Cushion Solid	
A Less than 1000	\$5.00 \$6.00 \$8.00	
B 1000 and over but less than 2000	8.00 10.00 15.00	
C 2000 and over but less than 3000	15.00 20.00 25.00	
D 3000 and over but less than 4000	25.00 30.00 35.00	
E 4000 and over but less than 5000	30.00 40.00 50.00	
F 5000 and over but less than 6000	45.00 60.00 75.00	
G 6000 and over	[75.00] 84.00 [85.00] 95.00 [100.00] 111.00	

Four-Wheeled (2 Axles) Class	Trailer or Semi-Trailer Weight in Pounds	Fee
	Tire Equipment	
	Pneumatic Cushion Solid	
A Less than 1000	\$ 5.00 \$ 6.00 \$ 8.00	
B 1000 and over but less than 2000	8.00 10.00 15.00	
C 2000 and over but less than 3000	15.00 20.00 25.00	
D 3000 and over but less than 4000	25.00 30.00 35.00	
E 4000 and over but less than 5000	30.00 40.00 50.00	
F 5000 and over but less than 6000	45.00 60.00 75.00	
G 6000 and over	[75.00] 95.00 [85.00] 108.00 [100.00] 127.00	

Six-Wheeled (3 Axles) Class	Trailer Weight in Pounds	Fee
	Tire Equipment	
	Pneumatic Cushion Solid	
AZ Less than 3000	\$40.00 \$45.00 \$50.00	
BZ 3000 and over but less than 4000	45.00 50.00 60.00	
CZ 4000 and over but less than 5000	50.00 60.00 70.00	
DZ 5000 and over but less than 6000	60.00 75.00 90.00	
EZ 6000 and over but less than 7000	75.00 100.00 125.00	
FX 7000 and over but less than 9000	85.00 110.00 135.00	
GZ 9000		
and over	[100.00] 130.00 [125.00] 163.00 [150.00] 196.00	

Section 3 Section eight hundred eleven of said act as last amended by the act approved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2329) is further amended by adding thereto after clause (i) a new clause to read as follows

## Section 811 Brakes

\* \* \* \* \*

(j) Every commercial motor vehicle and every combination of a commercial motor vehicle and trailer or of a truck tractor and semi-trailer when used on a highway shall be equipped with brakes having an aggregate braking surface of not less than one (1) square inch for each fifty-five (55) pounds of maximum gross weight allowed by section nine hundred three of this act

Section 4 Said act is further amended by adding thereto after section eight hundred twenty-one a new section to read as follows

Section 821.1 Minimum Engine Capacity Every commercial motor vehicle and every combination of a commercial motor vehicle and trailer or of a truck tractor and semi-trailer when used on a highway shall be equipped with an engine capable of propelling such vehicle or combination up a grade of two percentum (2%) at a speed of not less than twenty (20) miles per hour when such vehicle or combination is loaded to the maximum gross weight allowed by section nine hundred three of this act

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of ten (\$10) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

Section 5 Section nine hundred three of said act as last amended by the act approved the twenty-seventh day of April one thousand nine hundred forty-five (P. L. 1328) and as amended in part by the act approved the eighteenth day of May one thousand nine hundred forty-nine (P. L. 1412) is further amended to read as follows

## Section 903 Weight of Vehicles and Loads

(a) Commercial motor vehicles and truck tractors other than those electrically operated shall not be used or operated on any highway with gross weight exceeding those specified for the several classes and weights of chassis as follows

Four-Wheeled (2 Axles)		Maximum Gross Weight in Pounds
Class	Chassis Weight in Pounds	
R	Less than 2000	5000
S	2000 and over but less than 3000	7000
T	3000 and over but less than 4000	11000
U	4000 and over but less than 5000	[15000] 16500
V	5000 and over but less than 6000	[19000] 21000
W	6000 and over but less than 7500	[23000] 26000
Y	7500 and over but less than 9000	[27000] 30000
Z	9000 and over	[30000] 33000

Six-Wheeled (3 Axles)		Maximum Gross Weight in Pounds
Class	Chassis Weight in Pounds	
RZ 2000 and over but less than 3000		12000
SZ 3000 and over but less than 4000		14000
TZ 4000 and over but less than 5000		16000
UZ 5000 and over but less than 6000		[24000] 26000
VZ 6000 and over but less than 7500		[28000] 31000



WZ 7500 and over but less than 9000	[32000] 35000
YZ 9000 and over but less than 12000	[36000] 40000
ZZ 12000 and over	[40000] 47000

(b) Electrically operated commercial motor vehicles and truck tractors shall not be used or operated on any highways with gross weight exceeding those specified for the several classes as follows

#### Four-Wheeled (2 Axles)

Class	Maximum Gross Weight in Pounds
R	5000
S	7000
T	10000
U	15000
V	18000
W	22000
Y	25000
Z	26000

#### Six-Wheeled (3 Axles)

Class	Maximum Gross Weight in Pounds
RZ	12000
SZ	14000
TZ	16000
UZ	22000
VZ	26000
WZ	30000
YZ	34000
ZZ	36000

(c) Trailers and semi-trailers except trailers designed and used exclusively for living quarters shall not be used or operated on any highway with gross weight exceeding those specified for the several classes as follows

#### Four-Wheeled (2 Axles)

Trailer or Semi-Trailer Class	Weight in Pounds	Maximum Gross Weight in Pounds
A Less than 1000		3000
B 1000 and over but less than 2000		6000
C 2000 and over but less than 3000		10000
D 3000 and over but less than 4000		16000
E 4000 and over but less than 5000		20000
F 5000 and over but less than 6000		24000
G 6000 and over		[26000] 33000

#### Six-Wheeled (3 Axles) Trailer

Class	Weight in Pounds	Maximum Gross Weight in Pounds
AZ Less than 3000		12000
BZ 3000 and over but less than 4000		15000
CZ 4000 and over but less than 5000		20000
DZ 5000 and over but less than 6000		26000
EZ 6000 and over but less than 7000		30000
FZ 7000 and over but less than 9000		34000
GZ 9000 and over		[36000] 47000

#### Two-Wheeled (1 Axle) Semi-Trailer

Class	Weight in Pounds	Maximum Gross Weight in Pounds
A Less than 1000		3000
B 1000 and over but less than 2000		6000
C 2000 and over but less than 3000		10000
D 3000 and over but less than 4000		12000
E 4000 and over but less than 5000		14000
F 5000 and over but less than 6000		16000
G 6000 and over		[18000] 20000

(d) [No two-wheeled vehicle except fire department equipment shall be operated upon any highway with gross weight in excess of twenty thousand (20,000) pounds or in excess of eight hundred (800) pounds on any one wheel for each nominal inch of width of tire] Whenever two vehicles are used or operated as a combination on any highway the gross weight of the combinations shall not exceed the sum of the maximum gross weights allowed for the respective vehicles and in addition the gross weight of the combination shall not exceed the gross weight specified as follows

#### Combination

	Maximum Gross Weight in Pounds
Truck tractor and single-axle semi-trailer	48000
Truck tractor and two-axle semi-trailer	60000
Commercial motor vehicle and trailer	62000

(e) [No four-wheeled vehicle except fire department equipment and any motor bus operated within a municipality or in a business or residence district shall be operated upon any highway with a gross weight in excess of thirty thousand (30,000) pounds or in excess of twenty thousand (20,000) pounds on any axle or in excess of eight hundred (800) pounds on any one wheel for each nominal inch of width of tire on such wheel] Maximum gross weights provided in this section are allowed only under conditions where no other restrictions are provided in this act or in any other laws regulating maximum gross weights of vehicles

(f) [No six or more wheeled vehicle except fire department equipment shall be operated upon any highway with gross weight in excess of forty thousand (40,000) pounds or in excess of eight thousand (\$8,000) pounds on the front axle or in excess of eighteen thousand (18,000) pounds on any one of the rear axles or in excess of eight hundred (800) pounds on any one wheel for each nominal inch of width of tire on such wheel and the two rear axles shall be parallel and shall not be less than thirty-six (36) inches apart] No vehicle shall be operated upon any highway with weight in excess of twenty thousand (20,000) pounds upon any one axle or in excess of thirty-six thousand (36,000) pounds on a pair of axles less than seventy-two (72) inches apart No vehicle shall be operated upon any highway with weight in excess of eight hundred (800) pounds on any one wheel for each nominal inch of width of tire on such wheel

(g) [No truck tractor and semi-trailer combined except fire department equipment shall be operated upon any highway with a gross weight in excess of forty-five thousand (45,000) pounds or in excess of twenty thousand (20,000) pounds on any axle or in excess of eight hundred (800) pounds on any one wheel for each nominal inch of width of tire on such wheel axle or axles of semi-trailer shall not be less than ninety-six (96) inches from the axle of the truck tractor] No three-axle vehicle or two axle semi-trailer shall be operated upon any highway unless the rear axles be parallel and at least forty (40) inches apart and no truck tractor and semi-trailer shall be operated as a combination on any highway unless the rearmost axle of the truck tractor and the foremost axle of the semi-trailer be at least ninety-six (96) inches apart

(h) [No commercial motor vehicle and trailer combined except fire department equipment shall be operated upon any highway with a gross weight in excess of sixty-two thousand (62,000) pounds or in excess of eight hundred (800) pounds on any one wheel for each nominal inch of width of tire on such wheel] None of the restrictions provided in this section shall be applicable to fire department equipment or to any two axle motor bus operated within a municipality or in a business or residence district

[(1)] (I) A variance of five per centum (5%) over the several maximum weights allowed by the foregoing clauses of this section shall be permitted and no penalty for violation of this section shall be imposed for such variance provided however that no variance shall be permitted for the combination of a truck-tractor and two-axle semi-trailer or for a pair of axles less than seventy-two (72) inches apart [maximum gross weight provided in this section are permissible only under conditions where no other restrictions are provided in this act or in any other laws regulating the gross maximum weight of vehicles]

Penalty Any person operating any vehicle upon any highway with a gross weight exceeding by more than five (5) per centum the maximum gross weight allowed



and not exceeding by more than ten (10) per centum the maximum gross weight allowed shall upon summary conviction before a magistrate be sentenced to pay a fine of twenty-five (\$25) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days and any person operating any vehicle on any highway with a gross weight exceeding by more than ten (10) per centum the maximum gross weight allowed shall upon summary conviction before a magistrate be sentenced to pay a fine of fifty (\$50) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than ten (10) days]

#### Penalties

Subject to the provisions of clause (i) of this section any person operating any vehicle or combination of vehicles upon a highway in violation of this section shall upon summary conviction before a magistrate be sentenced to pay the costs of prosecution and a fine according to the following schedule

For violating clause (a) (b) (c) or (d) of this section the fine shall be one hundred (\$100) dollars plus two (\$2) dollars for each one hundred (100) pounds or part thereof by which the gross weight of the vehicle or combination of vehicles exceeds the maximum gross weight allowed therefor exclusive of the variance permitted by clause (i) but inclusive of a variance of three thousand one hundred (3,100) pounds

Provided that no variance of any amount shall be permitted for the combination of a truck-tractor and two-axle semi-trailer

For violating clause (f) without violating clause (a) (b) (c) or (d) of this section the fine shall be twenty-five (\$25) dollars

For violating clause (g) of this section the fine shall be twenty-five (\$25) dollars

Any fines and costs of prosecution imposed for violation of clause (a) (b) (c) (d) (f) or (g) of this section shall constitute and be a first lien upon the vehicle or combination of vehicles which lien shall continue until the fine and costs of prosecution and all reasonable costs attendant upon or arising out of the enforcement of the lien are paid it shall be the duty of the operator or owner of any such vehicle or combination of vehicles to drive or cause the same to be driven to such off-the-highway parking area or storage facility as the magistrate may designate and except for such movement or any movement that may be required in the performance of the duties hereinafter imposed upon the sheriff no vehicle or combination of vehicles subject to a lien as herein provided for shall be operated on the highways of this Commonwealth or be registered or the title thereof transferred either voluntarily or by operation of law as long as said lien remains unsatisfied any operator or owner who fails neglects or refuses to comply with an order of a magistrate to deliver a vehicle or combination of vehicles to a parking area or storage facility designated by said magistrate or a person who operates or causes or permits to be operated a vehicle or combination of vehicles or who procures the registration or transfer of title of a vehicle knowing the same to be subject to the lien herein Provided for shall upon summary conviction before a magistrate be sentenced to pay a fine of two hundred (\$200.00) dollars and costs of prosecution and in default of the payment thereof shall be sentenced to undergo imprisonment for thirty (30) days if the fine and costs of prosecution for violation of clause (a) (b) (c) (d) (f) or (g) of this section and all other costs incidental to the enforcement of the lien shall not be paid within ten (10) days the magistrate shall forthwith issue an order directed to the sheriff of the county commanding him to sell at public sale any vehicle or combination of vehicles subject to such lien within five (5) days following receipt of such an order of sale the sheriff shall send by registered mail to the owner conditional vendor bailor lessor or mortgagee as disclosed in official registration certificates accompanying

the vehicle or conspicuously displayed on the dash of a motor vehicle or the lower front left side of the exterior of a trailer or semi-trailer at the address set forth therein. A notice of the sale free and clear of all liens and encumbrances stating inter alia (1) the date time and place of the sale (2) the amount of the fine and all costs including those incidental to the enforcement of the lien which have accrued to the date of the notice and (3) a statement that the vehicle may be repossessed at any time prior to the sale upon payment of the fine and all costs which have accrued up to the date of the satisfaction of the lien the posting of such notice by registered mail addressed as aforesaid shall constitute notice to the addressee the sale shall be advertised once each week for three (3) successive weeks in a newspaper of general circulation in the county and shall be held not less than thirty (30) days following the date of the first advertisement the sale shall operate to divest any and all existing liens or encumbrances on such vehicle or combination of vehicles Provided That the owner or the conditional vendor bailor lessor or mortgagee shall have the right to repossess the same upon payment of the fine and all costs accrued at any time prior to the sale the magistrate and sheriff shall be entitled to the same fees to which they are entitled by law for similar services Provided That the magistrate's fee for arranging for a parking or storage facility shall be five (\$5.00) dollars for each vehicle and for each order of sale directed to the sheriff five (\$5.00) dollars and Provided further That the sheriff's fee for the preparation and transmission of the notice of sale shall be five (\$5.00) dollars each the proceeds of sale shall be distributed in the following order viz (1) costs of sale (2) storage costs (3) costs of prosecution (4) fine (5) equitable owners as their interests may appear (6) owner neither the peace officer magistrate nor sheriff shall incur any liability whatsoever by virtue of any act done hereunder Violation of this section by any person shall not affect his operating privilege or his privilege to apply for an operator's license or learner's permit under any other section of this act

Section 6 Section nine hundred four of said act as amended by the act approved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2329) is further amended to

Section 904 Officers May Weigh Vehicles and Require Removal of Excess Load Any peace officer who shall be in uniform and shall exhibit his badge or other sign of authority having reason to believe that the gross weight of a vehicle or combination of vehicles or the weight upon an axle or pair of axles thereof [and load] is unlawful is authorized to weigh the same either by means of portable or stationary scales or may require that such vehicle or combination be driven to the nearest stationary scales in the event such scales are within a distance of two (2) miles [The] If the weight upon an axle or pair of axles exceeds the maximum weight allowed therefor or if the gross weight of the vehicle or combination of vehicles exceeds the maximum gross weight allowed the peace officer may [then] and if such gross weight exceeds maximum gross weight allowed and also exceeds fifty thousand four hundred (50,400) pounds the peace officer shall require the operator to [unload immediately such portion of the load as may be necessary to decrease the gross weight of such vehicle] reduce or rearrange the load so as to bring the gross weight or weight upon an axle or pair of axles to not more than the respective maximum gross weight or maximum weight allowed [specified in this act] except as herein provided for special permits This section shall be subject to the provisions of clause (I) of section nine hundred three of this act [And further provided That no arrests shall be made or informants brought in cases where the maximum gross weights provided in this act are not exceeded by more than five (5) per centum thereof]

Penalty Any [person violating any of] operator who shall fail neglect or refuse to comply with the requirements of a peace officer given pursuant to the provisions



of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of [ten (\$10)] one hundred (\$100) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for more than [five (5)] thirty (30) days In addition to the foregoing penalty the Secretary may suspend the operating privilege of the aforesaid person for a period of thirty (30) days

Section 7 Sections one and two of this act shall become effective the first day of the registration year commencing in one thousand nine hundred fifty-two sections three and four of this act shall become effective the first day of the registration year commencing in one thousand nine hundred fifty-three Sections five and six of this act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

Mr. RIGBY. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Sec. 6 (Sec. 904), page 23, line 7, by inserting a bracket before and after the word "may" and inserting immediately thereafter: "shall".

Amend Sec. 6 (Sec. 904), page 23, lines 7, 8, and 9, by striking out the words "and if such gross weight exceeds maximum" in line 7, all of line 8, and the words "(50,400) pounds the peace officer shall"

Amend Sec. 6 (Sec. 904), page 23, line 9, by striking out the bracket before the word "unload"

Amend Sec. 6 (Sec. 904), page 23, line 11, by striking out the bracket after the word "vehicle"

Amend Sec. 6 (Sec. 904), page 23, lines 11, 12, 13, by striking out the word "Reduce" in line 11, all of line 12, and 13

Amend Sec. 6 (Sec. 904), page 23, line 14, by striking out the words "not more than"

Amend Sec. 6 (Sec. 904), page 23, line 14, by striking out the word "respective"

Amend Sec. 6 (Sec. 904), page 23, lines 14 and 15, by striking out "or maximum weight allowed" and the bracket after the word "act"

Amend Sec. 6 (Sec. 904), page 23, line 16, by striking out the word "this" and inserting in lieu thereof: "this"

Amend Sec. 6 (Sec. 904), page 24, line 1, by inserting a bracket before and after the word "person" and inserting immediately thereafter: "operator and the owner of the vehicle and the shipper involved in"

Amend Sec. 6 (Sec. 904), page 24, line 2, by inserting after the word "shall" the following "all and individually"

Amend Sec. 6 (Sec. 904), page 24, line 5, by inserting after the word "days" the following "The owner and the shipper of the vehicle involved in a violation shall pay a fine of five hundred dollars (\$500) for each violation after the first and in default of which the owner and the shipper of such vehicle shall undergo imprisonment for sixty (60) days. Where the owner or the shipper is a corporation the president thereof shall undergo the imprisonment herein set forth"

Amend Sec. 6 (Sec. 904), page 24, line 7, by striking out the word "person" and inserting in lieu thereof "operator"

Amend Sec. 6 (Sec. 904), page 24, line 7, by striking out the word and figures "thirty (30)" and inserting in lieu thereof "ninety (90)"

Amend Sec. 6 (Sec. 904), page 24, line 7, by inserting after the word "days" the following "for the first offense and for a period of one (1) year for each subsequent offense"

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

Mr. RIGBY. Mr. Speaker, the amendments that I have offered to the House do not interfere with the weight increase in the present bill. They only deal with the enforcement of this bill. What they do in brief is this:

There is a section where the police officer has at his discretion the privilege of allowing a truck to proceed while overloaded.

My amendment, Mr. Speaker, says that that truck shall be immediately unloaded and meet the required weight plus the five percent leeway.

Again I would like to bring into this bill the provision that the owner and the shipper as well as the operator shall be held responsible for over-loading.

The reason for this is, so many times a trucker or an operator will leave his trailer to be loaded, he will go in later on, hook up his cab, and drive away not knowing that he is over-loaded.

Again, these amendments would include the suspension of an operator who violates this law. As you know, for speeding, maybe doing five miles more than the limit, they are suspended for ninety days. Well, my amendment, would suspend this operator for ninety days for the first offense and one year for any other offense.

These amendments may seem very drastic to this House or the proponents of this bill. I do not think they are. I believe that if all this talk from the truckers and associations and the proponents of this bill that they want to stop over-loading, if they are sincere they will vote for these amendments.

Mr. DENNISON. Mr. Speaker, I rise to oppose these amendments because I think they are entirely unnecessary. Most of the provisions that the gentleman tries to cover are already covered in the bill

The first provision, which is the unloading provision, the bill presently provides that any vehicle in excess of sixty thousand pounds must be immediately unloaded. The officer has no discretionary power. The second provision requires that any vehicle in excess of fifty-four thousand pounds or the forty-eight thousand plus the five percent tolerance, must be unloaded, with no mandatory provisions, no discretionary powers on the part of the officer; they must be unloaded. Presently under the Pennsylvania Motor Code the police officer does have discretionary power in whether or not he requires the overload to be removed.

The second provision of these amendments places the burden upon the shipper as well as upon the operator. This provision would be an impossible provision to enforce. In the first place the matter of identifying the shipper would be exceedingly difficult.

An example in point; a driver picks up a load at several different loading points from several different shippers. How under the terms of these amendments can you identify the shipper? True, if he picked up a full load, which is somewhat uncommon in the industry, at one point you might be able to identify the shipper in that case, but in many, many cases, in fact the majority of the cases it would be impossible to identify the shipper.

Secondly, presuming that the shipper of the over-load is an out-of-state shipper, under Pennsylvania law as presently written he could not be extradited to answer



charges in Pennsylvania for the violation. For that reason I ask that this part of the amendment be voted down.

Now the provision for the suspension of the driver. This provision was purposely inserted in the law to overcome the objection which has been raised by many, particularly truck drivers, that they were required by the owner to over-load. This places the penalty squarely upon the owner and relieves the driver of that responsibility. And we feel that that is where the responsibility should rest, that we should not penalize some poor fellow and put him out of his job because his boss requires him to load an over-load. We purposely put that provision in the law, and for those reasons I ask the House to vote down these amendments.

Mr. RIGBY. Mr. Speaker, in answer to Mr. Dennison as to the discretionary powers of a policeman in the enforcing of reducing the weight, there are only two trucks that would come under this. That would be the 60,000 and the 62,000 pound.

Now, of course, my purpose in these amendments is strictly to stop over-loading, which I believe is damaging our roads, and it is dangerous to the motorist as well as the pedestrian.

As far as the holding of the owner and the shipper equally guilty, that I believe is a very important part of the amendments. Mr. Dennison said how are you going to identify them. Well, certainly there must be some slip that that driver carries with the owner's and the shipper's names on it.

He brought up the fact that one may be from out-of-state. I was dubious about that part of my amendments. I have checked them. I have been advised the proper thing to do in the case of an over-loaded out-of-state truck is that you would impound that truck until the penalties were paid. That, would be one sure way of stopping over-loading by out-of-state trucks, because I am sure that no out-of-state owner or shipper would want his truck held up until he sent the fine as well as the costs to the alderman.

As to the suspension of a driver, certainly that driver should be suspended. If the license is suspended for speeding, certainly that man should be suspended for driving an over-loaded truck on the highway. I say that he is much more dangerous to this state than a speeder. What is the difference between a man who would go out and blow up a bridge and a man with a twenty ton truck that would drive over a bridge that is allowed 3,000 pounds and the bridge caved in? The same results. That has happened in the state where a twenty ton truck went over a 3,000 pound bridge. The bridge caved in. It was months before the pedestrians of that section could use it. They had to go miles and miles around.

I want to make it clear, my purpose in these amendments is strictly to have it enforced. I want to make it clear also that my purpose, in case this bill passed, that it had some teeth in it. I am not going to vote for the bill.

Mr. ANDREWS. Mr. Speaker, I rise to oppose the amendments. In its present form Senate Bill 615 puts the over-loader out of business with penalties so drastic that not even the highest rate obtainable would permit a trucker to overload and stay in business, if the bill

that I hope will pass is enforced. You cannot legislate on the presumption that the measures you pass will not be enforced. The act in its present form has plenty of teeth. If I did not think it had teeth I would be willing to stay here tomorrow to put some teeth in it. The gentleman who suggests the amendments had opportunity to bring his teeth yesterday and simply because his dental arrangements have been delayed I cannot see any reason why we should stay here tomorrow to vote upon a bill that is in proper shape at the present time.

Mr. FILO. Mr. Speaker, in order not to hold the House up, in view of the fact that I have amendments similar to those of Mr. Rigby which would impose a penalty upon shippers and owners of goods shipped in certain cases, I am going to withdraw my amendments, or withhold them and ask the House to support the amendments of Mr. Rigby, to make this truck bill a clear cut bill.

Mr. READINGER. Mr. Speaker, I desire to interrogate the gentleman from Allegheny, Mr. Rigby.

The SPEAKER. Will the gentleman from Allegheny Mr. Rigby, permit himself to be interrogated?

Mr. RIGBY. I shall, Mr. Speaker.

Mr. READINGER. Will the gentleman tell me exactly what a shipper is?

Mr. RIGBY. Mr. Readinger I would presume a shipper is a gentleman that is hired to supervise the loading and putting his wares out on the road.

Mr. READINGER. Mr. Rigby if an individual living in Pennsylvania decided to move to another state and called a moving concern and gave instructions to move his furniture to the other state, would he be a shipper when his furniture was loaded on that van?

Mr. RIGBY. Well I think technically he would be. So would you be, Mr. Readinger.

Mr. READINGER. Would not your amendment here imposing penalties on the owner and the shipper impose a \$500 fine upon that householder if that truck happened to exceed the weight limits of the bill?

Mr. RIGBY. Well, it probably would Mr. Readinger, but don't you think that you are stretching a point pretty far to take an individual and his moving? Who is going to have 60,000 of furniture in moving? That is quite a house full. I think that maybe you could move a good bit of the capitol in that.

Mr. READINGER. Mr. Rigby, the only thing I wanted to ascertain was whether your amendment is broad enough to make a violator out of the householder who would not have any idea how much his furniture weighs or how much they are putting on one individual truck, is it broad enough to cover him?

Mr. RIGBY. I do not think that it would. I think that police officer and I think most police officers are fair, and at their discretion I think they would handle it very well.

Mr. READINGER. Do you not think it unwise to make your amendment so broad that if a truck operator were picked and found to be violating the weight limits, a person as innocent as the one I am talking about could be fined? Do you think that is wise legislation?

Mr. RIGBY. Well I think it is wise legislation if you are interested in the stopping of overloading trucks. However, I repeat I think you are stretching the point pretty thin.



Mr. READINGER. Perhaps I am stretching the point, Mr. Speaker, but I would like to point out to the House that this amendment if it had merit could certainly be worded in such a way that no innocent shippers would ever be subjected to a charge of having violated a law and perhaps being made to pay a fine.

I know that nobody in this House wants this to happen, but it could very easily happen in this case. I am not familiar with the trucking or the moving business, but looking at the size of some of the moving vans I am sure they could carry a great deal more than 60,000 pounds total weight if they wanted to.

When I move my furniture from Pennsylvania to some other state I do not have the slightest idea whether that truck is going to stop at some other point and pick up some other person's furniture going to the same place. Since I would be considered a shipper under those circumstances I think this is a very bad amendment.

Mr. RIGBY. Mr. Speaker, in answer to Mr. Readinger, is the proponents of this bill will agree to postpone the bill temporarily I will be more than willing to meet and sit down and change these amendments to meet his requirements; if they want to postpone this bill temporarily and we can refer it back to Committee.

Mr. GLEASON. Mr. Speaker, I would like to interrogate the gentleman from Allegheny, Mr. Rigby.

The SPEAKER. Will the gentleman from Allegheny, Mr. Rigby, permit himself to be interrogated?

Mr. RIGBY. I shall, Mr. Speaker.

Mr. GLEASON. Mr. Speaker as I understand the amendment as to the overload, does that include any trucks, that is half ton, three-quarter and from there on up?

Mr. RIGBY. If the gentleman will read this bill, there is a five percent allowance on overloading.

Mr. GLEASON. Mr. Speaker I am asking about this amendment, not about the bill.

Mr. RIGBY. The amendments are to include any trucks that are loaded above the five percent.

Mr. GLEASON. Mr. Speaker, I had occasion this year on the farm to be raising peas. I take them in to a binder and I judge about what my weight is. I am allowed 15,000 pounds gross. I check a load on the scales, then we hit a rainy spell or wet morning with a lot of dew and we have a lot of water on that same load, but the load is about as big in proportion as the day before. I go down the highway, and I lose my license for ninety days.

Mr. RIGBY. Mr. Speaker, in enacting legislation I think it would be very difficult to take into consideration the element of what water and snow may do to his load. Of course I could tell the gentleman maybe he could take those peas down and put them through a wringer, but I believe any sensible officer certainly would take that into consideration. We cannot legislate the weather, and I am not attempting to.

Mr. GLEASON. Mr. Speaker, when you make a law stipulating certain weights and the police are told that it is their job to arrest, I cannot see where they can allow for water or anything else, whether you have an overload of milk on your truck or whether you do not that morning. Certainly it is going to work a hardship on the farmers who are hauling milk or any other produce into town to lose their license for ninety days.

Mr. Rigby states that the police will use their judgment. Not in our section, because they have to make so many arrests every month or they get moved out. The only place in the country I know. I ask the support of the House in defeating these amendments.

Mr. RIGBY. Mr. Speaker, I presume that there is no water in Mr. Gleason's milk.

Mr. GLEASON. Mr. Speaker, I want to tell you we have not had any rain up there until last Sunday, since July 4th, and our cows are giving powdered milk.

Mr. DENNISON. Mr. Speaker, in response to Mr. Rigby's suggestion that the bill be held over until these amendments could be placed in proper order, that suggestion was made yesterday under an agreement that today the amendments would be in proper order. Now I am thoroughly convinced, and I think that most of the Members of the House are convinced that there is no possible way that you could get such obnoxious amendments in proper order.

On the question recurring,

Will the House agree to the amendments?

The SPEAKER declared the nays appear to have it.

Whereupon, a division was called for, fourteen Members voting in the affirmative and one hundred fifty in the negative, the question was determined in the negative and the amendments were not agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. MORAN. Mr. Speaker, I rise to oppose this bill and I would like to read several communications from different organizations relative to why they oppose the bill. I have one here the Pennsylvania State Association of Township Supervisors. I quote as follows:

My dear Representative:

As a statewide organization vitally interested in the roads of Pennsylvania, we ask you to recognize the fact that truck weights are an engineering and not a political decision.

We ask for the defeat of Senate Bill No. 615 until we have before us the result of the Maryland road test, now being conducted by impartial qualified highway engineers and by practically all interests identified with the road problems.

In asking for the defeat of Senate Bill No. 615, the following points should be considered:

(1) There should be no increase in truck weights until we have engineering proof that the big trucks do not damage our roads.

(2) Overloading fines should be most severe as well as uniform. Senate 615 does not provide uniform fines.

(3) The law should make mandatory the unloading of illegal loads. Senate 615 does not.

(4) The Department of Revenue should retain its power of revoking licenses of habitual violators.

(5) Trucks should pay their way. License fees on trucks should be of an amount commensurate with damage done to roads.

(6) Our 45,000 miles of roads and 10,000 bridges, as well as many miles of state highways and hundreds of state and county bridges will not carry any increase in truck weights.

We are joined in asking for the defeat of this bill by the Pennsylvania Motor Federation, Rural Letter Carriers' Association, Pennsylvania Federation of Womens' Clubs, Keystone Auto Club, Pittsburgh



Motor Club, Pennsylvania State Grange, and Pennsylvania State Association of Boroughs.

We should properly add to the above 90% of the motoring public of Pennsylvania. Ask Mr. Average Motorist.

Your consideration will be appreciated.

Very sincerely yours,

H. A. THOMSON, Secretary.

Also opposed to this bill is the Brotherhood of Railway Steamship Clerks of the AFL, the freight handlers, express and station employes (that is an AFL organization) the Brotherhood of Railway Trainmen, Brotherhood of Locomotive Firemen and Enginemen, the Brotherhood of Railroad Conductors, the CIO, United Mine Workers of America are all opposed to this bill.

In addition to that I have another communication here from the Pennsylvania State Grange.

In the heat of controversy engendered by the Truck Bill, S-615, now pending in the House, it occurs to us that it might be refreshing to read the enclosed pamphlet which comes from an informed and unbiased source.

You will note that the article is prepared by T. J. Kauer, Director, Ohio Department of Highways, and is reprinted from "State Government," May, 1951, published by The Council of State Governments.

An interesting summary of the Maryland Road Tests begins at the bottom of page 9.

We know that you are over-burdened with mail at this time, but it will be appreciated if you will kindly scan this matter.

Sincerely yours,

JOAB K. MAHOOD, Secretary  
Pennsylvania State Grange

Mr. Speaker, I do not desire to read this communication. It is quite lengthy. However, I will turn it over for the records.

The SPEAKER. The Chair thanks the gentleman. The statement presented by the gentleman will be spread upon the Journal.

#### THE MARYLAND ROAD TESTS

Effects of Various Axle Loads on a  
Reinforced Portland Cement Concrete Pavement—  
Maryland Road Test One-MD

By T. J. Kauer

Director, Ohio Department of Highways

(In this article Mr. Kauer, Chairman of the Inter-Regional Council on Highways Transportation and member of the Project Executive Committee in charge of the Maryland Road Tests, describes the nature of the tests and outstanding conclusions to be drawn from them to date. The results, he states, "already indicate conclusively that further increases in legal weights of commercial vehicles should be halted.")

In our fast moving world, science frequently outstrips the capabilities of man to cope with his own advancements. Such is the case today when people are asking: "Are the trucks taking over the highways?"

Today we find our main highways clogged with more cars traveling more miles than ever before, more and heavier trucks carrying bigger loads and traveling greater distances than ever before. This trend is increasing steadily upward. Our city streets are jammed with cars and trucks which have no parking spaces and whose efficiency is hampered through their own sheer numbers. Many of our rural and urban highways have shown repeatedly

that they are not capable of carrying the ever-increasing number of trucks with heavy axle loads.

It is true that pavements can be built that will withstand any number of repetitions of any given axle loads. However, the Nation's capabilities to manufacture cars and trucks seem to have no limit, but maintenance and construction of highways and streets have very definite limitations based upon time, materials, and funds. Last year, the total miles of new construction only provided parking space for the new units produced.

Economically, the trucking industry has grown to become a very important cog in America's life. The efficiency of shipping by truck has been proven, and it is not the intention of public officials unjustly to restrict this far-reaching industry. However, every car owner in the Nation sees the problem. The majority of our roads were not built to carry the loads now hauled.

On the initiative of Governor Frank J. Lausche of Ohio a Conference of Central Atlantic and Mid-Western States Highway Officials was called for December 5 and 6, 1949. The purpose of this conference was to discuss the legal limitation of commercial vehicle dimensions and weights, together with associated problems, toward attaining uniformity among the various States. Representatives of the following States and organizations were present: Connecticut, Delaware, Illinois, Indiana, Kentucky, Maryland, New Jersey, New York, Ohio, Pennsylvania, West Virginia, Wisconsin, the Bureau of Public Roads, and the Council of State Governments.

In opening the meeting, Governor Lausche suggested that the following points be considered:

(1) Are our laws sufficiently liberal, or too severe, in regard to restriction of the sizes and weights of trucks?

(2) To what extent do over-loads cause accidents?

(3) To what extent do they contribute to the breakdown of our roads?

(4) Has there been adequate contribution by trucking interests toward the financing of construction of roads?

After considerable discussion, it was decided that the Conference should be continued as an operating group, and "Inter-Regional Council on Highway Transportation" was adopted as the name of the group. George N. Lewis, Jr., Director of the Traffic Division of Maryland, was elected Secretary, and the writer was elected Chairman. It also was decided that a committee should report on the feasibility of establishing a test road for the purpose of determining actual damage to paving surfaces due to the operation of commercial traffic. The last previous investigation of this type was made by the Illinois Highway Department almost thirty years ago, on a project known as the Bates Test Road.

#### Test Road Selected

A committee of engineers representing the various States in the Council, the Bureau of Public Roads, and the Highway Research Board selected a 1.1 mile section of portland cement concrete pavement on U. S. Route 301, located approximately nine miles south of La Plata in Charles County, Maryland. The project was designated "Road Test One-MD."

The pavement was constructed in 1941. According to information furnished by the Maryland State Roads Commission, the traffic to which it previously had been subjected included few vehicles with axle loads in excess of 18,000 pounds. However, the pavement had been subjected to a variety of weather conditions, ranging from heat to cold, natural cycles of freezing and thawing, wetting and drying, and all seasonal changes of nine years. The pavement was in excellent condition at the start of the tests.

The pavement is reinforced portland cement con-



crete and consists of two 12-foot lanes separated by a longitudinal joint, each lane having a parabolic cross section 9 inches thick at the lane edges and 7 inches thick at the center of the lanes. Expansion joints  $\frac{3}{4}$  inch wide are spaced at intervals of 120 feet, with two intermediate contraction joints at 40-foot spacings. Dowel bars  $\frac{3}{4}$  of an inch in diameter at 15-inch spacing are placed in all transverse joints. The adjacent lanes are tied together with tie bars 4 feet long spaced at 4-foot intervals.

#### Organization

After the test site had been selected, States again were contacted to obtain the necessary funds to carry on the project, it being agreed that the tests be conducted at the joint expense of the participating state highway departments, with the Highway Research Board assuming direction of the project.

As finally organized, the following highway departments executed contracts—the National Academy of Sciences agreeing to participate financially in this cooperative project: Connecticut, Delaware, Illinois, Kentucky, Maryland, Michigan, New Jersey, Ohio, Pennsylvania, Virginia, Wisconsin, and the District of Columbia.

The project is being administered and supervised by the Highway Research Board of the National Academy of Sciences through a small Project Executive Committee and an Advisory Committee, both under the chairmanship of Fred Burggraf, Associate Director of the Highway Research Board. The Project Executive Committee also includes H. S. Fairbank of the Bureau of Public Roads, A. S. Gordon of the Maryland State Roads Commission, and the writer. The Advisory Committee includes one representative from each of the participating States, one representative of the Bureau of Public Roads, one representative from the Automobile Manufacturers Association, one from the American Trucking Association, and one from the Department of the Army. Other representatives appointed by the Highway Research Board are the Chairmen of the Highway Research Board's Department of Economics, Finance and Administration, and Department of Design.

The field staff assigned to the Highway Research Board by the Bureau of Public Roads consisted of A. Traragin as Project Engineer and three Assistant Engineers, Theodore Dec, Jack R. Hutchins, and Sydney W. Smith.

#### Cost of Project

The cost of this project is shared by the participating States in monetary contributions; by the Bureau of Public Roads in providing personnel and instruments for measurements of surface roughness, slab strains, and deflections caused by the test loads, for soil surveys, and other necessary instrumentation and testing services, and in providing the services of the project engineer and three assistants; by the petroleum industry in providing gasoline, oil, and grease; and by truck manufacturers of the Automobile Manufacturers Association in providing the test vehicles. Vehicles were furnished by The Ford Motor Company, Reo Motors, Inc., General Motors Corporation, Autocar Company, White Motor Company, International Harvester Company, and Mack International Motor Truck Company. Gasoline, oil, and grease were supplied by the following fourteen companies: American, Atlantic, Cities Service, Esso, Standard of New Jersey, Gulf, Ohio, Phillips, Pure, Shell, Sinclair, Soncony Vacuum, Sun, Texas, and Tidewater.

The total estimated cost of the project is \$245,000. Toward this amount \$150,000 has been contributed by the twelve highway departments previously mentioned; the balance has been in contributions of personnel, services, equipment, and material valued approximately as follows:

Bureau of Public Roads	
Personnel and service .....	\$40,000
Truck Manufacturers	
Test vehicles .....	27,500
Petroleum Industry	
Grease, oil and gasoline .....	20,000
Department of Defense	
Aerial photography .....	3,100
Personnel .....	4,400

\$95,000

An estimated distribution of the cash expenditures is:

Testing Operations .....	\$52,450
By-pass Road and Turnarounds .....	50,900
Administration .....	9,050
Maintenance of Test Road .....	2,000
Final Repair of Test Road .....	28,000
Reports .....	2,600

\$145,000

#### Test Sections

The 1.1 mile test road was divided into four sections; the two sections on the south end of the project were 0.5 miles long, and the two on the north end of the project 0.6 miles long. Turnarounds were constructed at both ends and between the two southern and two northern sections.

Section 1 is located on the west lane south of the central turnaround. This section was tested with two single-unit, two-axle trucks having rear-axle loads of 18,000 pounds.

Section 2 is located on the east lane south of the central turnaround. This section was tested with two single-unit, two-axle trucks having rear-axle loads of 22,400 pounds.

Section 3 is located on the west lane north of the central turnaround. This section was tested with two single-unit, tandem-axle trucks having tandem-axle loads of 32,000 pounds.

Section 4 is located on the east lane north of the central turnaround. This section was tested with two single-unit, tandem-axle trucks having tandem-axle loads of 44,800 pounds.

#### Preliminary Soil Survey

Soil test data have been obtained from 50 auger borings made adjacent to the concrete pavement to a depth of approximately 30 inches, spaced at 100-foot intervals on alternate sides of the pavement from end to end of each test lane.

These data indicate that approximately 15 per cent of the subgrade soils (mainly at the south end of sections 1 and 2) have granular characteristics and that the remainder are fine-grained, plastic soils.

These fine-grained soils have been compared by Group Index Ratings with the average type of soils found under "pumping"<sup>1</sup> pavements in Illinois, Indiana, North Carolina, and Tennessee. This comparison shows that the loam and silty loam soils on this project are better than the average of the soils that have been found conducive to pumping in three of the States and are about the same as the average of such soils in the fourth State.

Also, a comparison on a grain-size basis shows the average of the soils adjacent to the pavement on the project to be slightly better than the average of soils for the entire State of Maryland.

<sup>1</sup> The deflections of concrete pavements at joints, cracks, and along the edge of the pavement, under heavy loads after the accumulation of water in some subgrade soils, cause displacement and ejection of water carrying soil particles in suspension. This action is known as "pumping," and its continued repetition removes sufficient soil to result in lack of subgrade support and eventual cracking of the pavement.



Regardless of the variation in the soils along the edge of the pavement, the behavior of Section 3 (32,000-lb. tandem-axle loads), may be compared with the behavior of Section 4 (44,800-lb. tandem-axle loads), because the subgrade across the grade has been found to be reasonably uniform. Similarly, has been found to be reasonably uniform. Similarly, Section 1 (18,000-lb. single-axle load) may be compared with Section 2 (22,400-lb. single-axle load). But, before the behaviors of the test pavements under the tandem-axle loading may be compared to those of the single-axle loadings, the characteristics of the subgrade soils under each pavement slab, vehicle speeds, rate of load applications, and other variables must be studied in detail.

#### Concrete Tests

Nineteen beams approximately seven inches wide were sawed from the four concrete specimens removed from the pavement for this project. The average flexural strength was 728 p.s.i. (pounds per square inch). The average flexural strength of twenty-eight beams made during the construction of the pavement included in the test section was 485 p.s.i. at seven days. The average compressive strength of 12 six-inch diameter cores drilled in June from portions of the roadway not subjected to test traffic was 6,944 p.s.i. after being immersed in water for twenty-eight days. The average compressive strength of twenty cores drilled from the pavement included in the test section, two months after it was constructed and tested at an age of four months, was 4,838 p.s.i. The average modulus of elasticity of the cores was 4,800,000 p.s.i. for the wet conditions.

The average height of these cores was 7.6 inches. The average required thickness for the concrete at the areas where the cores were removed was 7.5

All of these tests show that the concrete was of good quality and had the designed thickness.

Additional cores and slabs are being removed from the test road and a complete report on them will be given when all the cores and beams are tested and the data analyzed.

#### Test Procedures

The behavior of the pavement under the loads in the four sections was determined by measuring the rate of crack development in the concrete slabs, by the amount of pumping along the free edge and in the points, by the road surface roughness, by the amount of slab settlement, and by the strain and deflection measurements of the slabs under load.

#### Crack Surveys

A detailed survey was made of the cracks in each slab prior to the beginning of operation with the

test trucks. A solid, black line approximately one and one-half inches in width was painted adjacent to each existing crack along its full length. As new cracks or extensions of old cracks developed, they were painted with contrasting liens as follows:

Solid yellow line from June 23 to August 7

Solid white line from August 8 to September 19

Solid red line from September 20 to November 8

Dashed yellow line from November 9 to December 23

Each slab was checked for cracks each day, and the exact position of each crack as it developed was recorded on a card with the date and number of load applications when the crack was first noticed. On Section 1, where the 18,000-lb. single-axle loads were applied after six months of operation, 241 feet of cracks were found after more than 238,000 truck passes. With the same number of truck passes on Section 2 (22,400-lb. single-axle loads) 1,210 feet of cracks were found. This is a ratio of 5 to 1 of the cracking with 22,400-lb. loads as compared with the 18,000-lb. single-axle loads. However, when consideration is given only to those cracks that have been determined by analysis to represent structural failure due to load, the ratio is 6 to 1.

By action of the Executive and Advisory Committees, test traffic on Section 4 (44,800-lb. tandem-axle trucks) was stopped on October 13, 1950. At that time 92,166 truck passes had been applied on this section and 3,303 feet of new cracks were found, with the same number of passes on Section 3 (32,000-lb. tandem-axle loads) 307 feet of cracks were found—a ratio from Section 4 to 3 of 11 to 1. It is interesting to note that longitudinal cracks of any extent developed only on Section 4. Twenty-five per cent of the cracks in Section 4 were longitudinal. On Section 3, only 3 per cent of the cracks were longitudinal. On Sections 1 and 2 the percentages were 4 and 6, respectively.

Figures 1 and 2 show the rate of development of cracking under single and tandem axles respectively.

Figures 3 and 4 show the crack patterns for typical sections under single and tandem axles.

The Air Force cooperated to the extent of flying a jet plane over the project and obtaining a color transparency Sonne strip photograph showing the cracks (by the contrasting colors) in each slab on all four sections. One such strip was obtained on August 14 and another after the traffic tests were completed.

#### Pumping

In conjunction with the daily crack survey a pumping survey was made each day. This survey consisted of recording the number of places and the lineal feet along the free edge, and the number

TABLE 1.—PUMPING ON ROAD TEST, ONE-MD, FROM JULY 1 TO DECEMBER 23, 1950

	July	Aug.	Sept.	Oct.	Nov.	Dec.
Total rainfall—inches .....	2.90	3.35	10.57	2.04	1.87	2.40
Number days rained .....	17	10	11	7	5	5
Number days pumping was noted						
Section 1 .....	17	14	18	28	20	18
Section 2 .....	20	17	18	27	18	20
Section 3 .....	20	13	17	25	19	20
Section 4 .....	22	15	22	—	—	—
Maximum number joints pumped						
Section 1 .....	5	8	20	28	23	21
Section 2 .....	6	11	36	36	41	38
Section 3 .....	24	22	48	53	64	72
Section 4 .....	35	44	70	66 <sup>1</sup>	—	—
Maximum lineal feet along free edge						
Section 1 .....	38	162	462	380	416	402
Section 2 .....	245	605	982	652	799	1,008
Section 3 .....	350	482	1,201	1,111	1,092	1,351
Section 4 .....	1,041	2,115	2,681	2,109 <sup>1</sup>	—	—

<sup>1</sup> Test traffic in section 4 stopped October 13.



of transverse joints that were pumping. Table 1 shows the number of days in each month that shows the number of days in each month that pumping was found in each section and also the maximum amount of pumping recorded. Figures 5 and 6 show by month the maximum lineal feet of pumping recorded at the free edges of all sections, and Figures 7 and 8 show the maximum number of transverse joints that pumped each month in each of the sections. Rain was recorded on the project by a rain gauge, loaned to the project by the Weather Bureau of the Department of Commerce. In a number of cases pumping was noticed along the longitudinal joints, particularly between Section 3 and 4. Because this type of pumping cannot be attributed easily to any one of the loadings, figures for longitudinal pumping are not given. Figure 9 shows an example of pumping along the free edge and Figure 10 shows an example of pumping in the transverse joint.

#### Road Surface Roughness

The Bureau of Public Roads road surface roughness indicator was used to obtain surface roughness data on June 12, before the tests started, and on August 8 and September 20. These measurements were made in both directions along each normal wheel path at 20 miles per hour.

The average of all the sections shows an increase in roughness of 3.6 units during the first eight weeks of truck traffic. During the next six weeks an additional increase in roughness of 11.6 units, or a total increase of 15.2 units, was recorded for fourteen weeks of test truck traffic. The following shows the increase in road surface roughness by section from June 12 to September 20.

Section number	Increase in road surface roughness Units per mile
1. (18,000-pound single axles)	12.9
2. (22,400-pound single axles)	12.4
3. (32,000-pound tandem axles)	12.0
4. (44,800-pound tandem axles)	23.5

A final road surface roughness measurement will be made as soon as the frost leaves the subgrade.

#### Slab Settlement

Each slab (12 by 40 feet) was identified by a number painted on the slab. Ten spots were painted in each slab for reference points for precise level observations of variation in elevations. The Coast and Geodetic Survey placed fifteen permanent concrete bench marks along the project and determined their elevation. These were used as reference points to determine the settlement of the slabs.

The first set of levels was run from May 15 to May 17, prior to any test truck traffic. A repeat set of levels was run on July 27 and 28 and again on October 1 and 2. The average settlement for all the slabs at the free edge of the transverse joints as of October 2 was as follows:

Section Number	Increase in settlement of slabs at free edge of transverse joint Inches
1. (18,000-pound single axle)	0.17
2. (22,400-pound single axle)	0.40
3. (32,000-pound tandem axles)	0.27
4. (44,800-pound tandem axles)	0.88

#### Observations of Strain and Deflection

Another phase of this research project is concerned with the strains in the pavement caused by the various axle loads at various speeds and by the phenomena known as warping. Information observers of future pavements and should permit the extension of the findings of the traffic test phase to portland cement concrete pavements of different

structural design. This part of the project requires considerably more field and office work.

Before starting the test traffic, strains and deflections at certain joints were measured under 18,000- and 22,400-pound single-axle and 32,000- and 44,800-pound tandem-axle loads at creep speed and at 15, 30, and 40 miles per hour. No significant pumping had occurred prior to these measurements.

These early tests showed that tandem axles acted independently, at least at lower speeds, and that the strain returned almost to zero when one axle left the gauge point and the other had not yet reached it. Later tests made after the joints had been pumping showed that under pumping conditions tandem axles, each carrying a given load, do not act independently but rather tend to produce strains appreciably higher than a single axle carrying the same load.

After the traffic tests were started and pumping became evident, strain and deflection measurements were made at selected joints. Where the subsoil was good (pumping had not occurred) these measurements agree with the earlier tests, but, where pumping had occurred, much higher values were obtained. In some cases stresses near pumping joints were appreciably greater than one-half the modulus of rupture of the concrete. Previous research has shown that concrete will break if subjected to relatively few repetitions of a load which produces stresses in excess of 50 per cent of the modulus of rupture.

Tests under way and scheduled for completion this spring will provide data over a wider range of axle loads and for slabs on each type of soil encountered on the project.

#### Maintenance

The Executive and Advisory Committees for this project have defined maintenance as follows:

"To maintain shoulders reasonably flush with the edge of the pavement, to seal joints, and to correct profile deficiencies to insure safe operating conditions as necessary in the opinion of the Project Engineer with the advice of the State Resident Maintenance Engineer and others. Maintenance is not to include undersealing to correct for pumping."

For the six-month period of operation the shoulders were maintained twenty-three times and the joints were resealed eleven times. The first time joints were resealed was on July 8 and the first maintenance to the shoulders was given on July 13. Because of the wet condition of the shoulder during the early part of July, it was not feasible to give maintenance any sooner. In addition, French drains were installed on July 18 along three joints on the free edge of Section 2 (22,400-pound single-axle loads). The following numbers of joints were brought up to level with hot plant mix bituminous material: Section 1-1 joint; Section 2-3 joints; Section 3-nine; Section 4-2 joints.

#### Summary of Results to Date

As stated by the Advisory Committee: "All pertinent data must be carefully analyzed before the final report, however, certain facts relative to the behavior of the pavement under test have already been established.

"The more significant observations which may be made from the test results to December 23 (after six months of continuous operation) are as follows:

"1. Soil tests made on samples obtained throughout the length of the pavement adjacent to the pavement edges and under certain sections of the pavement indicates that there is reasonable uniformity in the soils on the two sides of the pavement.

"2. Based on these same soil tests, there is found to be a definite correlation between soil type and pavement behavior. The higher the granular content and the lower the plasticity of the soil, the better the per-



formance. The subgrade soils on this project are typical of the soils underlying a very extensive mileage of concrete pavement throughout the country.

"3. The progress of cracking and depression of joints in the test sections has a definite relationship to the occurrence of pumping. Previous research and observation have shown that four basic conditions must be present simultaneously to create a pumping slab. They are: (1) frequent heavy axle loads; (2) subgrade soils of such a nature that they may pump through open joints or cracks or at pavement edges; (3) free water under the pavement; and (4) joints or cracks in the pavement. These conditions were present on this project and pumping resulted.

"4. Based on both quality tests and dimension measurements, the concrete in the test sections is of good strength and of the designed thickness.

"5. All four sections were damaged as follows by the loads applied:

"(a) The 44,800-lb. tandem-axle loads caused approximately eleven times as much cracking (lineal feet) as the 32,000-lb. tandem-axle loads. This relationship held true over a period of almost four months, that is, from 20,000 to 92,000 truck passes in each lane.

"(b) The 22,400-lb. single-axle loads caused approximately six times as much cracking (lineal feet) as the 18,000-lb. single-axle loads. This relationship held true over a period of almost five months, that is, from 35,000 to 238,000 truck passes in each lane.

"(c) After 84,000 truck passes, 80 per cent of the joints in the section carrying 44,800-lb. tandem-axle loads were depressed, whereas, with the same number of truck passes, only 10 per cent of the joints in the section carrying 32,000-lb. tandem-axle loads were depressed. (Depressed joints are defined as those joints at which a marked localized settlement of the pavement has occurred, accompanied by cracking of the pavement in the vicinity of the joint.)

"(d) After 137,000 truck passes, 22 per cent of the joints in the section carrying 22,400-lb. single-axle loads were depressed, whereas, with the same number of truck passes, only 2 per cent of the joints in the section carrying 18,000-lb. single-axle loads were depressed.

"6. (a) After 238,000 truck passes, 28 per cent of the slabs in the section under 18,000-lb single-axle loads and 64 per cent of the slabs under 22,400-lb. axle loads contained cracks which have been analyzed as constituting structural failures due to the application of the test axle loads. Conversely, 72 per cent of the slabs in the 18,000 lb. section and 36 per cent of the slabs in the 22,400-lb. section show no such structural failures.

"b After 92,000 truck passes, 27 per cent of the slabs in the section under 32,000-lb. tandem-axle loads and 96 per cent of the slabs under 44,800-lb. tandem-axle loads contained cracks which have been analyzed as constituting structural failures due to the application of the test axle loads. Conversely, 73 per cent of the slabs in the 32,000-lb. section and 4 per cent of the slabs in the 44,800-lb. section show no such structural failures."

It will be noted that pumping was a major factor in failure of the various sections. Prior to the late thirties or early forties pumping was not a serious problem for highway departments. However, it should be remembered that in 1925 in Ohio there were no 18,000- pound axle loads on rural state highways. In 1948 there were 142 axle loads weighing 18,000 pounds or more out of every 1,000 trucks weighed. Highway engineers soon realized that, with the great increase in the number of heavy axle loads, it was necessary, where the existing soil was of the type that would pump, to place a layer of granular material between the concrete slab and the soil.

We recently have completed the analysis of data gathered in a survey of approximately 500 miles of

portland cement concrete pavement in Ohio. Some of the conclusions may be summarized briefly as follows:

1. Little or no pumping occurred on the majority of the projects carrying 50 and less 14,000-pound axles and 20 and less 18,000-pound axles per eight hours, even under unfavorable conditions of subgrade soil and design.

2. Where the number of 14,000-pound axles per eight hours is expected to be within 51 and 250, it is well to use a granular subbase even though it is not a first-class, low-plasticity material. Traffic data indicate that this load group would include 20 to 80 axles of 18,000 pounds and greater.

3. The study shows that granular subbase material having a plasticity index of six or less should be used over fine-grained soils to prevent pumping where the traffic is expected to have over 250 axles of 14,000 pounds per eight hours. Traffic data indicate that this load group would include more than 80 axles of 18,000 pounds or greater.

To secure complete answers to the interrelationship between the loads and subgrades on Road Test One-MD it will be necessary to wait until the extensive soil survey is completed. However, for the soils generally found on the project, which are similar to those under most of our existing pavement in Ohio, I believe that the damage is directly proportional to the number and weight of the axle loads. Where the underlying material is granular in character, the performance under 18,000- and 22,400-pound single-axle loads was good. This checks with our experience with granular subbases.

As previously stated, the tests are not completed, and undoubtedly will be continued for some time into the future, after which the final data will become available.

You might say that these are not normal loadings and that the tests are accelerated far beyond normal usage of our highways. This is not true of Ohio's highways, and likewise I can well imagine that similar heavy truck traffic is traversing the highways of Ohio's sister States.

With axle loadings being applied to each test section of the test pavements at average frequencies ranging from 884 to 1,333 per twenty-four hour period, it is apparent that many of our present highways are called upon to withstand equal or greater applications of legal loads.

Comparisons with several of Ohio's heavy truck routes reveal that heavy truck units and combination units are subjecting those pavements to greater frequencies of applications, as follows:

2,840 such vehicles per twenty-four hours on U.S. 24 between Toledo and the Michigan state line.

2,240 on Route 20 south of Toledo.

1,730 on U. S. Route 25, between Dayton and Franklin.

1,520 on Route 14 between Columbiana and the Pennsylvania state line.

Thus it is obvious that these controlled measurements of damage to a pavement that is as good as or better than normal existing pavements are being applied at a rate that approximates, in some instances, the frequency that traffic actually is presently generating on existing highways. Also, it is obvious that any existing road is potentially exposed to similar, heavy, commercial traffic.

What does all this add up to? While we must await the completions of the tests for a thorough analysis, surely the results already indicate conclusively that further increases in legal weights of commercial vehicles should be halted. The moratorium on upward revisions in such limitations that was proposed at the Conference in Columbus last year, as well as at the Governors' Conference at White Sulphur Springs this year, definitely and decisively should be accomplished by each of the States.

This is especially true at the present time, with



international relations strained to a dangerous degree and with a resultant hazard of war. In case of war, there are routes across Ohio that would be called upon to carry heavy truck traffic in greater concentration than is presently being generated. The results to date of the tests on the Maryland test road indicate that increased frequencies of heavy loadings on these paving surfaces might disrupt seriously the effective functioning of these highly essential routes.

It is possible for highway engineers to design pavements that will withstand any given number of given axle loads. Any pavement designed for a large number of extremely heavy axle loads will, of course, cost considerably more than pavements adequate for more moderate axle loads. The question at issue is whether or not trucks pay their fair share of highway costs. In Ohio we are of the opinion that the large truck with heavy cargoes definitely damage the highways far in excess of the proportionate gross weight of such trucks compared to the gross weight of ordinary vehicles.

Mr. MORAN. Mr. Speaker, I also have a communication here from the United Railroad Brotherhood Committee, comprising the Brotherhood of Locomotive Firemen and Enginemen, the Brotherhood of Railroad Trainmen, the Brotherhood of Railway Conductors, the Brotherhood of Railway and Steamship Clerks, Freight Handlers and Express and Station Employees affiliated with the AFL. Also from the Pennsylvania State Legislative Board of the Brotherhood of Maintenance and Way Employees affiliated with the AFL.

Dear Mr. Moran:—

The United Railroad Brotherhood Committee, composed of the following labor organizations; the Brotherhood of Railway Clerks, Brotherhood of Maintenance of Way Employees, Brotherhood of Railroad Trainmen, Order of Railway Conductors and Brotherhood of Locomotive Firemen and Enginemen, is opposed to S. B. 615—The Big Truck Bill.

It seems the entire nation is facing a transportation crisis. It is a well known fact that the roads and highways throughout the country are going to pieces faster than money can be found to replace them. But besides wrecking the highways, the huge overloaded trucks are the cause of many fatal and near fatal accidents and unquestionably contribute towards the discomfort of the traveling public.

Most of the truck transportation companies affected by this measure will be permitted to skim off the cream of the transportation business leaving the railroad industry to handle a greater portion of the unprofitable commodities, thereby jeopardizing the financial stability of our railroad transportation system.

While the railroads support their own roadways, the trucking industry pays out only about three per cent of its receipts in the form of gasoline and other taxes for the use of the public highways—the tax payers pay the remainder of the highway cost. This creates an unjustifiable subsidy for one segment of the truck transportation industry enabling that particular group to compete unfairly with the railroad industry.

In view of the above, we ask your support and influence towards the defeat of this measure.

Yours very truly,

JAMES A. FOX,  
Chairman.

I also have a communication here from Allegheny County Federation of Women's Clubs.

Dear Sir:

The members of the Allegheny County Federation

of Women's Clubs are very much opposed to any further increases in truck weights or sizes as are contemplated in Senate Bill 615.

Our roads are already overburdened with axle loads and great weights of the Box Car Trucks.

These vehicles are also a menace to safety and are ruining our secondary road systems.

It is our opinion that present registration fees and and fines should be increased but no further, weight axle or load limits should be permitted, and we ask that you oppose those provisions of this Bill No. 615.

Very sincerely yours,

FAME W. HOUSTON

Mrs. Fred C. Houston, President

AVONELLE M. THOMAS

Mrs. Horace Thomas, Jr.

Legislative Chairman

I have here a communication from an individual in Pittsburgh:

951 S. Braddock Ave., Pittsburgh 21, Pa.

January 29, 1951.

Honorable J. P. Moran

116 Eighth Street

Turtle Creek, Pa.

Dear Sir:

I came home from the hospital a few days ago, a victim of an auto carrier crashing into my car. I am fortunate to be here to tell about it, as my car was completely demolished.

I believe every person on our highways today fears these monsters. They are killing ever so many people, and yet they want to increase their loads. The number of these road monsters is increasing daily. They defy the laws by overloading, and their mechanical condition, brakes, etc., are reported frequently as failing. This all requires the careful attention of our law-makers.

May I suggest that these trucks be put on a road of their own, the same as the railroads, and let them keep it up. The weight of loads certainly should not be increased, and their speed limit on level road and downgrades should be reduced. You know, and every car-owner knows how fast they go on every downgrade. Can anything be done about the drivers going without regular sleep and falling asleep at the wheel?

The public needs protection against these road monsters!

Sincerely yours,

D. J. SULLIVAN

That is signed "D. J. Sullivan." I judge he must be an Irishman.

August 7, 1951.

To the Honorable Members of the House of Representatives

Dear Sir:

The Pennsylvania CIO Council opposes Senate Bill No. 615, commonly known as the Truckers' Bill.

This bill increases the present allowable maximum gross weight from 45,000 pounds to 60,000 pounds. This represents 33 1/3 percent increase in allowable gross weight. In addition it provides no penalty for violations unless the gross weight exceeds 105 per cent of the respective maximum weight allowed.

This means that a truck tractor and two-axle semi-trailer, while legally permitted to haul 60,000 pounds gross load, is actually allowed to carry 5 percent (3,000 pounds) more before a penalty can be imposed for overweight. This makes the actual allowable gross weight for such vehicles 63,000 pounds.

This compares with the present gross allowable for such vehicle of 45,000 pounds, plus 5 percent, or 47,250 pounds.



The increased maximum allowance gross of 15,750 pounds would raise havoc with the highways. This added impact thrust on the road surface would be quite damaging beyond question.

Evidence of what present weights do is noticed on all roads, especially on the right side of the world's best highway, the Pennsylvania Turnpike. To accelerate this injury to the road surface by allowing the impact thrust to be increased almost eight tons would be even much more damaging.

The roads belong to all the people. Increased fees and penalties for violations will not replace broken roadbeds.

In addition to the obvious increase in damage to the roads, the hauling of heavier loads may well lead to decreased employment.

We respectfully urge you to vote against Senate Bill No. 615.

Very truly yours,

HARRY BOYER, President

I have here a communication from the Brotherhood of Railway Carmen of America, affiliated with the American Federation of Labor.

All Members of the State Legislature:

Dear Sirs:

For your consideration and action, I am attaching a resolution adopted by the twentieth international convention of the Brotherhood Railway Carmen of America, held in Kansas City, Missouri, September 11 to 22, inclusive, 1950.

Delegates from every state in the United States, as well as every province in the Dominion of Canada, in attendance at our convention gave this resolution their full support.

The highways of North America are being destroyed by heavy trucks and buses. These highways are maintained by the taxpayers, including the railroads, which are among the highest taxpayers. In addition to destroying the highways, many lives are lost daily due to accidents caused by heavily loaded trucks and buses.

Thanking you in advance for giving this resolution your kind consideration and attention, I remain

Your respectfully,

IRVIN BARNEY,  
General President

#### RESOLUTION

##### Outling Basic Requirements of Public Policy Bearing Upon the Relationship Between Competing Forms of Transportation

Whereas, The magnificent performance of the railroads of the United States and Canada and of their employees during World War III and their universal service in fulfilling the peacetime needs of agriculture, industry and the entire public have conclusively proven that a strong and efficient system of railroads is essential to the welfare and the defense of these nations, and

Whereas, Public policies as to transportation at both the state or provincial and national levels are, in many important respects, unsound and operate to restrain and impair the natural and inherent advantages of railway transportation through the provision of public support by various means of other forms of transportation thus affording to airway, waterway and highway transportation unnatural and unjustified opportunities to take from railroads traffic which is vital to their prosperity and continued existence and to dilute railroad traffic volume so as to unnecessarily and unjustifiably increase the aggregate cost of transportation to the traveling and shipping public, and

Whereas, The economic soundness of railway trans-

portation, the advantages to the public inherent in this means for the mass movement of freight and passengers in universal service at the lowest true cost, and the unique character of railroads as the only single instrument of transportation capable of rendering the complete, low-cost service essential to our North American economy, warrant the dedication by those who have chosen railroading as a career to a comprehensive and consistent effort to correct public policies applicable to transportation and to bring about the adoption and efficient administration of transportation policies which will properly serve the true public interest, Now Therefore,

Be It Resolved, That the Brotherhood Railway Carmen of America, in its Twentieth National Convention assembled at Kansas City, Missouri, this 22nd day of September, 1950, does hereby dedicate its effort and pledge the combined energies of its members toward the prompt adoption and the efficient and impartial administration of public policies as to transportation which will afford to all forms of transportation equal opportunity under the law, will allocate to each agency of transportation and those who use it the true and entire cost of the service rendered, will prevent the further construction at public expense of transportation facilities to unnecessarily and uneconomically duplicate facilities already in existence, will prevent the abuse of public highways and will promote the safety, convenience and economy of the public in their use of highways and other facilities

To that end, we urge

#### As To Highways and Highway Use

There have been invested more than twenty billions of dollars for the construction of improved rural highways, and further billions for their maintenance in addition to the vast sums expended for the improvement of city streets. These roads and streets were supposed to last a lifetime, yet after approximately thirty years of service by the oldest roads and an average service life of approximately fifteen years for our road system as a whole we find public highways generally in a deplorable state. The Joint Committee on the Economic Report states the need for the expenditure of forty-one billions of dollars (exclusive of Canada) to eliminate highway and street deficiencies.

The American Road Builders Association estimates needed expenditures of sixty billions of dollars over the next 15-20 years to put public highways into reasonable proper condition. The American Association of State Highway Officials forecasts the expenditure of some thirty billions of dollars on only 700,000 miles of primary highways and on only 37,800 miles of existing roads in the so-called system of interstate highways the U. S. Bureau of Public Roads is advocating the expenditure of eleven billions of dollars.

The greater portion of these staggering sums is to be spent—not to accommodate increased needs of our expanded traffic of automobiles and trucks but to replace thousands of miles of public roads pounded to pieces by a steadily increasing number of heavy trucks travelling at high speeds for great distances.

In this premature destruction of our magnificent system of public roads there is a lesson which must be learned—an admonition we must heed if we are to avoid the profligate waste of yet more billions of our substance

1. We have permitted the abuse of our highways by allowing the movement thereon of many thousands of tons of freight which should have been moved by rail.

2. The weight and size limitations for trucks and truck trains applicable in most of the states and provinces have been far too liberal to prevent the premature destruction of highways, and

3. We have been inexcusably lax in the enforcement



of such size and weight limitations as we have had, and flagrant violation has been the rule rather than the exception.

It would be futile to spend the requested billions for the reconstruction of roads while leaving them subject to the same forces which caused their destruction. We must not close our eyes to the relationship between cause and effect. It is only common sense to eliminate the cause of road damage before we spend billions to repair the damage that has already been done. Truck and trailer manufacturers, oil companies, road contractors and suppliers of road material, have banded together in the past to support the truckers in their demands for bigger and bigger trucks. It is these same forces who now demand the staggering sums for roads, yet they have made no move to correct the evils which brought about this tragic condition.

We oppose the raising of further funds for road construction until there is a good-faith demonstration of intention to eliminate the cause of premature road destruction.

We favor material reductions in both the gross loads and axle loads of commercial trucks and combinations. Two axled, "box car" trailers should be made unlawful and truck-trailer combination lengths should be materially reduced. Exceptions to these generally reduced limitations should be made only for vehicles engaged in the movement of livestock and agricultural products from the place of production to the first original market and then under permit limiting operation to roads serving areas where that kind of transportation service is essential.

Much has been said about the desirability of "uniformity" in size and weight limitations for motor vehicles as they are applied by the several states and provinces. Closer examination shows that the principal exponents of such uniformity are those who seek increases in states or provinces with lower limitations who are, at the same time, opposed to any reductions in states or provinces where existing limits are excessively high. Uniformity in size and weight limitations for trucks must be predicated upon uniformity in roads and their capacity. There is no semblance of uniformity in the capacity of roads and streets in the several states or provinces. Weight limits have been fixed at the maximum which only our very best roads are capable of carrying. Not all of the limited mileage state primary and federal aid roads is capable of carrying the weights now permitted. These 300,000 miles of improved roads constitute less than 10% of the total mileage of all rural roads yet weight limitations for all roads are based on the maximum capacity of these roads. Thus we have gauged the strength of our chain by its strongest link. Weight limitations should be so fixed as to achieve protection with "uniformity" as the secondary objective.

#### As to Subsidy

Government at all levels should end all subsidies to all forms of transportation. Air mail pay should be based upon the actual value of the service rendered and should not exceed air mail revenue. The existing and still increasing differences between civilian air craft and those for military purposes, and the maturity of the air transport industry, nullify any justification that may have existed for federal subsidy of air lines. The minimum requirement is that payments by the Federal Government for mail pay and for support be separated and that such subsidy payments as are made be honestly labeled as such. Air lines should be required to provide their own landing fields and terminal facilities. Where they are provided by local or other units of government use charges should be such as to cover all costs of operation and the capital cost of providing the facility. The United States Government should stop squandering money on the operation of barge lines and fulfill its original com-

mitment by getting out of the barge line business. Those who use inland waterways for private gain should pay tolls adequate to return to the government the true cost of improving and maintaining the inland water courses.

State or provincial and local units of government should so adjust their charges for highway use by commercial motor vehicles as to exact from such vehicles their fair share of the cost of building and maintaining all roads and streets, including interest on capital invested and funds to replace worn out roads at the end of their useful service life. It is unjust to levy any portion of road or street costs upon the land. The unjust portion of road cost paid from land taxes in the past is such as to outweigh any remaining argument for road taxes on land resting upon enhanced land value from road improvement. The extent to which any land values are enhanced by road improvement is measured by the extent such improved roads are used by motor vehicles. Motor vehicle use taxes are the only fair and practical means of defraying the cost of all roads and streets. Gasoline taxes do not fairly distribute the burden of road cost because they unjustly minimize the payments made by heavy trucks and, particularly, by those using diesel fuel. Further increases in motor fuel taxes without additional compensating charges against heavy vehicles further increase the extent and degree of the existing subsidy to heavy trucks by automobiles.

The ton-mile is without doubt a fair unit of measurement of relative road use. While the ton-mile tax is, in theory, a just tax, it is in practice, difficult of administration particularly when it rests upon voluntary reports of admitted ton-miles of road use. Equalization of truck taxes with those paid by automobiles can best be accomplished by a flat annual charge against trucks, graduated and classified into groups by gross laden weight and measured by the annual ton-miles of road use by the average vehicle in each of the respective weight classes.

A glaring discrimination against railroads and those who can use them is the policy pursued in virtually all the states or provinces under which railroads are required to pay heavy ad valorem or similar taxes on their rights of way and other property for the support of schools and the general expense of government while their competitors pay little or nothing for such purposes. Trucks using public roads for private profit should pay taxes for the general expense of government comparable to the taxes assessed against the railroads. That portion of the investment in public highways used for profit should be taxed to the same extent and for the same purposes as investments in railroad rights-of-way.

As a means of arriving at a practical solution of the tax question a competent Government agency should be clothed with power to evaluate all proper factors and to fix truck taxes from year to year in substantially the same manner as taxes against railroads are now fixed in most of the states or provinces.

The principle of reciprocal tax exemption for motor vehicles has been greatly abused. Considerations which justify exemption of passenger cars from registration in foreign states do not apply to trucks using public roads as a place of business. Commercial trucks should pay registration fees and other road use taxes to all states or provinces whose roads they use. State or provincial laws exempting non-resident vehicles from payment of registration taxes should be so amended as to exempt only passenger cars. If commercial vehicles are to be exempted at all that exemption should be extended only to those domiciled in contiguous states or provinces.

Another form of study to highway transportation is the policy which prevails in many states or provinces as to the apportionment of the cost of eliminating or protecting railway-highway crossings. Under modern conditions motor vehicles are the principal bene-



ficiaries of grade separations or grade crossing protection. Where federal money is used on these projects railroads may be assessed only that portion of the cost equal to the benefits they receive and then not more than ten per cent, yet under the laws of many states or provinces railroads are compelled to bear as much as fifty per cent of the cost. If real progress is to be made in eliminating dangerous crossings legislatures should be realistic and modernize their laws on this subject to conform to the principles applicable on federal aid projects

#### As to Highway Safety

The appalling toll of highway traffic accidents and death commands the sober attention of every citizen. The members of this organization are justly concerned both as those who operate passenger cars on roads and streets and as those who operate trains that intersect the stream of automobile traffic at thousands of crossings at grades.

Little or no public control has been exercised over the character of freight permitted upon public highways. On November 9, 1949, a truck hauling poison gas was involved in an accident at St. Joseph, Missouri. On March 24, 1950, a truck hauling ten tons of dynamite exploded near Nashville, Tennessee, and on May 14, 1949, a truck hauling dangerous acids was involved in an accident which all but wrecked the Holland Tunnel into New York City. It is manifestly improper and unsafe for dangerous commodities such as these to be moved over public roads and streets in company with automobiles and other trucks where the inherently dangerous character of the commodity is entirely out of proportion to the nominal transportation saving or convenience enjoyed by the shipper. Yet there is no law, federal or otherwise, which bars such commodities from the public highways. Of no less danger is the tremendous volume of gasoline, butane and other explosives and inflammable commodities moved for great distances over the public highways in huge tank trucks and trailers. The size and weight of such combinations makes them dangerous but the explosive and inflammable character of their cargo multiplies that danger and is an unjustified and unnecessary threat to both highway and railway transportation. Deaths and injuries to motorists, trainment and passengers on trains from explosion and fire caused by tank truck accidents are too numerous to be ignored. Dangerous commodities of this character should be barred from public highways. They should be transported by railroad where they may be properly handled under controlled conditions. It is recognized that motor vehicle fuel must be transported to some extent over roads and streets but the quantity transported in each tank unit should be limited as to encourage its long-haul transportation by rail and to permit its short-haul distribution by truck.

For these reasons we favor legislation to strictly regulate the transportation by truck of commodities which are inherently dangerous and to prohibit the transportation in tank trucks over the public highways of explosives or inflammable fluids in quantities in excess of two thousand gallons.

The convenience and hazard caused by heavily laden trucks and trailers creeping up hills and speeding down grade are too well known to require extended comment. We favor legislation which will limit truck loads in proportion to their power so they can maintain adequate speeds up-grade and strict requirements limiting truck speed and requiring brakes really adequate for safety.

#### As to Regulation

One of the reasons why motor carriers are able to take traffic from the railroads is that they do not attempt to serve the public generally. They pick and

choose the most profitable traffic and ignore the rest. They specialize in handling a comparatively few commodities for a limited class of shippers between the larger commercial centers. They do not give the general public, all shippers and all localities, the real common carrier service supplied by the railroads. If all of the inter-city trucks should cease operations, the railroads would be able to meet adequately the needs of all shippers now using such trucks; but if the railroads ceased operations, commerce would be paralyzed. The trucking industry would not give all the public the service now performed by the railroads.

There are two principal reasons why this specialized form of competition is so hurtful to the railroads, so damaging to their financial position: (1) The traffic that is skimmed off by these specialists is generally the heavy-loading, higher rated traffic. (2) The effect of this skimming is not alone the loss of this higher rated traffic, but it brings about extreme elements of unbalanced traffic movements. For example, one fairly consistent railroad traffic pattern has been the carload movement of agricultural and forest products eastward by rail and the return carload movement of manufactured products from east to west. The traffic skimming by motor carriers has already seriously drained the carload westbound manufactured products from the railroads, one result of which has been necessary increases in freight rates on the eastbound commodities. A continuance of this trend will wreak disastrous financial results upon the railroads.

We assert that the public policy is wrong if it permits the crippling or ruination of the only carrier agency that serves all the public in order to benefit the small segment of the public served by the skimming motor carriers. We believe that the Interstate Commerce Act as it is now written gives the Interstate Commerce Commission full power to prevent traffic skimming operations by motor truck, which would result in the ruination of railroads, and that the Commission should so administer the law. But, if there is doubt as to the power and duty of the Commission to pursue that policy, the law should be so amended as to remove that doubt, (further, the Board of Transport Commissioners in Canada should be clothed with powers to regulate all forms of transportation).

Recent decisions of the courts have construed certain language of Part II of the Interstate Commerce Act in such a way as to exempt from regulation a very substantial portion of the truck transportation of farm products. Language really meant to exclude only farm-to-market hauling has been so broadened as to exempt virtually all hauling of agricultural products. The law should be amended so as to carry out the real intent and to make the long-haul trucking of farm products subject to the same kind of regulation and control as that applicable to other commodities.

Contract and private carriers should not be so pampered as to defeat the purpose of regulation. Contract carriers ought to make the same showing required of common carriers before they are allowed to operate. They should be required to prove, further, that the specialized service they propose to offer under individual contracts will not impair the ability of common carriers to render public service.

Where big wholesalers and others use their own trucks to deliver goods for great distances, they are obviously selling transportation as well as goods. They should be so controlled in that activity as to protect and preserve the integrity of regulation. We recognize the need for local delivery and distribution but submit that there is a practical difference between local delivery and inter-city transportation. Railroads are prohibited by the "commodities clause" of the Interstate Commerce Act from dealing in goods they transport. That clause should be enlarged to include the converse and to prevent oil companies and other wholesalers from transporting goods in which they deal.



Be It Further Resolved that copies of this resolution be furnished to all local lodges of the Brotherhood Railway Carmen of America, the Chairmen of all State Legislative Boards, the Governors of the several states, the members of the Senate and House of Representatives of the U. S. Congress, members of the Canadian House of Commons and Senate, and the Railway Labor Executives' Association, the American Federation of Labor, the Trades and Labor Congress of Canada, and to such other public officials or others as may be interested in the subject matter hereof.

Concur.

I have a letter here from Lawrence P. Monahan. He says,

I want to register my opposition to that portion of the Truck Bill which will permit the increase of weight of trucks. In my conversation with my neighbors and acquaintances on this Bill, there is not one in ten that is in favor of the increase of weight of trucks.

Our highways are no longer safe to travel on by reason of the damage that has been done a great many of them by the overweight trucks. I live twenty miles north of Pittsburgh on a County road connecting Routes 8 and 19. During the past few months the large freight car trucks are now using this County road, no doubt to by-pass the City's inspection. The terrific speed of these large trucks renders the highways most dangerous for use.

This morning on my way in to town, there were three large freight car trucks that were being conveyed by a policeman so that when they came to curves in the roads the policeman would stop traffic in advance, otherwise the trucks would occupy the entire highway at the curves.

A recent article in the Reader's Digest claims that it would require thirty-five billion dollars to restore our present highways for passenger travel! The present condition of the highways, it is alleged, is due to the overweight of trucks.

The public is against any increase of weight and is anxious to have the law drafted so that a violation of it will call for a substantial fine and the unloading of trucks to a legal weight before permitting them to pass on.

Kindly use your influence to defeat this overweight truck provision of the Bill.

Very truly yours,

LAWRENCE P. MONAHAN

I have here a telegram from William J. Hart, Director District 19, United Steel Workers of America, CIO.

The 35,000 members of United Steel Workers of America District 19 urge you to vote against Senate Bill 615 the big truck bill. We are strongly opposed to any increase in truck weights which would greatly aggravate destruction of our highway system by heavy trucks. We also feel the provisions to combat overloading are inadequate and would do little to take profits out of overloading or reduce hazards created by overloaded trucks. We urge you not to sacrifice the interest of labor and the public for the demands of a powerful minority group.

WM. J. HART  
Director District 19

I have here Mr. Speaker, quotations from newspapers all over the state in opposition to this bill I will not take the time of the House to read. However I do wish to call your attention to an article here from the Brotherhood of Railroad Trainmen.

Last year there were more people killed and injured in highway accidents than there were casualties in the Korean War. Highway accidents and highway

deaths are the most unnecessary of tragedies. The Pennsylvania Safety program proves that most accidents can be prevented. We have done so much here to improve our record of highway safety that we should not now reverse our progress by passing this big truck bill.

If for no other reasons than safety—the safety of 3,000,000 motorists and hundreds of thousands of truck drivers—this bill should be defeated. Last week Dr. McClelland, who is the well-known coroner in Allegheny County, said that we would have a lot more highway accidents if truck weight limits are raised. Dr. McClelland is an authority on this subject. He insists that the police weigh all trucks which have been in accidents. As a result of this experience, he is convinced that the Heavier the Trucks, the Harder They Are to Stop, and the More Frequent the Accidents.

This conclusion has been proven in New Jersey. There the Motor Vehicle Commissioner studied traffic accidents and found that the tractor-trailer trucks were responsible for twice as many accidents as other vehicles. Worse yet, a high percentage of these resulted in death.

I am not going to recite a list of truck accidents. You all read the newspapers. You all have read, time after time, that the crash came when the brakes failed to hold." If we permit trucks to carry even heavier loads, there will be even more danger of brake failure.

I realize that this bill tries to set braking standards. That's a fine idea. If it could work. But how can any policeman stop a truck and test its brakes? The State troopers tell me that they have neither the equipment, nor the personnel, nor the training to make these tests. In other words, the braking standards are useless.

As I read this bill, it will increase the weight limits from 3000 to 15000 pounds per truck. Yet there will be no additional safety provisions. It is obvious that this type of legislation will create additional highway hazards. Instead of helping the safety program, this bill will harm . . . if not ruin . . . it.

We are proud of our Highway Safety record in Pennsylvania. Over the years this House has helped to frame one of the best safety programs in the nation: by compulsory inspection of vehicles, by intelligent speed limits, by a statewide safety program, by rebuilding highways to eliminate danger spots, and so forth. It would be a backward step to raise weight limits without providing greater safety regulations.

As Dr. McClelland says, "There will be more frequent and more serious accidents if we permit heavier trucks. "Instead of inviting death on the highway, I believe we should defeat this bill and study the problem so that we can have a sound, safe, and sane program in 1953.

Another quotation:

A fellow here, Whitney Bolton says, "The best sign I've seen in a year, the one on the back of a huge 12 wheel job: 'Take It Easy. I've been in 28 accidents and never lost one.'"

Mr. Speaker, I have a report here from a highway research board. I have nine different reports which would take the rest of this day and part of tomorrow to read and which I do not think the Members would like me to do, but for the information of the Members I would just like to read one paragraph here that will tell who is interested in this Highway research board and this Maryland Test.

The project has been arranged cooperatively by the State highway departments of Connecticut, Delaware, Illinois, Kentucky, Maryland, Michigan, New Jersey, Ohio, Pennsylvania, Virginia, Wisconsin and the District of Columbia and the Bureau of Public Roads.



The project will be administered and supervised by the Highway Research Board of the National Academy of Sciences through a Project Executive Committee consisting of Fred Burggraf, Associate Director, Highway Research Board, Chairman; H. S. Fairbank, Deputy Commissioner, Bureau of Public Roads; Albert S. Gordon, Executive Assistant to Chairman, State Roads Commission of Maryland; and T. J. Kauer, Director, Ohio Department of Highways, with the assistance of an Advisory Committee.

The Advisory Committee for the project includes one representative from each participating State, one representative from the Bureau of Public Roads, one representative from the Automobile Manufacturers Association, one representative from the American Trucking Association and one representative from the Department of the Army.

Other members appointed by the Highway Research Board are Fred Burggraf, Associate Director, to be Chairman; H. S. Fairbank, Chairman of the Highway Research Board's Department of Economics, Finance and Administration; and C. N. Conner, Chairman of the Board's Department of Design. The Chairman and Director of the Board are members ex-officio. W. N. Carey, Jr., is assigned as Executive Assistant to the Chairman.

The engineer in charge of the project is A. Taragin who has been assigned to the Highway Research Board for this job by the Bureau of Public Roads.

Now, Mr. Speaker, this first report, Number 1, I have got nine of them here; number 1 was submitted early in 1950, the second report in July of 1950, the third report August of 1950, the fourth in September of 1950, the fifth in October of 1950, the sixth in November of 1950, the seventh in December of 1950, the eighth in January of 1951 and the last and final one, May of 1951. This by the way is not completed.

(For Maryland Road Test, Reports 1 to 9 inc. see Appendix.)

This research is still going on and I think it would be a bad mistake on the part of this House to pass Senate Bill 615 until this investigation at least is completed, and I believe that instead of passing this bill we should turn it over to our fact-finding body, the Joint State Government Commission to make a report to the next session of the Legislature. I think if we were to do that we would really be acting intelligently and we will know what we are doing when 1953 comes around.

(The following communications were submitted by Mr. Moran)

#### PENNSYLVANIA STATE GRANGE

July 13, 1951

Hon. J. P. Moran  
House of Representatives  
Harrisburg, Penna.

Dear Mr. Moran:

We note that the Big Truck Bill, S-615, has passed the Senate and is now pending in the House.

Nobody objects to the legitimate operations of the trucking industry which constitutes a very important segment of the economic life of our Nation. However, in the enactment of all legislation it is well to keep in mind the sound rule which aims to confer the greatest good upon the greatest number. Judged by that rule, we think that S-615 should be defeated.

This bill would authorize axle weight limits far in excess of the standards established by the American Association of Highway Officials. We have in mind a recent statement made by Thomas H. MacDonald, Commissioner of the U. S. Public Roads Administra-

tion, in which he said: "Specifically, we are overloading our highways in their traffic volume capacity and their structural capacity—and the results are so costly both to individuals and to the public that they total a disgraceful and extravagant waste of the Nation's true economy." Mr. MacDonald is the foremost authority in the world on matters relating to highways and what he has to say on this subject is entitled to full respect.

The proponents of S-615 are fond of saying that we should build our roads to suit the traffic, rather than requiring traffic to conform to the capacity of the highways. If that is to be our policy, common sense dictates that roads of greater capacity should be built before truck weights are increased. We all know that such a course is impossible under present conditions in a State with 40,000 miles of highways and 60,000 miles of roads and streets.

The only sensible course for us to follow is to take the best possible care of the roads we now have rather than to recklessly destroy them by subjecting them to stresses and strains exceeding their capacity.

We respectfully ask the House to defeat S-615 to protect the public interest.

Sincerely yours,

JOAB K. MAHOOD, Secretary,  
Pennsylvania State Grange

#### ALLEGHENY COUNTY BOROUGH ASSOCIATION

2317 Cathedral of Learning  
Pittsburgh 13, Pennsylvania

June 21, 1951

Hon. J. P. Moran  
116 8th Street  
Turtle Creek, Pa.

Dear Representative Moran:

The Allegheny County Boroughs Association, representing 67 of the 74 boroughs of the county, respectfully requests you to oppose the passage of Senate Bill 615 which would authorize an increase of truck weights in the Commonwealth of Pennsylvania.

The Legislative Committee and the Executive Council of this Association believe that any virtues of the bill contained in those provisions providing for increased over-loading penalties and requirements for minimum brake and engine capacities are destroyed by the provisions authorizing increases in legal load limits.

S. B. 615 is not in conformity with the policy recommendations of the American Association of State Highway Officials and the United States Bureau of Public Roads. The Allegheny County Boroughs Association is on record in support of an 18,000 lb. single-axle load limit and a weight limit for tandem trailers calculated according to the approved formula of the American Association of State Highway Officials.

We respectfully request you to help defeat Senate Bill 615.

Very truly yours,

EDW. F. WALDSCHMIDT, President  
By WILLIAM G. WILLIS,  
Corresponding Secretary

430 Morrison Drive  
Pittsburgh 16, Pa.

July 16, 1951

To the State Representatives from Allegheny County:  
"Big Truck Bill"

Gentlemen:

It was extremely discouraging to me to see the State Senate become subservient to the so-called "Big Truck Lobby" and approve the "Big Truck Bill."

I have no ax to grind one way or another except



as a common, ordinary citizen of the Commonwealth. You gentlemen have undoubtedly read in the papers over the past several years the number of serious accidents in Pittsburgh and Allegheny County because of the collisions between trucks and automobiles. And do you recall how many times the papers have gone on to state that at least the partial cause of such accidents was the heavy truck loads, which have caused the drivers to lose control of their vehicles on our hilly roads.

How can any Legislature vote to permit heavier truck weights when one reads every day in the papers in Western Pennsylvania about the many people who are injured or killed every day in highway fatalities brought about by overloaded trucks.

It is true in some of the more level states that the proposed maximum weight of the new Bill is satisfactory. But states having such higher weight limits are not faced with the same hilly and mountainous country with which we in Pennsylvania are faced.

In addition to the big trucks being a menace to the citizens on the highway they are also decidedly a nuisance, and I am sure you all have had the experience of following trucks up a long hill at 5 or 6 miles an hour, and then having arrived at the crest of the hill, not being able to pass the trucks because they haul downhill at 45, 50, or 60 miles an hour. Certainly, the bigger the trucks get the more congestion they cause on our hilly roads.

Undoubtedly, all of you gentlemen travel the Pennsylvania Turnpike periodically between Pittsburgh and Harrisburg, and I would like to call your attention specifically to the deterioration of this wonderful highway in the last five years. Certainly, no man in his right mind can argue that the damage to the Pennsylvania Turnpike is caused by automotive traffic. I don't believe the average citizen minds being heavily taxed to maintain good highways, but I am sure they are all irritated by being heavily taxed to maintain highways that are then constantly damaged by heavy truck traffic.

I have one concrete suggestion to make regarding the Turnpike. Why doesn't one of you gentlemen introduce a Bill requiring a scale at every entrance to the Turnpike and requiring every truck entering the Turnpike to pass over that scale. Such a policy on the part of the Commonwealth would make the enforcement of our existing truck-weight laws more effective, particularly as regards to the Turnpike, and should save the State many thousands of dollars in the maintenance by eliminating some of the damage caused to highways by the overloading of trucks.

Very truly yours,  
GEO. R. ALLEN

UNITED RAILROAD WORKERS OF AMERICA  
C. I. O.

Regional Headquarters

601 McNally Building—711 Penn Avenue  
Pittsburgh 22, Penna.

July 23, 1951.

J. P. Moran  
116 8th St.  
Turtle Creek, Pa.  
Dear Sir:

I am writing to you in regards to how you stand on Big Truck Bill S-615. I want to give you my position and thousands of railroaders likewise. We feel by the increase in weight for these traveling boxcars that No. 1—will abolish jobs; No. 2—increase the hazards on the highways and No. 3—increase our taxes, by the breaking up of our highways which will need repairs. The more tonnage allowed the trucking industry the more unemployment on railroads. Some features of the bill is certain speed must be maintained, therefore even the small trucker will have to deiselize

there trucks. This all boils down to the fact that the only ones who will benefit are the large trucking concerns; thereby eliminating the smaller ones who do not have the money to buy new trucks.

If our Public Servants in the House vote us railroaders out of jobs, there is only one other thing left to do and that is to put into office only those who will protect the working class and not those who will support big business.

was in Harrisburg on Wednesday, July 18th after being told the vote may be taken on that day, but I was told it was decided not to have a vate taken until after the election on July 24th. I wonder what they were afraid of—the vote?

Mr. John Dent came out in the paper and said that there were thousands of telegrams, letters and post-cards received from people but he thought it was engineered. Well if the co-sponsor of the S-615 (J. Dent) only realizes this might be true, I wonder if he thought it could not happen again if it passes?

My purpose of this letter is to let you know just how I feel as do many, many other railroaders that if they are going to vote for the bill it will create more unemployment on railroads. We have enough furloughed now let alone to swell the ranks more. We feel that a great injustice will be done us. Hoping you will weigh the facts and act to the best of your ability.

Yours truly,

ELTON W. SMITH,  
Regional Director.

Mrs. Hugh K. McJunkin  
7726 Stanton Ave., Swissvale  
Pittsburgh 18, Pennsylvania

Hon. John P. Moran,  
Harrisburg, Pa.

Dear Mr. Moran:

Will you please use your influence to defeat the Box Car Truck Senate Bill 615 when it comes up?

Very truly yours,  
(Mrs. H. K.) MARY M. McJUNKIN.

June 21, 1951.

HON. JOHN P. MORAN

HOUSE OF REP HARRISBURG PENN  
EARNESTLY REQUEST YOUR SUPPORT ON SEN-  
ATE BILL 615 INDUSTRY NEEDS THIS RELIEF  
QUAKER STATE OIL REFG CORPN STERLING  
OIL DIVN J L WELLER

J P MORAN

CAPITAL BLDG HARRISBURG PENN  
THE MOTORISTS OF PENNSYLVANIA LOOK TO  
YOU TO VOTE AGAINST ANY INCREASE IN  
WEIGHT FOR TRUCKS AT THIS TIME  
WILKINSBURG AUTO CLUB

June 21, 1951.

Honorable J. T. Moran.

Dear Mr. Moran:

As a Federation of Women's Clubs member. I would appreciate your using your influence against Senate Bill No. 615—The Box Car Bill.

No doubt, the defendants feel as we all do—speed up production but as an extensive traveler of the highways from Miami to Fairbanks, Alaska, I advocate Safety on the highways. Let us not have a frightful casualty list on the home front, too.

If trucks must increase their capacity. They should have their own roads. We are coming ta that and now is a good time to start thinking about it.

Respectfully,  
MARION E. BOWEN  
(Mrs. Herbert E.)



August 3, 1951

Dear Sir:

As one of your constituents I would like to ask you to vote against the 'Big Truck Bill'

My reasons for opposing the increase in maximum load are

(1) The "fair-weather" brake systems do not make them safe with present restrictions (there is no emergency feature on modern truck brakes.)

(2) Damage to underballast on highways during periods of great precipitation by forcing drainage by weight on road sections. Paring breaks follow.

My honest belief is that we need more stringent laws to deal with the present violators rather than sanction their abuse of Public Property.

Thank you,

JOHN HASSAN

Swissvale, Pa.

June 21, 1951.

Honorable J. P. Moran,  
House of Representatives,  
Harrisburg, Pa.

Honorable Sir,

We, the undersigned, as registered voters, property and automobile owners are opposed to Senate Bill 615. We urge you to help defeat its enactment into law.

Very sincerely,

Lillian N. Seitz  
Sara S. Dennison  
J. L. McCartney  
Harry McCartney  
Marion S. Newland, Reg. Voter  
Gertrude Smith, Reg. Voter  
John T. Smith, Reg. Voter

Mr. KENT. Mr. Speaker I think the gentleman from Cambria, Mr. Andrews, yesterday very well spoke the importance of this bill. I could not have done it better myself. There is no doubt that a great majority of people in Pennsylvania are vitally interested in this bill. I think that up to date a lot of those people have not received the consideration which they should receive.

I am wondering in my own mind whether the Members of this House have given them the consideration they should and whether they have considered the provisions of this bill in the light of the effect it might have on the great majority of taxpayers and citizens is Pennsylvania, and its effect upon the investment that those citizens of Pennsylvania have in the largest and greatest highway system in the world.

I am rising now to oppose the passage of this bill. But in opposing it I want to make myself very clear on several points. If the House will bear with me a few minutes I think I can make that plain.

The first thing I would like to clear up, and I want to be very clearly understood on this particular point is this: It so happens that the Secretary of Highways of Pennsylvania comes from my county. He is affiliated with the same political party I am, in fact he is County Chairman.

I do not wish to have any inference drawn from my position on this bill, that I am speaking in any way in behalf of the Pennsylvania Highway Department or any of its personnel from the Secretary down to the janitors you might say. As a matter of fact I have never been contacted by anyone from the Highway Department or

anyone acting in their behalf in relation to this bill. I say that Mr. Speaker because I want it clearly understood that this is a personal matter with me and it is in no way connected with the Highway Department. I am just trying to clear up any inference that might be drawn along that line.

The only people that I am really interested in, and the only people that I am sure the Members of this House should be interested in are the people they represent. I do not mean any special interests of any kind. I mean the people that go to the polls and elect them and exercise their privilege of casting a ballot and expect their Representatives to fairly and justly represent them. Those are the people in whom I am interested.

I said I am wondering whether we have all taken into consideration the effect that the passage of this bill will have upon things that those people are interested in and spend money for.

I am wondering if we have taken into consideration the fact that there are about two and a half million passenger cars on the highway owned by Pennsylvanians in Pennsylvania—two and a half million, Mr. Speaker.

I am wondering if we are taking into consideration the fact that there are approximately four hundred and 25,000 trucks registered in the state of Pennsylvania.

I am wondering if we are taking into consideration, with those two things in mind, that out of the trucks that are registered in Pennsylvania, approximately four percent will be affected or will be benefited by the passage of this act. In other words, Mr. Speaker it seems to me that this bill is so important because it seems to affect, to my mind, a very small group of people who will benefit from it. The effects might be very drastic and very expensive to a very, very vast majority of people in this state.

I point that out so that the Members might take it into consideration in their deliberations on this bill.

I am wondering if each of the Members has taken into consideration the fact that there are a little better than 9,000 township bridges in the State of Pennsylvania.

I wonder if we are considering the fact that out of that number of bridges in Pennsylvania about 5800 of those bridges cannot today carry a load in excess of 15 tons. That seems to me to be very important in considering this bill because even under our present law these bridges can be submitted to a load of twenty-two and a half tons or seven and a half more than they can take today. Now we are being asked to pass legislation that will submit them to a load of thirty tons, which is again seven and a half tons more than is permitted under our present law.

I am wondering if the Members of the House have taken into consideration how many bridges and how many miles of township black top road they have in their districts that certainly will be submitted to this new weight load, and whether they have taken into consideration and have anything based and tangible and unbiased upon which they can come to a fair and just conclusion and know what is going to happen to their highways.

There are 12,000 miles of township black top roads in our townships. I am not sure in my own mind what will happen to them. I have been told by different people who are interested in this bill for different reasons, different results, what will happen by this increase, and I



do not feel qualified on a matter that is scientific, technical and requires engineering opinion and investigation to determine it.

I certainly do not feel qualified to pass on this subject until I am satisfied in my own mind that I have facts and information from unbiased, impartial sources that these weights which are recommended will do no damage to not only our primary system but our secondary system and the bridges of which I am speaking.

I do not bring that out as a matter of hedging on a duty, if you like, but simply as an approach to a very, very important problem. I would hate to think that we would pass a bill in this session when we did not have sufficient facts and sufficient information to base a just and fair opinion or decision, and then come back, possibly a year or a year and a half later and find that by acting without those facts and without that information we have made a mistake. I would hate to see that happen. I think it is far better that we have the facts and the information before we proceed to pass legislation which can cause great damage to our highways and will affect as many people in the State of Pennsylvania that this one might if it were passed.

I can say to the Members of this House that should it develop that I were convinced by impartial experts, engineers or people who know that our highways would not suffer by this, would be glad to vote for it because I have nothing against the people who are proponents of this legislation.

I think there is a serious problem probably, in that field, and if there is, I certainly want to do what I can to help the people that are suffering under an unjust law, that have not progressed as much as they should. I want to help them out but I do not think it can be done by taking their word for the facts, nor do I think it can be done by taking the word or the facts of the people who have some special reason to oppose this type of legislation and this very thing.

That is why I urge upon this House to give this matter careful study and to vote this bill down so that a study can be made by one of our own agencies that will supply the information we want and the information which is important from all sources and have the benefit of that information before deciding this important issue.

It has been said, and it has been argued that Pennsylvania is the bottleneck because our weights are so low, and that all the surrounding states have higher weights and therefore we become a bottleneck to the trucking industry. I do not know whether that is true or whether it is not. I can only rely on information which I receive from interested sources.

I do not know that Governor Lausche of Ohio a short time ago recommended and proceeded with the organization which is now conducting what is known and what we have heard about as the Maryland Test.

It would seem to be a very odd thing to me that all of our surrounding states are taking part in that test by giving the money so that it can be carried out. If they were satisfied that the weights they have in their respective states are correct, it seems to me that they would not spend money that foolishly.

I believe uniformity is a good thing and I think that is the thing we should strive for. If uniformity is to be

the object which is set forth in this bill, then I am for it, if it conforms to our highways. But this bill does not create uniformity in the truck weight laws between ourselves and the states that are nearby—our neighboring states, it just does not do it. Even if we pass this bill, we still do not have uniformity.

I was interested in reading this item and I want to call it to your attention. It is out of a trade journal which is known as "Power Wagon." It is the motor truck journal and it is the issue of July 1951.

I was interested in reading it to find out what Pennsylvania's place is in the trucking industry, whether we were a bottleneck or whether we were not; whether we were so far out of line or whether we were not.

Here is a map which has been drawn—I do not know whether you can all see it or not, but on the one side it states: "State single unit length and gross weight laws." Then the legend indicates that the black states are bottleneck states with laws below minimum standards

You will notice on that map there are only two states which are marked black—Oregon and Mississippi. Pennsylvania is white as are the other states surrounding it.

On the other side is a similar chart where there are trailer combination lengths and gross weight laws with the same legend that the black states are bottleneck states and are states with laws below minimum standards. There are several more of those, but still Pennsylvania, Ohio, New York, Indiana, New Jersey, West Virginia and Maryland are all white. So at least we have some opinion from a source closely connected with the trucking industry that Pennsylvania is not a bottleneck state.

It is very interesting to me that in trying to seek uniformity these Maryland tests have been conducted and one of the leaders in that investigation is a gentleman by the name of Kauer who is the director of the Ohio Highway Department and as I understand, there are no reports available which contain the conclusions which I presume will be drawn from the facts that have been gathered to date, there has been no official report, and I was interested in reading a statement by Mr. Kauer, who is also a member of the Project Executive Committee in charge of the Maryland Road tests,

He wrote quite a lengthy report which I will not bother you with but the results he states, and I quote him, "already indicate conclusively that further weight increases in legal weights of commercial vehicles should be halted."

That is the gentleman from Ohio and it seems to me they have a maximum axle weight, if I am correct, and I believe I am, of 18,000 pounds. He says that should not be increased, but still we are being asked to put on a maximum axle weight of 20,000 pounds, at least in one instance which I will talk about a little later.

It seems to me, Mr. Speaker, that the really sensible way to answer this problem and to solve it and meet the issue is a study to determine just what weights our highways will take and what that should be. Not only that, but also to study and see whether our economy depends so much upon not only the trucking that is being done now, but whether our defense situation needs are such that we need these heavy trucks. If we should come to that conclusion, then I think we should know and look in and see what we should do or what we can do about our highways so that we can build them so that they can



better withstand the weights and the traffic that they must bear, if they cannot do it now.

Certainly there seems to be a lot of confusion on this matter, and I will say that the gentleman, or whoever drafted 615, was a master at creating confusion. It is very difficult to read and to understand. I want to point out a few of those features in just a moment.

I have a resolution to present to this House for a study by the Joint State Government Commission. I have prepared one and I am going to introduce it whether this bill fails or whether it passes because I think even though it does pass, I think we should make the investigation and find out. Maybe we can go higher. Maybe we can give more weight than these people want. I do not know, but every indication I have been able to find is to the effect that we cannot, but I think the study should be made so that we can be prepared, so that we can progress and that our economy and our highways and everything else in Pennsylvania will be ready to meet the advance in transportation—if that is what you want to call it—and meet the defense needs that we might have.

I want to point out a few things in the bill itself which I think are important, and I am not going to accuse anyone of lying about this thing because I do not think anyone has done it deliberately, but I do think there are many things in the bill that have been little discussed and I think there are some provisions in the bill which when you consider them, read them and understand them, you will find that they go a little further than claimed, that they do a lot more than is claimed, and I would like, with the indulgence of the house, to point out just a few of them.

In the first place, the one thing that stands out in my mind in this whole controversy and in the propaganda is that fact that we are increasing the gross weight; that a trucker is allowed to haul by 15,000 pounds, going from 45,000 to 60,000 pounds.

That has been in the background because the important thing is the axle weight. That is the thing the experts say damages the highways. I am no engineer. I have a little difficulty following that but as long as you can put 15,000 more pounds on a truck, as long as you do not overload your axle over 18,000 pounds, there will not be any more damage. I do not know where that weight goes. It must go up through the roof of the vehicle. I do not understand it. It may be right, I do not know.

At any rate they are not increasing that because the present law in Pennsylvania says that you are entitled to a maximum of 20,000 pounds on an axle. I say that is an incorrect statement because you will find one provision in the law now, and it appeared in the bill, for the maximum weight for a two-wheeled, one axle semi-trailer is 18,000 pounds, and if that were not so, I do not understand the reason for bracketing out the 18,000 pounds and putting in 20,000 and underlining it. So at least in one place in our present law it does provide for a maximum of 18,000 pounds, and I must admit that, and in another place then provides for 20,000.

The important thing to me is first that I do not know. There are, as far as I know, no court decisions on it, but there has been a decision or at least an interpretation by the enforcement agency, the Pennsylvania State Police. I was recognizing the ambiguity and the inconsistency in

the law. They have at least given the truckers a break in allowing them 20,000 instead of 18,000 and for that reason it has not been tested in the courts for a decision, but there seems to be no doubt that it will be 20,000 pounds.

But then is that what it is? I say again it is not 20,000 pounds but it is 21,000 pounds, because the bill as it is drafted allows the tolerance of five per cent which would be an extra 1,000 pounds.

There is no provision in the bill, some of the Members were talking about unloading provisions a moment ago, where if you had to unload this truck if it is overweight that you have to unload to the maximum actual weight. You only unload it to the maximum actual weight plus five percent which is 21,000 pounds.

I say it seems to me that in an attempt to confuse maybe cover up a little bit, all of the provisions and the workings of the provisions of this bill have not been made clear.

The fact is that the actual weight is not in effect remaining the same. To me they are adding 3,000 pounds but to give the proponents of this bill their just dues we can at least say you are giving them 1,000. I only point that out to explain what I first said that the person who drew this was really a master at creating points for interpretation and confusion.

The same thing applies to the gross weight provisions for the one type tractor and trailer with a single axle is being increased from 45,000 pounds to 48,000 pounds. But then there is a five percent tolerance in that particular respect so that they do not have to carry 48,000, they can carry 50,400 pounds. The reason they can do that is because of a very simple device that there will be no arrest made if the weight does not exceed the maximum plus the five percent. Or, if it does not exceed 50,400 pounds there is no arrest.

Nothing happens here within the law. They are not increasing it to 48,000 it is being increased to 50,400.

In addition to that they say we are increasing our penalties. Well, I believe they are in some respects. In some respects I do not believe they are being increased at all. But in increasing the penalties they are also giving themselves or wanting to get I should say a little more weight.

If you read the provision in the bill, you will find that if a fellow has more than 50,400 pounds on his truck he is in violation of the law and he is subject to a fine of \$100. Then in addition there say he is liable for two dollars for every hundred pounds that he is overloaded. Well that is a very general statement because again when you start to add up the pounds overweight to determine how much he is overweight to apply the two dollars per hundred provision, he is then given another tolerance of 3,100 pounds. In other words he can go from 48,000 plus 3,100 which is 51,100 pounds before he becomes subject to the two dollar fine.

Those are the things that have not been pointed out. It sounded to me a long time ago that if a fellow had more than 48,000 pounds and the tolerance, he was subject to a \$100 fine and two dollars for every hundred over that. But that is not the case. There is another tolerance that comes under it that he is given.

I point these things out for this reason, we just do



not know the facts. There has been a lot of confusion. The bill itself creates a tremendous amount of confusion. Being a lawyer and practicing before courts and aldermen—and I have all the respect in the world for them, I know there is going to be a great deal of difficulty, not only to interpret some of the provisions of this bill but to understand them and know what anybody is talking about. I say for that reason it is designed to create confusion.

There is another instance where they say we are not increasing axle weights. There is no doubt about it that on these tande mvehicles that we hear so much about the maximum axle weight on those now is 26,000 pounds. Right in the bill that is stricken out and it is increased to 33,000 pounds. So there is an increase of 7,000 pounds on the axle weight of that particular vehicle.

However in the gross weight provision for that vehicle which now can carry 60,000 pounds there are no tolerances and if they go over the 60,000 they are in violation.

Another thing which I think is important ins the increase in registration fees. Much has been made out of that. I do not know what the idea is—whether they are sugar coating a bitter pill or what—but the registration fees, it is true they are being increased. But they are only being increased for the weight that is being increased and the fees are being increased in the same proportion that the weight is being increased.

I do not see where anyone can claim a great deal of generosity to the motor fund of Pennsylvania when they say "give us more weight and we will pay more money." They are simply paying the same proportion that they are paying now. They are paying to carry the loads over the highways. I do not have any objection to that. I think they should, but I certainly think the inference that has been drawn is that they were willing to pay much more than that. They are only paying—if you read the bill and analyze it—exactly for the particular increase in weight that they want.

There is another interesting feature in the bill and I think it is a mighty important one because it comes right down to the safety factor of these trucks and the danger that they may create on the highway.

I do not like to talk too much about that because I think like everybody else trucks are here to stay. I do not think anybody wants to,—oh maybe they do, I don't,—put them off the highways.

Certainly the motor vehicle, the automobile, the passenger car is here to stay too. I do not think anyone can raise any question that there is an increased element of danger when you have the big heavy trucks on our highways that we have today and that are being asked for by this bill. As I say they are here to stay, and if we can protect the automobiles, the passenger cars, and give this weight that is needed then I am for it. But it seems to me like going a little bit too far if we increase these trucks by seven and a half tons, 15,000 pounds, and then do not do something about the braking facilities on them. The bill provides that something will be done about the brakes on these trucks and it does not have to be done until 1953.

You are exposing the drivers of two and a half million passenger cars over our highways to an increased weight, a much more heavily loaded truck, by 15,000 pounds with-

out any increase in the braking mechanism of those trucks.

I am sure you have all passed and travelled behind many trucks on your way to and from Harrisburg. Have you ever came up behind one on a hill when it was moving as slow as they do, and you could not get around it because of a curve ahead, or the crest of the hill, have you ever stopped to think if the brakes let go where you would be.

I said they have a right to be on the highway there is no question about it, but I am wondering if I would not have a little more apprehension when I am behind one of them the next time and I consider that maybe there is 15,000 or seven and one-half tons more weight on that vehicle, and those brakes which were not designed apparently, otherwise the provision would not be in the bill; whether those brakes would hold it in a case of emergency.

Another feature: they are putting power into these trucks so they will be sure to be able to go twenty miles up a two percent grade. That is not very fast.

To me a two percent grade is practically level. I think the incline from the well of the House up there is much more than that. I would say that is about six or seven percent right there. Twenty miles on a two percent grade is a two foot rise in every hundred feet. That would not take much power and I do not know what effect that would have. I know all those trucks are not going to go twenty miles an hour. But then why not raise it up and be fair about it, so they will not congest traffic and will not cause the hazards and the dangers that they do.

Mr. Speaker, I do not want to take any more time. I know that there is a lot more coming and there has been a lot ahead of me.

I would like to repeat that it seems to me that if we people here in this House want to truly represent our people and so somfething that you can be proud of, that not one can ever find any fault with you for doing, it would be to approach this issue and this problem in an intelligent and a fair way. Ie seems to me the only way that that can be done is for us as a body to use our own agency to gather the facts and conclusions, the expert scientific conclusions that can be drawn, and make up our own minds what weight shall be carried on our highways, and also make up our minds that if greater weight than our highways can now bear are needed and is the thing that we should do, then we should consider what we could do or what we should have our Highway Department do to meet that need.

I presume a very important thing to consider along that line would be whether we can raise the money, which we are having difficulty in doing, whether we can afford to do it, at least to study the financial aspects of the matter.

It does not seem that it has to be done right today. Nor does it have to be done at this session. This problem, as Mr. Andrews said yesterday, has been in this House for many, many terms. I know it has been before me for three sessions. I do not know how many before that. But I know several.

I cannot understand when we are getting down to the crux of the thing, to a possible solution of the problem, when we have, what you might call, an interstate organization set up which is meeting and trying to solve this



problem, willing and anxious to meet it, searching for the very facts and the very information which we need and which I have spoken about; when we are so close to apparently having that information or at least some of it, why we cannot now wait for it, why it must be forced through now. It just does not make sense to me.

Again I think it is far better, when a relatively short time is involved, to do this important thing and do it right from the beginning, instead of doing it wrong now and then coming back, admitting our mistake to the vast majority who oppose this bill, and then try to make the corrections.

Another thing I would like to point out if an increase is allowed, that I feel sure our highways are going to be subjected to: if my information is right New York State which bounds us on the north has passed what is known as a ton-mileage tax. If I am not mistaken as soon as that thing goes into effect the trucks that travel that course are going to seek a cheaper course to travel. That certainly will be Pennsylvania.

Again it seems odd to me why we should sit here and worry too much about truck weights with the little bit of information we have, when in addition only this four percent as I have said will be benefited by this.

They are not all that will be benefited. All the out-of-state truckers who do not contribute anything to our motor fund certainly will be benefited. The only thing the out-of-state truckers contribute to our motor fund is for the gasoline they buy in Pennsylvania. I do not know how much it is but I do not think, relatively speaking, it is very much.

I know up where I live—I am about twenty-five miles from the Ohio line and about eighty miles from the New York state line, almost on the direct route from Chicago around the Great Lakes up to Buffalo—they can whisk through the upper corner of Pennsylvania pretty fast, I know they do not buy much gasoline up there and they do not contribute to the use or further use of our highways in any way. That is just another thing to take into consideration in your deliberation.

As I said I intend to present this resolution whether this bill passes or whether it fails, because I think it is most important to Pennsylvania and to the citizens of Pennsylvania and to you Members of the House that that study be made so we will know what we are doing.

Mr. JOHN M. JONES. Mr. Speaker, I had intended talking at length on Senate Bill 615. Representative Moran has covered the situation quite well. However, I wish to tell you we have the Teamsters on one hand, the Railway Carmen of America, the Railway Maintenance of Way, The Railway, Steamship Clerks and Express Employees on the other hand. They are all affiliated with the Pennsylvania Federation of Labor.

How can the Pennsylvania Federation of Labor endorse this bill knowing that they are divided in their opinion?

Mr. Speaker, I am very proud of my 100 percent labor record in two other sessions, namely 1945 and 1949. I now find myself in a peculiar situation. Therefore, I must support the opinion of the majority of my constituents by voting against this bill and ask you to do likewise.

Mr. ANDREWS. Mr. Speaker, I want to congratulate the gentlemen who have already spoken, upon the temper of their discussion. It has been in marked contrast to

much of the propaganda that has been a foreword to this meeting in the legislative forum.

I am quite aware that a great many people oppose this bill. I can remember when a great many people opposed the automobile. One of the Members of this House told me not long ago that he just could not vote for this bill because the farmers in his particular neighborhood did not like it. I am old enough to remember the day when it was as much as your life was worth to drive through the county that Member represents in an automobile.

I have been wondering whether it is not possible to establish some arenas of agreement. I submit as a fact on the basis of what I believe is competent engineering authority that it is axle weight that counts as far as damage to the highway is concerned, and that if gross weight is properly distributed as to axle weight you have a workable transportation situation.

I submit notwithstanding the devious argument of the gentleman from Crawford that the existing bill makes no change actually in axle weight, and I submit as a matter of fact that the bill makes no change in the gross allowable weight of 62,000 pounds, a weight that it now carries and is perfectly legal as far as some of our trucks are concerned.

This bill, by clever propaganda, has been labeled the "Boxcar Bill." One way to kill a good measure is to give it a bad name. I have received hundreds of letters protesting that this measure increases the size and height of alleged "boxcars" upon our highways. All of the Members who have read this bill, and I trust and hope all of them have read it not once, not twice, but three times, know that it makes no changes whatsoever in the height or the width or the length of the motor trucks that now travel the highways and they travel them under the provisions of the Motor Code.

The gross weight of the tandem semi-trailer is increased from 45,000 to 60,000 pounds but you still have your restraining influence of axle weight which has not been changed.

It is interesting to compare Pennsylvania with some of the neighboring states. The increases in weights on the various combinations are designed to bring Pennsylvania more nearly in line with surrounding states. We admit that. On the single axle semi-trailer, the following weights are permitted in the states surrounding Pennsylvania:

Ohio, 46,000; New York, 52,000; District of Columbia, 50,000; Maryland, 52,000; Delaware, 48,000; New Jersey, 52,000. The average is 50,000.

Pennsylvania now has a gross weight of 45,000 pounds for that type of vehicle and a 45,000 pound limit is requested under the existing bill.

On the tandem axle on the trailer, the weights permitted in surrounding states read as follows: Ohio, 67,000; New York, 61,500; West Virginia, 60,800; District of Columbia, 65,400; Maryland, 65,000; Delaware, 60,000; New Jersey, 60,000. The average being 65,000 pounds.

Are all the eminent highway authorities in those states clearly crazy? Have they no roads? Are they all negligent of their highways? What is so special about the Pennsylvania Highway situation that is not found in neighboring states?

A great scientist a great many years ago in designing



a theory of road building said that if you can lay a road on dry earth, you did not have to worry about your surface, if you had a reasonably good surface. But if you lay a road on mud, you had to worry. There is a good deal of talk about the damage that is done to our highways by trucks, and then they tell us about overloaded trucks.

There are some statistics as to the amount of overloading but there are not any statistics as to the amount of the damage done by the overloaded truck as compared with the damage done by the legally loaded truck. Neither are there any statistics showing that a 40,000 pound load, on a surface that is laid on mud, that permits pumping, does not do as much damage, if it pumps, as a 0,000 load.

This damage to highways does need some critical study because it is worth finding out definitely, although the engineers know and would tell you if you asked them, why you have a perfectly level undamaged stretch of highway and right next to it you have a stretch of highway that is severely damaged. Is that caused primarily—damage in one place and no damage in the other—because of an overload?

It is caused by soft surface defects which are leveled by 30,000 pound loads, 40,000 pound loads just as much as they are by 60,000. I have seen pumping on highways as the result of the passage of a passenger car. This damage to highways is something that is very much befogged concerning which there should be some honest thinking.

It is worth while knowing whether the trucks are paying anything into Pennsylvania's coffers.

I thought I had some figures here—I do not know whether I can find them or not—as to the amount of money that the trucks contribute to Pennsylvania; where Pennsylvania stood as far as the financial contributions from the trucks are concerned.

The total cash from license fee receipts from trucks in 1950 was \$153,002,000. And the gas tax paid by trucks was \$49,368. The percentage of the total revenue of the Highway Department's funds contributed by trucks was 32 percent.

In Delaware the trucks contribute 34 percent. In West Virginia they contribute 37 percent. So far as the proportionate contribution made by trucks to the Department of Highways' funds, we stand third, not twenty-sixth as has been alleged.

This bill definitely puts the overloader out of business. I leave the penalties in the bill for the possible discussion of other speakers. The bill does provide that when a tandem trailer, tandem axle semi-trailer is found to be overloaded the arresting officer has no choice but to compel the driver to unload the excess before proceeding.

There are marked improvements in the safety requirements carried in the pending bill; marked improvements as to breaking power, as to engine power, as to the technical construction. Definite steps have been taken in this bill to protect not only the people who consign their goods to trucks but the people who travel the highways, and the protection that is extended in this bill is an essential protection. It is a protection that the traveling public will be denied if this bill falls.

I know that an unusually clever advertising agency is responsible for much of the propaganda against this

bill. It is an advertising agency that was retained by the American Association of Railroads.

I am wondering whether the expense of the Grange in fighting this bill was financed out of Grange money or financed from some other source.

I am wondering whether the Association of Township Supervisors are, out of their own funds, responsible for the campaign they have waged or whether they have been financed from other sources.

You know, Mr. Speaker, we do not have the railroads for the benefit of the railroads; the trucks for the benefit of the truckers, the airlines for the benefit of the airline companies. We have those agencies as public utilities for the service of the public.

The railroad has no greater claim upon a monopoly of transportation than had the stage-coach, and for any agency to maintain he has a vested interest in progress is to fly in the face of development in this country.

Transportation is a tough game. The airlines have to struggle. The truckers had a tough time and the railroads have had their days of prosperity and decline, but it is no more the business of this General Assembly to guarantee a revenue to the railroads than it is to guarantee a revenue to the truckers. Airlines, waterways, railroad and trucks must enter the transportation arena and there in the spirit of free enterprise contend for the financial prizes that go to those best equipped to serve an immediate need, immediate need that has been voiced, and I could, after the fashion of the gentleman from Allegheny, present documents and petitions and letters a foot high, two feet high from business corporations that are, admitted by preference, shipping by truck and they are as vitally interested in this bill as the railroads seem to be in defeating it.

We have heard a good deal about the Maryland tests. Right in the fact of the Maryland tests the Maryland Legislature enacts legislation fixing weight limits in excess of the weight limits of this bill. New Jersey is constructing a master highway from north to south throughout the length of the state in which the weights are as I recall 15,000 pounds in excess of the maximum carried under this legislation.

The pleas for delay are pleas usually made by those who are unable to gain their ends in any other way. I presume if the opponents of this bill were assured at this moment of its defeat, they would not be pleading for delay but would be pressing for immediate action. I am submitting that there are no essential engineering facts needed for a decision concerning the function of this bill that are not now available and which have been available for months.

As I say, you do not need to be an engineer to know that a highway surface if placed on top of mud will break if you send trucks over it. There is a great deal of worry expressed about bridges that have a weight limit of from 2,000 to 10,000 pounds and how they will be broken and ruined if we pass this bill. I cannot see any difference between a bridge that will only stand 2,000 or 10,000 pounds, I cannot see the difference whether it is broken by a 20,000 pound truck, a 30,000 pound truck, or a 60,000 pound truck. It is the business of the Highway Department and it is the business of local authorities to post their bridges.



I agree that it is dangerous practice to permit traffic by any sort of vehicle to go over bridges in excess of the proper load, but I also agree that in order to insure safety you have to have local cooperation and it does not matter what kind of an act you pass or do not pass if there is no local interest your law fails.

We will finally come to a vote on this bill. It will be a great misfortune and I am quite sure that the proponents, the speakers will be very much perturbed if they find the end of their oratory that they were left alone and the audience had departed.

I note the passage of time. I would have liked to have submitted after the fashion of the gentleman from Allegheny various interesting documents. I would have liked to have referred more to my voluminous notes and to have presented a more cogent and longer dissertation, but I have sympathy with the listener and I conclude by saying, I supported this bill in 1949, I have supported legislation along these lines for several sessions whenever it appeared, and I can say honestly that in all my legislative experience I have not had the opportunity to pass upon a sounder measure.

Mr. LOUIS LEONARD. Mr. Speaker, two years ago I stood here all alone, just as the Minority Leader said a minute ago he would be left all alone.

I opposed the bill two years ago without a single soul in Pennsylvania asking me to be against the bill. I say that because sometime after that I was accused of trying to represent the Pennsylvania Railroad. That is the farthest thing from my mind. I did say in my remarks then, and I guess to some extent they will apply today, that the railroaders at that time were being laid off in their work while the truck drivers or the trucking industry was hiring truck drivers.

I want it distinctly understood that I am not against the trucking industry. I want it understood that I am their friend. And by opposing this bill I believe I am helping the trucking industry, because it is like anything else. The owners of the trucking industry are only human beings, that is all. You know some of the foolish things we human beings have done in our lifetime. Well if the trucking industry in the way they have conducted themselves in the past few years that I am familiar with, are allowed to have their way and they can come in here and change the Legislature over to suit themselves, you and I with our pleasure car will go up the alleys. That is exactly what will happen to the two million five hundred thousand cars that are owned and driven by the citizens of the state.

I know a little bit about that. I drive back and forth every week over the Turnpike, and twenty-three miles after I leave the Turnpike into the city of Pittsburgh where I live. Any man who drives an automobile or has ridden in an automobile and has traveled over the Turnpike and can stand up and say that the big trucks have not ruined the right hand side of the turnpike ought to have himself examined; he is not honest with himself. I have been driving over it ever since the Turnpike was opened in 1940. All you have to do is come up in back of a big truck and go around and over on the left side and you are riding just as smooth as that.

Of course the law requires you to stay on the right hand side of the road, because the left side of the road

is for passing only. A lot of the boys on the big trucks like to ride smoothly too, so they get over there sometimes.

In my experience one truck is going about ten miles an hour up a little grade; another truck comes along and he is making about ten and a half miles,—I am talking about the super highway—and what happens? Look into your glass and you see twenty-five cars in back of him. They are going this way (indicating), that is the way they go. Take the six and a half mile mountain that you climb after you come out of Laurel Hill. Go up that mountain and pay attention and you can see what happens there. There is a two lane road there. The trucks have the right hand side and there is no reason why he should interfere with the pleasure car.

I took a ride over to Cleveland not so long ago and another ride over Route 30, two weeks ago. A lot of big trucks travel between Pittsburgh and Cleveland. They are quite an asset between those two big industrial cities,—and I am for them again. But brother, you had better keep your eye on that road when you are driving along Route 30 going west or you will land over in the gutter some place. That is how quick something moves on it.

I came back on Route 22 coming east. As we were leaving Steubenville the same condition will be found on that road.

But why get all excited about their breaking up the roads? I am not excited about their breaking up the roads because all you do there is fix them. That only costs us money! And they are doing that at fifteen to twenty different spots on the super highway right this minute, where they have dug up whole sections,—but that only costs us money, we should not be too disgruntled about that.

I am interested, my friends, and I hope you will look at it from the standpoint of the danger of the big truck. I think I am going to be able to show you what I mean by the danger of the big truck, the truck that runs out of control, and ninety-nine times out of a hundred the newspaper reports the brakes failed.

Here is an item from the Bulletin staff correspondents on August 2nd. It says "Ray Smock, Highway Secretary Opposes Truck Bill."

Here is one of Pennsylvania's outstanding newspapers, the Pittsburgh Post Gazette, editorials explaining to the people why we should not enact the big truck bill from the standpoint of breaking up the roads and from the standpoint of the danger of holding it in control.

Here is quite an article from Frank M. Matthews of the Pittsburgh Post Gazette. He has made a check on these things and he seems to know what he is talking about. I am not going to read them. I will give all the thanks to my gentleman friend from Allegheny, Mr. Moran, who has done a fine job.

Here is an item "Trucks and Safety"; that is what I am interested in, the trucks and the safety of them.

Here is "More Truck Opposition," by the Civic Club of Allegheny County.

Another one, "State Engineers Oppose Truck Bill. Service Offered in Drafting New Law."

But that does not make any difference to the authors of these bills or the people who are here rushing this bill—they want the bill.



Just like two years ago, I tried to amend the bill and it was O. K. with the sponsor of the bill to amend the bill. But later on, after I prepared the amendments I was told, "Oh that cannot go; they have to pass them today."

I said, "Who said that?"

He said "Those fellows back there."

They are ruining this General Assembly, while the people who elected us, thought we are running it. I do not know about that, what do you think?

Here is another, "Truck Overloading Called On Increase. Official of State Grange Makes Charge."

Young GOP—here is a good one.

After hearing the arguments for and against raising legal truck weights, the Young Republicans of Allegheny County last night allied themselves firmly against the proposed law.

The organization, at a meeting in Dutch Henry's, passed a resolution opposing Senate Bill 615 (the Big Truck Law). Copies of the resolution will go to Governor Fine and the legislators of Allegheny County, according to an announcement by James E. Gleason, county chairman of the Junior GOP."

The whole article gives here what the proposition is. The joker is revealed in the new truck bill. I think the gentleman from Crawford brought out pretty plainly.

Here is a guy that would not go on the scales because he was afraid they would hurt his tires. But they finally get him on the scale. They fined him for overweight; they fined him for resisting an officer, and he went away almost broke.

"Runaway Truck Hurdles into Steps."

Another:

In fact this in my neighborhood.

"A truck driver chose a flight of concrete city steps today to halt his vehicle's runaway flight down Steuben Street."

His brakes had gone out on him. You know, we have a lot of hills in Allegheny County and in the city of Pittsburgh.

Here is "Path Cleared For Runway Truck by Cop." Here is a policeman who is entitled to commendation.

"Clearing six autos, a trolley and a number of pedestrians from East Pittsburgh's Linden Avenue, a quick thinking policeman prevented injuries when a trailer carrying twelve and a half tons of steel got out of control last night."

No, they are not dangerous; they are just play things.

Crash Kills Pittsburgher. Two men died today from injuries suffered when a tractor-trailer plunged down a 100-foot embankment four miles west of Fulton County community."

"Three Driving From Here to Wedding Killed in Crash.

A Pittsburgh family of seven Detroit-bound to attend a wedding of relatives met a nightmare of death instead.

Three were killed near Akron and four others injured when a trailer truck crushed their two cars. All three occupants of one car were killed."

And it goes on to name them.

Here is another nice one. You can all look at this one. This is a dandy.

"16-Vehicle Pile-up Kills Four, Injures 20." "Four killed, 20 hospitalized is the total of this sixteen-

vehicle smash up on crowded Highway 17, near Huntsboro. N. Y. Here is what happened. Big trailer truck (rear) crashed out of control into rear of New York-bound taxi while going down a four-mile grade. The truck's gasoline tank exploded. The taxi, with seven occupants, three of them were killed, plowed into car ahead and resulting 'chain reaction' piled up 15 autos, resulting in a fourth death. The truck carried propane gas, which did not explode. Driver Marsdon Reese, Jr., Bayonne, N. J., said truck's air brakes suddenly gave out.

Here is another one.

New Truck Bill Raising Loads Passes Senate.

Driver killed in Sewickley Truck Crash. Eggs spattered all over Ohio River Boulevard.

Ingram man faces Manslaughter Charge in Robinson Township Crash, a truck driver.

Here is a friend of mine who is in the florist business. A big truck went right down through his display window. Those trucks are safe boys! They are safe babies, but keep away from them.

Here are a lot of postcards which I received from individual people begging me to be opposed to this bill.

Here are a lot of personal letters or I mean individual letters all opposing the bill.

Here is one, one paragraph I would like to read to you.

You can well imagine my deep shock, then, to read of the most complete and absolute sell-out of the people of this state on Wednesday, July 11, 1951.

The front page was headed "Big Truck Bill Rolls through Senate." In the story following I read:

Sen. G. Robert Watkins, R., Delaware, predicted defeat of the bill might destroy the trucking industry.

Now is not that something! Do you know, I do not know of a truck firm going broke; I never heard of a truck firm going broke yet. They seem to be making a lot of dough. I am perfectly satisfied that they are.

Here is another long letter the Big Truck Bill signed by Geo. R. Allen.

Here is a telegram from the steel workers of Aliquippa who are opposed to the big truck bill.

Here is one from the Wilkesburg Auto Club signed by George Miller—a telegram opposed to the bill.

Here is an individual letter against the bill.

Here is another one.

Yesterday morning the trucking industry carried this line in the Pittsburgh papers. They said:

Vote for Senate Bill 615, a safe truck bill for Pennsylvania. Calls for extra safety measures. Present law does not control brake sizes. New bill requires at least one square inch of brake surface for every fifty-five pounds of gross load. Most trucks have better brakes than this—but new law forces all trucks to come up to standard."

Mr. Kent on the other side of the House referred to the bill and how we took care of the law. I do not know whether I am making a mistake or what is wrong here but I thought he said 1953.

Here is how section 811 reads:

"Every commercial motor vehicle and every combination of a commercial motor vehicle and trailer or of a truck tractor and semi-trailer when used on a highway shall be equipped with brakes having an aggregate braking surface of not less than one (1) square inch for each fifty-five (55) pounds of maxi-



mum gross weight allowed by section 903 of this act but this requirement shall not apply until the first day of July one thousand nine hundred and fifty-six.

I think Mr. Kent said 1953. Unless it has been amended that is what the pink bill says.

I guess I bored you about long enough with the exception of outlining my experience at home, telephone calls and meeting people personally. My great surprise was that I ran into a local truck owner and he asked me point blank in very definite language, "How do you stand on the truck bill?" And before he could say anything further I said, "I am against the bill."

"It is a good thing you are," he said, "I am absolutely against it, and if this truck bill passes"—and this man is in the trucking business—"us little fellows will be out of business in six months."

On my way back and forth between here and Pittsburgh over the Turnpike at every opportunity I interviewed truck drivers who were stopping for service. I asked them if they were interested in this bill; that I was a Member of the Legislature and was going to be called upon to vote one way or the other.

They said, "What do we want with a heavier truck bill? Absolutely no, we are against this heavy truck bill."

Then I learned along the highway that at home and over the telephone it was unanimous against the truck bill.

I am thanking the Members of the House for allowing me to carry on the way have for the last few minutes. I want to commend the previous speakers who spoke, even the Minority Leader, and especially Mr. Kent who I think outlined the reasons why we should be against this bill about as good as it possibly could be done.

Mr. GLEASON. Mr. Speaker, if I may take a few minutes to bring out what has not been brought out on the trucking bill. They have brought out the point, Mr. Moran and some of the other speakers, that the trucks are doing all the damage to the highways and they have not mentioned anything about the weather condition in this state.

I talked to one of the Commissioners of the Turnpike here a few—well it was a month or so ago when the bill first came up, because I do not have any more interest in the trucks than I do the railroads, I depend on both. I happen to have a brother-in-law who is superintendent of a railroad, but I asked the Turnpike Commissioner what was breaking up the road and, of course, he said to me it was the condition in our drainage and that they had learned a lot in the last ten years in building roads.

There does not seem to be much hullabaloo over the railroads on the weather condition because they just killed twelve down in Louisiana the other day. There was a washout down there on the railroad. That was a weather condition.

You are talking brakes, mechanical failure—how many people were killed on the Long Island Railroad by mechanical failure or some other reason?

Another thing I would like to bring out is that the State Grange has been flooding us with mail and mail, and I cannot understand the members of the State Grange standing back and having all this money spent when it is not too much of their business, because a farmer depends on the trucks just as much as they do the railroad but I

understand that the State Grange and the railroad are in the same office and I was always told that politics makes strange bedfellows.

In answer to Bob Kent, the way I took it, Bob said he cannot understand where the weight goes when they put that extra axle on. Take a tractor with a wheel on it, it will pack the ground solid; put tracks on that same tractor and you are not going to pack the ground. You distribute the weight on the highway by extra tires or putting more pressure per square inch on another part of the road than they are by only having a single axle. I do not know whether that was Bob's idea or not. That is all I have to say.

Mr. SCANLON. Mr. Speaker, I just want to answer a statement made by the gentleman from Northampton, Mr. Jones, in regard to the notification of the various unions affiliated with the AFL.

They were all notified in regard to legislation in which they might be interested and when the convention was called these various unions did not appear. I just want to rectify the impression that might have been created that a steamroller was created by the AFL.

Mr. READINGER. Mr. Speaker, I had not originally intended to enter this debate but the gentleman from Crawford, Mr. Kent, in his very able remarks made a statement which has astounded me, and I would like to comment briefly upon it.

I am here now during my eighth term and I cannot recall when this battle between the trucking industry and the railroads and the other interested groups began, but I can remember voting on this particular matter for a good many years. If you will examine the record you will find that up until 1949 I voted against increasing the truck weights. In 1949 I voted to increase them, and I am going to do so again today.

One of the main reasons why I was opposed to this increase in weights for at least four or six years was because I was not convinced that our highways could stand these weights without undue damage. I have been waiting and trying for several years to gather sufficient scientific data upon which I can bring myself to the conclusion that this weight, this new proposed weight is going to wreck our highways. I have not found it to date.

The statement made by Mr. Kent awhile ago was that he came from the same county as the Secretary of Highways, that the honorable Secretary of Highways is his County Chairman, and that he is of the same political faith. Some of that information I had known, and you have known that the two gentlemen are both Republicans, but when Mr. Kent said that Mr. Smock had not contacted him, nor had anybody from the Highway Department contacted him about this bill to give him any information concerning the effect of the new weights, then I say I was astounded.

I was astounded for this reason: if the Secretary of Highways of this Commonwealth with all the millions of dollars which are channeled through him for building highways and maintaining highways does not even contact his own representative and tell him that this bill is going to have a detrimental effect on our highways; if the Secretary of Highways cannot do that much with all of the information at his command, with all of the facilities for research on highway experience, with the great



trust imposed upon him to take care of our highways and to see that the people of Pennsylvania get what they are paying for and that it is not taken away from them by any group, if that Secretary of Highways does not come to Mr. Kent and ask him to oppose this bill, then I say to you why are we going to vote against it when our own Secretary of Highways will not come and ask his own representative to advocate the defeat of this measure?

Does that not convince you of somethings? Does that not convince you that the Secretary of Highways either is not interested enough to find out what these weights will do to our highways or that he himself is convinced that these weights will not place an undue burden on our roads?

A great deal has been said both by Mr. Kent and many of the other speakers about the economic angles of this legislation. I do not think, and I am sure you will not agree to take the part of the railroads or to take the part of the truckers or to take the part of any other group for their own economic betterment. We are here, and we should be here to represent the people of this state. We are here to represent the vast numbers of taxpayers who are paying the taxes for these roads, and that is what we want to do.

I believe Mr. Kent said in his remarks a minute ago, or a couple of hours ago now, that we should move slowly on this type of legislation. He says what is the hurry? Why not wait and see what the Maryland road tests show. But I say I have been waiting here for eight or ten years for the information which should have been available, or could have been made available to our own Department of Highways. I have been waiting a long time today to hear anybody specifically state that the Secretary of Highways is opposed to this measure, and I have not heard it yet, and I do not expect I will before the day is out.

I say when it boils down to a question of whether we are going to try to impede progress or whether we are going to stand aside and let progress roll on, we should have enough facts today in which to make this decision.

How long are we going to delay? Suppose two years from now we have the result of the Maryland road tests! How conclusive are they going to be? Are we going to argue for another two or four or six years as to whether or not it was the weather conditions which caused the damage to the Maryland road tests or whether it was the weight of the trucks.

I would like to see this measure pass today so that this question may be decided now and we may be on our way. If at the next regular session in 1953 our Pennsylvania experience has indicated that our highways cannot take these weights without undue damage we can certainly repeal this measure and bring our weights down to where they should be and from then on we will not be spending a lot of our time and our constituents' time debating this measure. But to go on waiting and waiting under these circumstances to me is intolerable.

I have no interest whatsoever in the trucking industry any where than an ordinary citizen of this state, has and I have the same amount of interest in the railroads. I do not want the railroads to go under. I think we will always have them, and I hope we do have them, but if

the type of transportation which is going to move ahead in the competitive field is truck transportation, then I am not going to stand in its way.

I think everybody here realize that it is not only the money we pay for our highways that is involved, but it is how much money do we save on every item we buy because of cheaper transportation to us from other point. We forget the millions and milions of dollars involved in that.

I think it is important that our Pennsylvania industries are put in a competitive position so they can meet competition from other parts of the United States. That is important to us; otherwise they might move out and we might lose a lot of jobs.

But, it is mighty important to you and to me as a consumer that we do not pay any more for a product than we must pay. We are certainly paying a great deal more now than we like to; but if we are going to freeze progress, if it be progress to allow prices to be reduced by cheaper transportation then we should know what we are doing.

One more word and I am going to conclude. I received hundreds of cars, letters and communications of one kind or another from people in Berks County and the city of Reading. As you know, Reading is an important railroad center as well as it has an important trucking industry, and I must say that most of the communications I have received dealt mainly with truck and transportation safety.

The people spoke about the increase in the size of the trucks. They spoke about the slowness with which trucks go up the hills. They spoke about the speed with which they go on the level and they spoke about many, many things which I do not think are of any pertinence to this issue today.

It has already been pointed out that we are not changing the size of trucks or whether or not the brakes of some particular trucks are good or bad or whether they fail. To my mind, is not important.

Of course, we want trucks with good brakes. Everybody does. But I would like to remind you that if you will read the history of the development of railroads in Pennsylvania, as well as any other part of the country, you will find a pretty said accident record. One of the reasons you will remember is because when the railroads were constructed there were many, many level grade crossings. It was the cheapest way to get across the highways.

It cost a lot of money to build railroad bridges as you know and it is a lot cheaper for the railroads, which are being built or were then, to just simply run them across the highways and put up a sign. I know you are as familiar as I am with the "Stop, Look and Listen" signs.

Why do you think you do not see those signs today? Because in the development of the industry the people who were in authority in those days, the courts and other people involved, evolved a rule of law that unless a person crossing a railroad right of way stopped, looked and listened before he crossed, it was too bad if he got hit. That rule has been modified to some extent in the last 15 or 20 years and it should have been.

I need not remind you more than once that there have been many, many accidents at railroad crossings as well



as on the railroads themselves. You simply cannot have any industry as large as the trucking industry or the railroad industry without having some accidents. It is unfortunate but it is true and you are going to have them whether you cut the weight of these trucks down to 20,000 pounds or whether you raise them to 60,000 pounds.

The only way to get highway safety is to have adequate equipment, to have adequate enforcement of safety laws and I think we are approaching that more and more all the time.

It has already been pointed out today that this bill puts more teeth into the enforcement laws. It puts a greater penalty on the owner of the equipment if he sends out bad equipment or if he deliberately overloads. That is the answer to the problem of safety and not the matter of weight.

I would like to see this bill pass today, and if two years from now we have found that our experience is not good and that the road damages are too great to warrant the amount of weight we are allowing, I will be one of the first ones to get up here and vote to repeal this law.

Mr. DENNISON. Mr. Speaker, I doubt if there is anything that I can add to what has already been said. However, I would like to make my position perfectly clear on this matter.

I own no trucks. I operate no trucks. I am not now, never have been, nor do I expect to be on the payroll of any trucking interest. My interest in this is the same as that of my colleague from Crawford County, purely in the interest of the best interests of all of the people of Pennsylvania.

I realize that this is sort of a David and Goliath act. I realize now how David must have felt when he went out to meet Goliath. For many, many years I have had the highest respect for the gentleman from Crawford county. I realize his ability. I recognize his fine qualities and I realize how foolish I may be in opposing anything that he may say. However, I could not in justice to my position in this matter leave his remarks go unchallenged.

As I stated previously, I own no trucks, I operate no trucks, I sell no trucks that would be affected but very slightly by this bill. But I do have the interest of the industry, of farmers and the 425 million—I think that was the figure he quoted, owners of automobiles and motor vehicles—425,000, I got my digits a little off, owners of vehicles in Pennsylvania. This bill in its every provision is designed to protect those people and the investment which they have in their highways.

Now I would not as many of the others have, point out the error in the way of those who oppose this bill. Many of them are in opposition to this bill for very obvious reasons. Nor would I point out the hundreds killed by railroads in railroad accidents; I would not stoop to those practices.

However, I must say to you that this bill is designed, and has as its major purpose, the preservation of our highways and the preservation of human life in Pennsylvania.

The argument has been raised by the eminent gentleman from Crawford county that there are not adequate braking provisions in this bill, and if those provisions are adequate they are not effective until 1953.

It is rather presumptuous on the part of a layman to differ on a point of law with one learned in the law. I realize the jeopardy in which I am placing myself, but I would like to have the gentleman, if he will, refer to section 811 of the vehicle code, section (d) in which it describes not the braking area, not the number of inches of brake lining or any of the mechanical or engineering features of a motor vehicle, it only sets up a performance standard to which every vehicle in Pennsylvania must conform.

I have no intention of going into a long reading discourse but I would like to read this section of the motor vehicle code.

Every motor vehicle, trailer or semi-trailer sold in this Commonwealth and on or after January 1, 1936, and operated upon the highways, shall be equipped with service brakes upon all wheels of every such vehicle, except any motorcycle, and except that any semi-trailer having a chassis and body weight of less than one thousand pounds need not be equipped with brakes.

Here are the performance standards as they have been in the Code since 1943.

On a dry, hard, approximately level stretch of highway, free from loose material, where the grade does not exceed one per centum, the service brakes upon any motor vehicle or combination of vehicles, except as herein provided, shall be adequate to stop such vehicle or vehicles, when traveling at a speed of twenty miles per hour, within a distance of thirty feet or at a rate corresponding to such performance."

I am reliably informed by those well versed in highway safety that this provision is an adequate stopping provision for the code. There has been no request that we change that particular provision. Therefore, I say to you that these vehicles, regardless of the weight, must come within the provisions of the Code and must stop within that required distance.

The question has been raised, and I say I do not want to take too much time on this particular matter concerning a study to be made, a study of the provisions of this bill.

Now man and boy I have been in this House since 1941 studying this bill. I served as Chairman of the Committee between the 1947 and 1949 sessions to do just that very thing. We made that study, made our report and subsequently I sponsored the truck bill in the 1949 session.

At the close, if you will refer to your history, of the 1949 session, a resolution was introduced asking that a study of highway transportation be made, that a committee be appointed rather, and a study of highway transportation be made and that a report be rendered to the 1951 session. However, that was never acted upon.

In October of 1950 I wrote to the Joint State Government Commission asking that a study be made of motor transportation and its effect upon highways and a report be rendered to the 1951 session.

I ask you how long must a study be made in order to determine the results. If we have been studying this problem since 1941 and still are as vague as the gentleman from Crawford would lead you to believe, are still so lacking in information, when, I ask you, will we ever resolve this question?



The gentleman raised another question about maximum gross weights. He said it is not clear in the Code what the maximum gross weights are, or axle weights rather. I would refer him again to section 903 of the vehicle Code where it says, the weight of no tractor or trailer, semi-trailer combined except fire equipment shall be operated upon any highway with a gross weight in excess of 45,000 pounds or in excess of 20,000 pounds on an axle.

It is very clearly stated here. There is however, an 18,000 pound load on a single truck but it is very clear and it is not confusing, and I know of no case where there has been any contest as to what the axle weights in Pennsylvania are.

All of these things lend themselves to discussion. There is little perhaps that I could add to what has already been said. I do not believe that anything that I could say or anything that anybody else has said here this afternoon has changed a single vote in this House. I will, therefore, ask that the debate be now terminated and a vote be taken.

Mr. KENT. Mr. Speaker, I do not intend to take any more of the time of the House. There is one thing I had thought that I made clear, and I cannot let it stand on the record as it is now.

My only purpose in even referring to the Highway Department of Pennsylvania was to be fair with the Members of this House so that they might know exactly my stand.

Why the Secretary of Highways did not consult me about this bill I do not know. I can only suggest, and I do not do this egotistically, the only reason that I would know of is that I think the gentleman knows me well enough to know that I will represent the people of Crawford county, and I will not represent him in any special way.

I think his stand, or his ideas of truck weights on the highways of Pennsylvania is a matter of record and has been published in the newspapers of this state.

Knowing him as I do, I know that his office is open to any Member of this legislative body who wants to go there and get the information that they have, and I believe he has said in the Press that he is in favor of the standards which have been adopted or approved by the American Association of Highway Officials. I do not know what they are in detail. They are not the same as the ones contained in this bill but it is with a great deal of satisfaction and a great deal of comfort, and probably a great deal of pride, that I am able to stand here—I wanted to make that impression—that I have been able to stand here today and make my observations on this bill and on this subject, by any interest, any special interests except those of the people whom represent.

I think many in the House are not able to share that comfort, at least, that I have had.

Mr. HEWITT. Mr. Speaker, I think the Members of this House will recognize the fact that I do not take much of their valuable time. However, there is one observation I think the Members' attention should be called to.

During the 1947 hearing before the Motor eVehicle Committee, of which was a member, the question was asked when we were speaking of these states around us having heavier loads, whether the engineers of various states

approved the plans? We were informed, without any contradiction, that all the engineers of all the surrounding states, have fought these heavier loads although Legislatures went ahead and adopted them.

On the question recurring,  
Shall the bill pass finally?  
Agreeably to the provisions of the Constitution the yeas and nays were taken.

A verification of the roll was requested by Messrs. Moran, Louis Leonard and Rigby.

The roll was verified and was as follows:

YEAS—112

Amarando,	Frost,	Lovett,	Robertson,
Andrews,	Gibson,	Lutty,	Rose,
Banker,	Gleason,	Lyons,	Rosen,
Barkdoll,	Good,	Markley,	Rubin,
Baumunk,	Goodling,	Mazza,	Sarra,
Bear,	Guarnieri,	McCormack,	Sax,
Beech,	Gutendorf,	McCullough,	Scanlon,
Bloom,	Guthrie,	McGee,	Schmidt,
Bolton,	Hagerty,	McInroy,	Seyler,
Bower,	Hamilton, W. H.,	McKinney,	Shotwell,
Brown,	Haudenshield,	Metz,	Smith,
Bucchin,	Helm,	Mihm,	Spencer,
Byrne,	Hersch,	Mintess,	Stimmel,
Cella,	Hocker,	Monroe,	Stoner,
Clapper,	Hoggard,	Muldowney,	Tahl,
Glendenning,	Johnson,	Najaka,	Thompson, E. F.,
Conway,	Jones, G. E.,	Naugle,	Toil,
Corr,	Jones, P. F.,	Penglase,	VanSant,
Costa,	Jones, T. H. W.,	Peta,	Varallo,
Coyle,	Kamyk,	Petrosky,	Varner,
Dennison,	Keller,	Pettigrew,	Verona,
Dougherty,	Kubacki,	Pichney,	Watkins,
DuBois,	Lafore,	Pitzer,	Weidner,
Duffy,	Lederer,	Polen,	White,
Ewing,	Leonard, W. C.,	Price, H. W. Jr.,	Williams,
Fenrich,	Leven,	Price, R. A.,	Wilt,
Firmstone,	Limper,	Readinger,	Yeakel,
Flack,	Lottus,	Reese,	Sorg,

Speaker

NAYS—79

Beaver,	Hamilton, R. K.,	Mikula,	Snider,
Berkstresser,	Headlee,	Miller, H. G.,	Sollenberger,
Blair,	Hewitt,	Miller, J. C.,	Stank,
Breisch,	Hunter,	Moore, C. E.,	Swartz,
Breth,	Jenkins,	Moore, H. A.,	Swope,
Cochran,	Jones, J. M.,	Moran,	Taylor,
Cooper,	Kent,	Munley,	Thompson, R. L.,
Dalrymple,	Kline,	Murray,	Tompkins,
Davis,	Kohl,	Musto,	Toomey,
Dowling,	Kolankiewicz,	Polaski,	Wachhaus,
Dunn,	Kornick,	Reagan,	Wargo,
Erb,	Lelsey,	Reidenbach,	Waterhouse,
Ferster,	Leonard, L.,	Reilly, J. M.,	Welsh,
Filip,	Light,	Rigby,	Wescott,
Filo,	Lopresti,	Riley, R. L.,	Westrick,
Gaffney,	Madden,	Rovansek,	Wheeler,
Graybill,	Madigan,	Royer,	Wood,
Greenwood,	McDermitt,	Schuster,	Yester,
Greer,	McMillen,	Scott,	Yetzer,
Hall,	McNally,	Shoemaker,	

NOT VOTING—16

Boles,	Harney,	McConnell,	Pfaff,
Bomberger,	Jump,	Mills,	Whalley,
Boorse,	Kratz,	Needham,	Young,
Geer,	Maxwell,	Olsen,	Ziegler,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.



## BILLS ON THIRD READING POSTPONED

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. BLAIR.

The House resumed the consideration on third reading of House Bill No. 732, as follows:

An Act to repeal the act approved the twenty-eighth day of July one thousand nine hundred forty-one (P. L. 535) entitled "An act providing for the redemption of real property purchased by political subdivisions at tax sales upon the payment of the amount charged against the same and costs by installment payments and prescribing the procedure therefor" in so far as it relates to counties of the fourth class and cities boroughs townships and school districts situate in such counties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the twenty-eighth day of July one thousand nine hundred forty-one (P. L. 535) entitled "An act providing for the redemption of real property purchased by political subdivisions at tax sales upon the payment of the amount charged against the same and costs by installment payments and prescribing the procedure therefor" is hereby repealed in so far as it relates to all counties of the fourth class and all cities boroughs townships and school districts situate in such counties

On the question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. LOPRESTI. Mr. Speaker, for the information of the Members of the House we are now voting on House Bill 732 which if passed would repeal the Act of 1941.

The Act sought to be repealed by the present bill is the Act which permits redemption by a former owner of property which he has lost to the county, on a payment plan.

Under the Act of 1935 if an individual has lost his property at a tax sale any time before the county has delivered a deed for that property to a third person, the former owner may come into the county and thereupon enter into an agreement with the County Commissioners which agreement provides that the person pays one-fifth or twenty percent of the delinquent taxes plus the current year's taxes. Then each year thereafter he pays 20 percent of the delinquent taxes plus the current year's taxes before the same become delinquent.

The individual who is redeeming under this agreement pays all the taxes on his property plus the penalties and the interest. This bill, in 1941, I believe this Legislature found was a necessity. Many persons had lost their properties and were not in a position to redeem them by paying all of the taxes at one time, and in order to permit an unfortunate owner to redeem his property, a percentage plan was brought about under the Act of 1941.

As it stands today, we passed an Act here just last week—passed the bill through this House—which amended the Act of 1941 providing that a former owner would only enter into these agreements one time; that if he entered into an agreement and defaulted he thereafter lost his right to redeem that particular property. This bill which we passed placed an amendment in the book which provided that a man in redeeming his property had to act in good faith. If he was only pretending to

redeem and then allowed it to relapse he no longer had the right, if the bill we passed here last week were to become law.

I do not know the special reason for wanting to repeal the Act of 1941. In our county the Act of 1941 has worked a hardship on no one, but it has been beneficial to several property owners who have wanted to redeem their property but were not in the position to bring forth all the money required at one time. As I say, I know of no one who has been injured by the law as it exists today.

A rather particular situation existed in your county which was called to my attention, where individuals went in to redeem, when the County had found another buyer and then afterward failed to follow through on the agreements.

As I have previously mentioned we have taken care of that situation by another bill passed last week. Therefore, I can see no reason for repealing what in 1941 was good law, and I submit even today is good law, because it allows a former owner to do nothing more than come in and pay all of his taxes and redeem his property. I think every property owner should be allowed to do that at any time.

With that thought in mind I believe this bill should be voted down.

## MR. WOOD IN THE CHAIR

Mr. BLAIR. Mr. Speaker, may I interrogate the gentleman from Cambria, Mr. Lopresti?

The SPEAKER. Will the gentleman from Cambria, Mr. Lopresti, permit himself to be interrogated?

Mr. LOPRESTI. I shall, Mr. Speaker.

Mr. BLAIR. Mr. Speaker, I just want to make one question clear. In Cambria County are you free from debt at the present time?

Mr. LOPRESTI. Mr. Speaker, we are not.

Mr. BLAIR. Mr. Speaker, in Erie County, our county officials are faced with a burden on this county owned property. Also I wish to state to the Members of the House that our county at the present time is perfectly debt free with over a half million dollars in a retirement fund which we can attribute to their efficient and well-managed work that they have performed for the county.

They have repeatedly told me that this bill is working a hardship on us up there and for that reason I ask the Members to support me and my county officials in the carrying out of their duties which will allow them to carry on and do the things that are required, for the good of the county of Erie.

Mr. LOPRESTI. Mr. Speaker, I desire to interrogate the gentleman from Erie, Mr. Blair.

The SPEAKER. Will the gentleman from Erie, Mr. Blair, permit himself to be interrogated?

Mr. BLAIR. I shall, Mr. Speaker.

Mr. LOPRESTI. Mr. Speaker, I desire to know how a law which permits a former owner to redeem by paying all the taxes, interest and penalties can possibly harm the county of Erie.

Mr. BLAIR. Mr. Speaker, that could happen in several different ways. I suppose chiefly because we have, unfortunately, people in Erie County who take advantage of the loopholes in the law.

Mr. LOPRESTI. Mr. Speaker, is it not a fact that the



bill which passed this House last week closes that loophole which you spoke of?

Mr. BLAIR. Mr. Speaker, perhaps in your mind it does, but in the mind of our county officials it did not seem to take care of the situation that they felt was very vital to the interests of the people of Erie County.

#### THE SPEAKER (Herbert P. Sorg) IN THE CHAIR

Mr. LOPRESTI. Mr. Speaker, in what respect do the County Commissioners of Erie County contend now that there is a loophole in the act of 1941?

Mr. BLAIR. Mr. Speaker, in answer to that, the gentleman from Cambria is engaged in that type and kind of work and is far better able to analyze it than I am of work and is far better able to analyze it than I am, because I am doing this merely as a request from my county officials, which I have every faith and confidence in their ability to handle this situation. There are a great many things that I am not familiar with or too well acquainted with to answer all the questions he might ask because after all he is engaged in that type and line of work.

Mr. LOPRESTI. Mr. Speaker, I might say at this point that I am engaged in this particular type of work; that I happen to be at the present moment the manager of the property owned by the County of Cambria, and as such, properties that are sold by the County of Cambria are passed through my office.

I have had ample opportunity to study the Act. I have seen it in effect ever since it was passed and have had intimate dealings with the Act. As I say, I know of no instance where Cambria County has suffered any loss by reason of adopting a 20 percent payment plan. In every instance that we have entered into such an agreement the County has either received all of its money and the current taxes before they became delinquent, or the property was returned and we were later in a position to resell it.

So I say the county cannot possibly suffer any harm under the Act of 1941, but by repealing the Act of 1941 a former owner who is not in a position to lay down on the line the entire amount of the taxes due at that time will suffer the loss of his property. I also say that the Act of '41 does good to someone and harm to no one and should be retained.

Mr. ANDREWS. Mr. Speaker, this bill seems to me to be a bill that would enable the fellow with the cash to gobble up the property which has been foreclosed in the case of the fellow who did not have any cash. It would, therefore, seem to be a bad bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—44

Blair,	Frost,	Light,	Rubin,
Bolton,	Gibson,	Lyons,	Smith,
Bomberger,	Gleason,	Markley,	Stimmel,
Cella,	Graybill,	McCullough,	Stoner,
Clapper,	Hamilton, W. H.,	McInroy,	Tahl,
Dalrymple,	Haudenschild,	Miller, H. G.,	Thompson, R. L.,
Davis,	Jones, T. H. W.,	Mintess,	VanSant,
Dennison,	Keller,	Pichney,	Varnier,
Ewing,	Kline,	Pitzer,	Waterhouse,
Ferster,	Lafore,	Polaski,	Wescott,
Flack,	Lelsey,	Riley, R. L.,	Sorg,

Speaker

#### NAYS—107

Amarando,	Gutendorf,	McDermitt,	Rovansek,
Andrews,	Hagerty,	McGee,	Sarraf,
Banker,	Hall,	McKinney,	Scanlon,
Baumunk,	Hamilton, R. K.,	McMillen,	Schmidt,
Bear,	Headlee,	McNally,	Schuster,
Beaver,	Hersch,	Mihm,	Seyler,
Berkstresser,	Hewitt,	Mikula,	Shotwell,
Bower,	Hocker,	Miller, J. C.,	Snider,
Breth,	Hoggard,	Monroe,	Sollenberger,
Brown,	Hunter,	Moore, C. E.,	Stank,
Buchlin,	Jenkins,	Moore, H. A.,	Swartz,
Byrne,	Jones, G. E.,	Moran,	Taylor,
Clendenning,	Jones, J. M.,	Muldowney,	Toill,
Cochran,	Jones, P. F.,	Munley,	Wachhaus,
Cooper,	Kamyk,	Murray,	Wargo,
Corr,	Kohl,	Penglase,	Weldner,
Coyle,	Kolankiewicz,	Peta,	Welsh,
Dougherty,	Kornick,	Petrosky,	Westrick,
Dowling,	Kubacki,	Pettigrew,	Wheeler,
DuBols,	Lederer,	Polen,	White,
Duffy,	Leonard, L.,	Price, R. A.,	Williams,
Dunn,	Leven,	Readinger,	Wilt,
Fillip,	Limper,	Reagan,	Wood,
Filo,	Lopresti,	Reese,	Yeakel,
Firmstone,	Lovett,	Reidenbach,	Yester,
Gaffney,	Lutty,	Reilly, J. M.,	Yetzer,
Guarnieri,	Mazza,	Robertson,	

#### NOT VOTING—56

Barkdoll,	Greer,	McCormack,	Sax,
Beech,	Guthrie,	Metz,	Scott,
Bloom,	Harney,	Mills,	Shoemaker,
Boles,	Helm,	Musto,	Spencer,
Boorse,	Johnson,	Najaka,	Swope,
Breisch,	Jump,	Naugle,	Thompson, E. F.,
Conway,	Kent,	Needham,	Tompkins,
Costa,	Kratz,	Olsen,	Toomey,
Erb,	Leonard, W. C.,	Pfaff,	Varallo,
Fenrich,	Loftus,	Price, H. W. Jr.,	Verona,
Geer,	Madden,	Rigby,	Watkins,
Good,	Madigan,	Rose,	Whalley,
Goodling,	Maxwell,	Rosen,	Young,
Greenwood,	McConnell,	Royer,	Ziegler,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. HAROLD G. MILLER.

The House resumed the consideration on third reading of Senate Bill No. 496, as follows:

An Act authorizing the Department of Highways to erect and construct a bridge on Race Street between Sixth and Broad Avenues over certain railroad tracks in the City of Altoona empowering the Public Utility Commission to fix and determine the proportionate shares of the cost and maintenance thereof including compensation for damages to adjacent land owners and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Highways is hereby authorized to erect and construct a bridge on Race Street between Sixth and Broad Avenues over the railroad tracks of the Hollidaysburg and Petersburg Branch of The Pennsylvania Railroad in the City of Altoona as part of State Highway Route 55 Spur C as established by law

Section 2 In the construction of said bridge and the approaches thereto the Department of Highways shall have all of the powers and authority conferred with respect to the relocation widening or construction of State highways and any damages sustained by reason of the taking of property in the construction of said bridge and approaches thereto shall be ascertained as provided in the act approved the first day of June one thousand nine hundred forty-five (P. L. 1242) known as the "State Highway Law" and its amendments

Section 3 The compensation for damages which may be



sustained by the owners of property adjacent to the bridge and approaches thereto as well as the expense of construction and maintenance of said bridge and approaches thereto shall be borne and paid in such proportions as the Pennsylvania Utility Commission after due notice and hearing shall determine unless such proportions are mutually agreed upon and paid by the interested parties

Section 4 So much money as may be necessary is hereby appropriated from the Motor License Fund for the construction of such bridge and the approaches thereto and for the payment of damages for property taken injured or destroyed in connection therewith

Section 5 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—205

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarraff,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenshield,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Breisch,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Buechin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendenning,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Kamyk,	Najaka,	Toomey,
Corr,	Keller,	Naugle,	VanSant,
Costa,	Kent,	Needham,	Varallo,
Coyle,	Kline,	Olsen,	Varnier,
Dalrymple,	Kohl,	Penglase,	Verona,
Davis,	Kolankiewicz,	Peta,	Wachhaus,
Dennison,	Kornick,	Petrosky,	Wargo,
Dougherty,	Kratz,	Pettigrew,	Waterhouse,
Dowling,	Kubacki,	Pfaff,	Watkins,
DuBois,	Lafore,	Pichney,	Weidner,
Duffy,	Lederer,	Pitzer,	Welsh,
Dunn,	Leisey,	Polaski,	Wescott,
Erb,	Leonard, L.,	Polen,	Westrick,
Ewing,	Leonard, W. C.,	Price, H. W. Jr.,	Wheeler,
Fenrich,	Leven,	Price, R. A.,	White,
Ferster,	Light,	Readinger,	Williams,
Filip,	Limper,	Reagan,	Wilt,
Filo,	Loftus,	Reese,	Wood,
Firmstone,	Lopresti,	Reidenbach,	Yeakel,
Flack,	Lovett,	Reilly, J. M.,	Yester,
Frost,	Lutty,	Rigby,	Yetzer,
Gaffney,	Lyons,	Riley, R. L.,	Young,
Geer,	Madden,	Robertson,	Ziegler,
Gibson,	Madigan,	Rose,	Sorg,
Gleason,	Markley,	Rosen,	
Good,		Rovansek,	Speaker

#### NAYS—0

#### NOT VOTING—2

Jump,

Whalley,

The majority required by the Constitution having voted

in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

#### BILLS PASSED OVER

There being no objection

Senate Bill No. 708 Printer's No. 338

Senate Bill No. 734 Printer's No. 369 and

Senate Bill No. 752 Printer's No. 485

were passed over at the request of the SPEAKER.

#### PERMISSION GRANTED COMMITTEES TO MEET DURING SESSION

Mr. WATKINS asked and obtained permission for the Committee on State Government to meet during the session of the House.

#### RESOLUTION

#### TO DISCHARGE COMMITTEE (HOUSE BILL 464)

Mr. GUARNIERI offered a resolution which was read and considered as follows:

In the House of Representatives, August 14, 1951.

Resolved, that the Committee on Workmen's Compensation be discharged from further consideration of House Bill No. 464, Title: "An act to further amend the act, approved the twenty-first day of June, one thousand nine hundred thirty-one (P. L. 566), entitled 'The Pennsylvania Occupational Disease Act,' including all occupational diseases within its provisions; changing the maximum and minimum rates, total amounts and aggregate of compensation, increasing the period in which claims may be made, eliminating the medical board and placing its powers and duties upon the Workmen's Compensation Board, and changing certain practices and procedure in compensation claims.

Said bill having been referred to the Committee on Workmen's Compensation, on February 27, 1951.

On the question,

Will the House adopt the resolution?

Mr. GUARNIERI. Mr. Speaker, I am asking at this time in the resolution submitted to the House that the Committee on Workmen's Compensation be discharged from further consideration of House Bill 464.

House Bill 464 was introduced in this House by Mr. Mazza and Mr. Mikula on February 26th of this year. It was referred to the Committee on Workmen's Compensation on February 27th of this year.

Well night six months have passed since the time this bill was referred to the Workmen's Compensation Committee. Here we are in August, and as yet the bill has not been referred out of the Committee or reported out on the floor.

I believe the Committee has had more, very much more than ample time to study and consider the provisions of House Bill 464, which proposes to amend the occupational disease act in various respects.

Of course I shall not speak upon the merits of the bill, but I believe that a cardinal principle of constitutional procedure and democratic procedure is that this House and every Member of this House should have the right and the benefit of considering every piece of legislation that is referred to a Committee.



I think since the Committee has not acted, and having had more than ample time, the membership of this House should be given the opportunity and its due opportunity, its just right to have this bill presented to the floor of the House, so that we may consider its provisions and act upon it.

Mr. LOVETT. Mr. Speaker, we will have a number of discharge resolutions before us, and I just want to say to the membership of the House that I would not want any body to be recorded one way or the other against their wishes, so I will call the attention of the House to the fact that we now have discharge resolutions before us.

These bills have been in the committees for many, many months. I have stood here and told you on different occasions that we did not need to waste our time that there were many bills in the Committees that should be brought to the floor of the House for consideration.

I now call the attention of the House to the fact that we are going to introduce discharge resolutions.

Mr. SMITH. Mr. Speaker, I rise to oppose this motion. At the risk of repeating myself, I will again remind all of the Members of the House that a vote on a resolution to discharge a Committee is not voting for or against the bill.

The gentleman from Philadelphia has said that the democratic process would be to bring out the bills and allow everyone to vote on them.

I must disagree with the gentleman in that respect. I think that our committee set-up is the most feasible and the most workable that could be possibly had under any democratic process.

I am sure that the gentleman must agree that we could not bring out every individual bill that is referred to these committees. We have over 1500 bills. We are not able to bring all these bills out.

While the gentleman may be very enthusiastic about the bill he mentioned, some of the Members of the committee may not be, and that works both ways, he may not be for some bills that are in Committee, while some other member might be.

I might just inject here that there are going to be probably fifteen or twenty discharge resolutions at this time and I do not intend to take up the time of the House to speak on every resolution. I would ask the Members of the House to vote down all of these resolutions to discharge Committees.

Our committee set-up has worked. It is working now, it has worked in the past and it will work in the future.

If the members of the House will consider what we have done, I do not think they need be ashamed to vote against resolution on to discharge any committee.

We have given the people of our Commonwealth through our committee system good bills, putting them out on the floor and giving the members the opportunity of voting on them.

We have passed this year—and let me put this on the record, a good Civil Defense program; we have passed through our committee system the Philadelphia Port Authority which we have been trying to get in Philadelphia for years; we have passed a package of public health bills that everyone here can be proud of, and that we are proud of; we have passed a package of welfare

bills among which was one to license the homes for the aged and the foster homes for children. Everyone here can be proud of them.

We have passed a labor program, second to none in workmen's compensation, occupational disease and unemployment compensation. We have passed an FEPC bill; we have given the farmers the gas tax refund mill; we have strengthened our public assistance law; we have passed the oleo bill which we have been trying to pass for years. We have passed a school teacher program that is second to none. The members who sits in this House need not be ashamed of that record.

Our committee system is working. It is working for the people of this Commonwealth, and the record proves that it is working. I would ask that the Members of this House vote down all of these resolutions.

Mr. LOVETT. Mr. Speaker, I appreciate the remarks of the gentleman from Philadelphia, Mr. Smith. I want to remind the gentleman that he can praise the actions of his Committees, but I say honestly to him, and I say to the Members of this House that discharge resolutions are proper and in order; that the membership of the House should be given the opportunity to vote on all legislation. The Sponsors of that type of legislation are interested to the extent that they want the legislation reported to the floor of this House so that there may be a record vote on that particular piece of legislation. If we do not do that, we do not have any record, under your present committee system, and I say again to the membership of this House that discharge resolutions are proper and in order. They should receive the support of the men who are sponsors of legislation that is stifled in Committee and that the Committee will not report to the floor of this House for a vote.

Mr. SMITH. Mr. Speaker, I would say that the gentleman has a right to an honest opinion. But we also feel, and I have so stated, that the committee system is the democratic system, and that we cannot and should not bring forth every bill for a vote.

I ask the Member of this House to vote down these resolutions.

On the question recurring,  
Will the House adopt the resolution?

The yeas and nays were required by Mr. Guarnieri and Mr. Lovett and were as follows:

YEAS—89

Amarando,	Headlee,	McGee,	Reidenbach.
Andrews,	Hersch,	McNally,	Rose,
Beaver,	Hoggard,	Mihm,	Rosen.
Berkstresser,	Hunter,	Miller, J. C.,	Rovansek,
Boles,	Jenkins,	Mills,	Sarrat.
Breth,	Jones, G. E.,	Monroe,	Scanlon.
Bucchin,	Jones, J. M.,	Moran,	Schmidt.
Byrne,	Jones, P. F.,	Muldowney,	Schuster,
Cochran,	Kamyk,	Munley,	Seyler,
Conway,	Kolankiewica,	Musto,	Snider,
Corr,	Kornick,	Needham,	Stank,
Coyle,	Kubacki,	Olsen,	Swope,
Dougherty,	Lederer,	Penglase,	Taylor,
Duffy,	Leonard, L.,	Peta,	Toil,
Fenrich,	Leven,	Petrosky,	Varallo,
Filip,	Limper,	Pettigrew,	Verona,
Filo,	Lopresti,	Pfaff,	Wargo,
Gaffney,	Lovett,	Polaski,	Welsh,
Good,	Lutty,	Polen,	Westrick,
Guarnieri,	Maxwell,	Price, R. A.,	Wheeler,
Hagerty,	Mazza,	Readinger,	Williams,
Hamilton, R. K.,	McDermitt,	Reese,	Yester,
			Yetzer,



## NAYS—116

Banker,	Frost,	Lyons,	Sax,
Barkdoll,	Geer,	Madden,	Scott,
Baumunk,	Gibson,	Madigan,	Shoemaker,
Bear,	Gleason,	Markley,	Shotwell,
Beech,	Goodling,	McConnell,	Smith,
Blair,	Graybill,	McCormack,	Sollenberger,
Bloom,	Greenwood,	McCullough,	Spencer,
Bolton,	Greer,	McInroy,	Stimmel,
Bomberger,	Gutendorf,	McKinney,	Stoner,
Boorse,	Guthrie,	McMillen,	Swartz,
Bower,	Hall,	Metz,	Tahl,
Breisch,	Hamilton, W. H.,	Mikula,	Thompson, E. F.,
Brown,	Harney,	Miller, H. G.,	Thompson, R. L.,
Cella,	Haudenshield,	Mintess,	Tompkins,
Clapper,	Helm,	Moore, C. E.,	Toomey,
Clendenning,	Hewitt,	Moore, H. A.,	VanSant,
Cooper,	Hocker,	Murray,	Varnar,
Costa,	Johnson,	Najaka,	Wachhaus,
Dalrymple,	Jones, T. H. W.,	Naugle,	Waterhouse,
Davis,	Keller,	Pichney,	Watkins,
Dennison,	Kent,	Pitzer,	Weidner,
Dowling,	Kline,	Price, H. W. Jr.,	Wescott,
DuBols,	Kohl,	Reagan,	White,
Dunn,	Kratz,	Reilly, J. M.,	Wilt,
Erb,	Lafore,	Rigby,	Wood,
Ewing,	Lelsey,	Riley, R. L.,	Yeakel,
Ferster,	Leonard, W. C.,	Robertson,	Young,
Firmstone,	Light,	Royer,	Ziegler,
Flack,	Loftus,	Rubin,	Sorg,

Speaker

## NOT VOTING—2

Jump. Whalley,

So the question was determined in the negative and the resolution was not adopted.

## RESOLUTION

## TO DISCHARGE COMMITTEE (HOUSE BILL 461)

Mr. GUARNIERI offered a resolution which was read and considered as follows:

In the House of Representatives, August 14, 1951.

Resolved, that the Committee on Workmen's Compensation be discharged from further consideration of House Bill No. 461, title: "An Act to further amend the act, approved the second day of June, one thousand nine hundred fifteen (P. L. 736), entitled as amended 'Workmen's Compensation Act of 1915,' by changing maximum and minimum rates, periods, total amounts and aggregate of compensation; prescribing additional coverages; increasing the periods in which claims may be made; and changing certain practice and procedure in compensation claims."

Said bill having been referred to the Committee on Workmen's Compensation, on February 27, 1951.

On the question,

Will the House adopt the resolution?

Mr. ANDREWS. Mr. Speaker, we are willing to take the same roll-call on all the other discharge resolutions.

The yeas and nays were required by Mr. Guarnieri and Mr. Lovett and were as follows:

## YEAS—89

Amarando,	Headlee,	McGee,	Reidenbach,
Andrews,	Hersch,	McNally,	Rose,
Beaver,	Hoggard,	Mihm,	Rosen,
Berkstresser,	Hunter,	Miller, J. C.,	Rovansek,
Boles,	Jenkins,	Mills,	Sarraf,
Breth,	Jones, G. E.,	Monroe,	Scanlon,
Bucchin,	Jones, J. M.,	Moran,	Schmidt,
Byrne,	Jones, P. F.,	Muldowney,	Schuster,
Cochran,	Kamyk,	Munley,	Seyler,
Conway,	Kolankiewicz,	Musto,	Snider,
Corr,	Kornick,	Needham,	Stank,

Coyle,	Kubacki,	Olsen,	Swope,
Dougherty,	Lederer,	Penglass,	Taylor,
Duffy,	Leonard, L.,	Peta,	Toll,
Fenrich,	Leven,	Petrosky,	Varallo,
Filip,	Limper,	Pettigrew,	Verona,
Filo,	Lopresti,	Pfaff,	Wargo,
Gaffney,	Lovett,	Polaski,	Welsh,
Good,	Lutty,	Polen,	Westrick,
Guarnieri,	Maxwell,	Price, R. A.,	Wheeler,
Hagerty,	Mazza,	Readinger,	Williams,
Hamilton, R. K.,	McDermitt,	Reese,	Yester,

## NAYS—116

Banker,	Frost,	Lyons,	Sax,
Barkdoll,	Geer,	Madden,	Scott,
Baumunk,	Gibson,	Madigan,	Shoemaker,
Bear,	Gleason,	Markley,	Shotwell,
Beech,	Goodling,	McConnell,	Smith,
Blair,	Graybill,	McCullough,	Sollenberger,
Bloom,	Greenwood,	McCormack,	Spencer,
Bolton,	Greer,	McInroy,	Stimmel,
Bomberger,	Gutendorf,	McKinney,	Stoner,
Boorse,	Guthrie,	McMillen,	Swartz,
Bower,	Hall,	Metz,	Tahl,
Breisch,	Hamilton, W. H.,	Mikula,	Thompson, E. F.,
Brown,	Harney,	Miller, H. G.,	Thompson, R. L.,
Cella,	Haudenshield,	Mintess,	Tompkins,
Clapper,	Helm,	Moore, C. E.,	Toomey,
Clendenning,	Hewitt,	Moore, H. A.,	VanSant,
Cooper,	Hocker,	Murray,	Varnar,
Costa,	Johnson,	Najaka,	Wachhaus,
Dalrymple,	Jones, T. H. W.,	Naugle,	Waterhouse,
Davis,	Keller,	Pichney,	Watkins,
Dennison,	Kent,	Pitzer,	Weidner,
Dowling,	Kline,	Price, H. W. Jr.,	Wescott,
DuBols,	Kohl,	Reagan,	White,
Dunn,	Kratz,	Reilly, J. M.,	Wilt,
Erb,	Lafore,	Rigby,	Wood,
Ewing,	Lelsey,	Riley, R. L.,	Yeakel,
Ferster,	Leonard, W. C.,	Robertson,	Young,
Firmstone,	Light,	Royer,	Ziegler,
Flack,	Loftus,	Rubin,	Sorg,

Speaker

## NOT VOTING—2

Jump. Whalley,

So the question was determined in the negative and the resolution was not adopted.

## RESOLUTION

## TO DISCHARGE COMMITTEE (HOUSE BILL 321)

Mr. PAUL F. JONES offered a resolution which was read and considered as follows:

In the House of Representatives, August 14, 1951.

Resolved, that the Committee on Workmen's Compensation be discharged from further consideration of House Bill No. 321, title: "An Act to further amend the title section two hundred four and subsection (a) of section three hundred one and to repeal section three hundred two three hundred three and three hundred four of the act approved the second day of June one thousand nine hundred fifteen (P. L. 736) entitled as amended 'Workmen's Compensation Act of 1915' making the schedules of compensation compulsory upon all employers."

Said bill having been referred to the Committee on Workmen's Compensation, on February 14, 1951.

On the question,

Will the House adopt the resolution?

The yeas and nays were required by Mr. Paul F. Jones and Mr. Lovett and were as follows:

## YEAS—89

Amarando,	Headlee,	McGee,	Reidenbach,
Andrews,	Hersch,	McNally,	Rose,
Beaver,	Hoggard,	Mihm,	Rosen,
Berkstresser,	Hunter,	Miller, J. C.,	Rovansek,



Boles, Breth, Bucchin, Byrne, Cochran, Conway, Corr, Coyle, Dougherty, Duffy, Fenrich, Filip, Filo, Gaffney, Good, Guarnieri, Hagerty, Hamilton, R. K.,	Jenkins, Jones, G. E., Jones, J. M., Jones, P. F., Kamyk, Kolankiewicz, Kornick, Kubacki, Lederer, Leonard, L., Leven, Limper, Lopresti, Lovett, Lutty, Maxwell, Mazza, McDermitt,	Mills, Monroe, Moran, Muldowney, Munley, Musto, Needham, Olsen, Penglase, Peta, Petrosky, Pettigrew, Pfaff, Polaski, Polen, Price, R. A., Readinger, Reese,	Sarraff, Scanlon, Schmidt, Schuster, Seyler, Snider, Stank, Swope, Taylor, Toll, Varallo, Verona, Wargo, Welsh, Westrick, Wheeler, Williams, Yetzer, Yester,
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NAYS—116

Banker, Barkdoll, Baumunk, Bear, Beech, Blair, Bloom, Bolton, Bomberger, Boorse, Bower, Breisch, Brown, Cella, Clapper, Clendenning, Cooper, Costa, Dalrymple, Davis, Dennison, Dowling, DuBois, Dunn, Erb, Ewing, Ferster, Firmstone, Flack,	Frost, Geer, Gibson, Gleason, Goodling, Graybill, Greenwood, Greer, Gutendorf, Guthrie, Hall, Hamilton, W. H., Harney, Haudenshield, Helm, Hewitt, Hocker, Johnson, Jones, T. H. W., Keller, Kent, Kline, Kohl, Kratz, Lafore, Laisey, Leonard, W. C., Light, Loftus,	Lyons, Madden, Madigan, Markley, McConnell, McCormack, McCullough, McInroy, McKinney, McMillen, Metz, Mikula, Miller, H. G., Mintess, Moore, C. E., Moore, H. A., Murray, Najaka, Naugle, Pichney, Pitzer, Price, H. W. Jr., Reagan, Reilly, J. M., Rigby, Riley, R. L., Robertson, Royer, Rubin,	Sax, scott, Shoemaker, Shotwell, Smith, Sollenberger, Spencer, Stimmel, Stoner, Swartz, Tahl, Thompson, E. F., Thompson, R. L., Tompkins, Toomey, VanSant, Varner, Wachhaus, Waterhouse, Watkins, Weidner, Wescott, White, Wilt, Wood, Yeakel, Young, Ziegler, Sorg, Speaker
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NOT VOTING—2

Jump. Whalley.

So the question was determined in the negative and the resolution was not adopted.

RESOLUTION

TO DISCHARGE COMMITTEE (HOUSE BILL 322)

Mr. PAUL F. JONES offered a resolution which was read and considered as follows:

In the House of Representatives, August 14, 1951.

Resolved, that the Committee on Workmen's Compensation be discharged from further consideration of House Bill No. 322, title: "An Act to amend the title section two hundred four and subsection (a) of section three hundred one and to repeal sections three hundred two three hundred three and three hundred four of the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 566) entitled 'The Pennsylvania Occupational Disease Act,' making the schedules of compensation compulsory upon all employers."

Said bill having been referred to the Committee on Workmen's Compensation, on February 14, 1951.

The yeas and nays were required by Mr. Paul F. Jones and Mr. Lovett and were as follows:

YEAS—89

Amarando, Andrews, Beaver, Berkstresser, Boles, Breth, Bucchin, Byrne, Cochran, Conway, Corr, Coyle, Dougherty, Duffy, Fenrich, Filip, Filo, Gaffney, Good, Guarnieri, Hagerty, Hamilton, R. K.,	Headlee, Hersch, Hoggard, Hunter, Johnson, Jones, G. E., Jones, J. M., Jones, P. F., Kamyk, Kolankiewica, Kornick, Kubacki, Lederer, Leonard, L., Leven, Limper, Lopresti, Lovett, Lutty, Maxwell, Mazza, McDermitt,	McGee, McNally, Mihm, Miller, J. C., Mills, Monroe, Moran, Muldowney, Munley, Musto, Needham, Olsen, Penglase, Peta, Petrosky, Pettigrew, Pfaff, Polaski, Polen, Price, R. A., Readinger, Reese,	Reidenbach, Rose, Rosen, Rovanssek, Sarraff, Scanlon, Schmidt, Schuster, Seyler, Snider, Stank, Swope, Taylor, Toll, Varallo, Verona, Wargo, Welsh, Westrick, Wheeler, Williams, Yester, Yetzer,
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NAYS—116

Banker, Barkdoll, Baumunk, Bear, Beech, Blair, Bloom, Bolton, Bomberger, Boorse, Bower, Breisch, Brown, Cella, Clapper, Clendenning, Cooper, Costa, Dalrymple, Davis, Dennison, Dowling, DuBois, Dunn, Erb, Ewing, Ferster, Firmstone, Flack,	Frost, Geer, Gibson, Gleason, Goodling, Graybill, Greenwood, Greer, Gutendorf, Guthrie, Hall, Hamilton, W. H., Harney, Haudenshield, Helm, Hewitt, Hocker, Jenkins, Jones, T. H. W., Keller, Kent, Kline, Kohl, Kratz, Lafore, Laisey, Leonard, W. C., Light, Loftus,	Lyons, Madden, Madigan, Markley, McConnell, McCormack, McCullough, McInroy, McKinney, McMillen, Metz, Mikula, Miller, H. G., Mintess, Moore, C. E., Moore, H. A., Murray, Najaka, Naugle, Pichney, Pitzer, Price, H. W. Jr., Reagan, Reilly, J. M., Rigby, Riley, R. L., Robertson, Rover, Rubin,	Sax, Scott, Shoemaker, Shotwell, Smith, Sollenberger, Spencer, Stimmel, Stoner, Swartz, Tahl, Thompson, E. F., Thompson, R. L., Tompkins, Toomey, VanSant, Varner, Wachhaus, Waterhouse, Watkins, Weidner, Wescott, White, Wilt, Wood, Yeakel, Young, Ziegler, Sorg, Speaker
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NOT VOTING—2

Jump. Whalley.

So the question was determined in the negative and the resolution was not adopted.

RESOLUTION

TO DISCHARGE COMMITTEE (HOUSE BILL NO. 260)

Mr. SEYLER offered a resolution which was read and considered as follows:

In the House of Representatives, Aug. 14, 1951.

Resolved, that the Committee on Labor Relations be discharged from further consideration of House Bill No. 260, Title: "An Act to repeal the act approved the thirtieth day of June one thousand nine hundred forty-seven (P. L. 1161) entitled 'An act to provide for the prompt peaceful and just settlement of labor disputes between public utility employers engaged in furnishing electric gas water and steam heat services to the public and their employes which cause or threaten to cause strikes lockouts slow-downs or similar work stoppages and consequent interruptions in the supply of a public utility service on which a community served is so dependent that severe hardship would be inflicted on a



substantial number of persons by a cessation of such service providing procedures for the adjustment and settlement of such disputes declaring that the public policy of the Commonwealth requires the continuation without cessation of such public utility services and providing means including regulations affecting the rights powers and privileges of employers and employes for the enforcement of such public policy and providing penalties."

Said bill having been referred to the Committee on Labor Relations, on February 14, 1951.

On the question,

Will the House adopt the resolution?

The yeas and nays were required by Mr. Seyler and Mr. Lovett and were as follows:

## YEAS—89

Amarando,	Headlee,	McGee,	Reidenbach,
Andrews,	Hersch,	McNally,	Rose,
Beaver,	Hoggard,	Mihm,	Rosen,
Berkstresser,	Hunter,	Miller, J. C.,	Rovanssek,
Boles,	Jenkins,	Mills,	Sarra,
Breth,	Jones, G. E.,	Monroe,	Scanlon,
Bucchin,	Jones, J. M.,	Moran,	Schmidt,
Byrne,	Jones, P. F.,	Muldowney,	Schuster,
Cochran,	Kamyk,	Munley,	Seyler,
Conway,	Kolankiewicz,	Musto,	Snider,
Corr,	Kornick,	Needham,	Stank,
Coyle,	Kubacki,	Olsen,	Swope,
Dougherty,	Lederer,	Penglase,	Taylor,
Duffy,	Leonard, L.,	Peta,	Toll,
Fenrich,	Leven,	Petrosky,	Varallo,
Filip,	Limper,	Pettigrew,	Verona,
Filo,	Lopresti,	Pfaff,	Wargo,
Gaffney,	Lovett,	Polaski,	Welsh,
Good,	Lutty,	Polen,	Westrick,
Guarnieri,	Maxwell,	Price, R. A.,	Wheeler,
Hagerty,	Mazza,	Readinger,	Williams,
Hamilton, R. K.,	McDermitt,	Reese,	Yester,
			Yetzer,

## NAYS—116

Banker,	Frost,	Lyons,	Sax,
Barkdoll,	Geer,	Madden,	Scott,
Baumunk,	Gibson,	Madigan,	Shoemaker,
Bear,	Gleason,	Markley,	Shotwell,
Beech,	Goodling,	McConnell,	Smith,
Blair,	Graybill,	McCormack,	Sollenberger,
Bloom,	Greenwood,	McCullough,	Spencer,
Bolton,	Greer,	McInroy,	Stimmel,
Bomberger,	Gutendorf,	McKinney,	Stoner,
Boorse,	Guthrie,	McMillen,	Swartz,
Bower,	Hall,	Metz,	Tahl,
Brelsch,	Hamilton, W. H.,	Mikula,	Thompson, E. F.,
Brown,	Harney,	Miller, H. G.,	Thompson, R. L.,
Cella,	Haudenschild,	Mintess,	Tompkins,
Clapper,	Helm,	Moore, C. E.,	Toomey,
Clendening,	Hewitt,	Moore, H. A.,	VanSant,
Cooper,	Hocker,	Murray,	Varner,
Costa,	Johnson,	Najaka,	Wachhaus,
Dalrymple,	Jones, T. H. W.,	Naugle,	Waterhouse,
Davis,	Keller,	Pichney,	Watkins,
Dennison,	Kent,	Pitzer,	Weidner,
Dowling,	Kline,	Price, H. W. Jr.,	Wescott,
DuBois,	Kohl,	Reagan,	White,
Dunn,	Kratz,	Reilly, J. M.,	Wilt,
Erb,	Lafore,	Rigby,	Wood,
Ewing,	Leisey,	Riley, R. L.,	Yeakel,
Ferster,	Leonard, W. C.,	Robertson,	Young,
Firmstone,	Light,	Royer,	Ziegler,
Flack,	Loftus,	Rubin,	Sorg,

Speaker

## NOT VOTING—2

Jump, Whalley.

So the question was determined in the negative and the resolution was not adopted.

## RESOLUTION

TO DISCHARGE COMMITTEE (HOUSE BILL NO. 261)

Mr. SEYLER offered a resolution which was read and considered as follows:

In the House of Representatives, Aug. 14, 1951.

Resolved, that the Committee on Labor Relations be discharged from further consideration of House Bill No. 261, Title: "An act to repeal the act approved the thirtieth day of June one thousand nine hundred forty-seven (P. L. 1183) entitled 'An Act relating to strikes by public employes prohibiting such strikes providing that such employes by striking terminate their employment providing for reinstatement under certain conditions providing for a grievance procedure and providing for hearings before civil service and tenure authorities and in certain cases before the Pennsylvania Labor Relations Board.'"

Said bill having been referred to the Committee on Labor Relations, on February 14, 1951.

On the question,

Will the House adopt the resolution?

The yeas and nays were required by Mr. Seyler and Mr. Lovett and were as follows:

## YEAS—89

Amarando,	Headlee,	McGee,	Reidenbach,
Andrews,	Hersch,	McNally,	Rose,
Beaver,	Hoggard,	Mihm,	Rosen,
Berkstresser,	Hunter,	Miller, J. C.,	Rovanssek,
Boles,	Jenkins,	Mills,	Sarra,
Breth,	Jones, G. E.,	Monroe,	Scanlon,
Bucchin,	Jones, J. M.,	Moran,	Schmidt,
Byrne,	Jones, P. F.,	Muldowney,	Schuster,
Cochran,	Kamyk,	Munley,	Seyler,
Conway,	Kolankiewicz,	Musto,	Snider,
Corr,	Kornick,	Needham,	Stank,
Coyle,	Kubacki,	Olsen,	Swope,
Dougherty,	Lederer,	Penglase,	Taylor,
Duffy,	Leonard, L.,	Peta,	Toll,
Fenrich,	Leven,	Petrosky,	Varallo,
Filip,	Limper,	Pettigrew,	Verona,
Filo,	Lopresti,	Pfaff,	Wargo,
Gaffney,	Lovett,	Polaski,	Welsh,
Good,	Lutty,	Polen,	Westrick,
Guarnieri,	Maxwell,	Price, R. A.,	Wheeler,
Hagerty,	Mazza,	Readinger,	Williams,
Hamilton, R. K.,	McDermitt,	Reese,	Yester,
			Yetzer,

## NAYS—116

Banker,	Frost,	Lyons,	Sax,
Barkdoll,	Geer,	Madden,	Scott,
Baumunk,	Gibson,	Madigan,	Shoemaker,
Bear,	Gleason,	Markley,	Shotwell,
Beech,	Goodling,	McConnell,	Smith,
Blair,	Graybill,	McCormack,	Sollenberger,
Bloom,	Greenwood,	McCullough,	Spencer,
Bolton,	Greer,	McInroy,	Stimmel,
Bomberger,	Gutendorf,	McKinney,	Stoner,
Boorse,	Guthrie,	McMillen,	Swartz,
Bower,	Hall,	Metz,	Tahl,
Brelsch,	Hamilton, W. H.,	Mikula,	Thompson, E. F.,
Brown,	Harney,	Miller, H. G.,	Thompson, R. L.,
Cella,	Haudenschild,	Mintess,	Tompkins,
Clapper,	Helm,	Moore, C. E.,	Toomey,
Clendening,	Hewitt,	Moore, H. A.,	VanSant,
Cooper,	Hocker,	Murray,	Varner,
Costa,	Johnson,	Najaka,	Wachhaus,
Dalrymple,	Jones, T. H. W.,	Naugle,	Waterhouse,
Davis,	Keller,	Pichney,	Watkins,
Dennison,	Kent,	Pitzer,	Weidner,
Dowling,	Kline,	Price, H. W. Jr.,	Wescott,
DuBois,	Kohl,	Reagan,	White,
Dunn,	Kratz,	Reilly, J. M.,	Wilt,
Erb,	Lafore,	Rigby,	Wood,
Ewing,	Leisey,	Riley, R. L.,	Yeakel,
Ferster,	Leonard, W. C.,	Robertson,	Young,
Firmstone,	Light,	Royer,	Ziegler,
Flack,	Loftus,	Rubin,	Sorg,

Speaker

## NOT VOTING—2

Jump, Whalley.

So the question was determined in the negative and the resolution was not adopted.



## RESOLUTION

## TO DISCHARGE COMMITTEE (HOUSE BILL NO. 258)

Mr. LOUIS LEONARD offered a resolution which was read and considered as follows

In the House of Representatives, Aug. 14, 1951.

Resolved, that the Committee on Labor Relations be discharged from further consideration of House Bill No. 258, Title: "An Act forbidding employers to charge individuals a fee for medical examination as a condition of employment subject to certain restrictions."

Said bill having been referred to the Committee on Labor Relations, on February 14, 1951.

On the question,

Will the House adopt the resolution

The yeas and nays were required by Mr. Louis Leonard and Mr. Lovett and were as follows:

## YEAS—89

Amarando,	Headlee,	McGee,	Reidenbach.
Andrews,	Hersch,	McNally,	Rose,
Beaver,	Hoggard,	Mihm,	Rosen.
Berkstresser,	Hunter,	Miller, J. C.,	Rovansek.
Boles,	Jenkins,	Mills,	Sarra.
Breth,	Jones, G. E.,	Monroe,	Scanlon,
Bucchin,	Jones, J. M.,	Moran,	Schmidt,
Byrne,	Jones, P. F.,	Muldowney,	Schuster,
Cochran,	Kamyk,	Munley,	Seyler,
Conway,	Kolankiewicz,	Musto,	Snider,
Corr,	Kornick,	Needham,	Stank,
Coyle,	Kubacki,	Olsen,	Swope,
Dougherty,	Lederer,	Penglase,	Taylor,
Duffy,	Leonard, L.,	Peta,	Toll,
Fenrich,	Leven,	Petrosky,	Varallo,
Filip,	Limper,	Pettigrew,	Verona,
Filo,	Lopresti,	Pfaff,	Wargo,
Gaffney,	Lovett,	Polaski,	Welsh,
Good,	Lutty,	Polen,	Westrick,
Guarnieri,	Maxwell,	Price, R. A.,	Wheeler,
Hagerty,	Mazza,	Readinger,	Williams,
Hamilton, R. K.,	McDermitt,	Reese,	Yester,
			Yetzer,

## NAYS—116

Banker,	Frost,	Lyons,	Sax,
Barkdoll,	Geer,	Madden,	Scott,
Baumunk,	Gibson,	Madigan,	Shoemaker,
Bear,	Gleason,	Markley,	Shotwell,
Beech,	Goodling,	McConnell,	Smith,
Blair,	Graybill,	McCormack,	Sollenberger,
Bloom,	Greenwood,	McCullough,	Spencer,
Bolton,	Greer,	McInroy,	Stimmel,
Bomberger,	Gutendorf,	McKinney,	Stoner,
Boorse,	Guthrie,	McMillen,	Swartz,
Bower,	Hall,	Metz,	Tahl,
Breisch,	Hamilton, W. H.,	Mikula,	Thompson, E. F.,
Brown,	Harney,	Miller, H. G.,	Thompson, R. L.,
Cella,	Haudenshield,	Mintess,	Tompkins,
Clapper,	Helm,	Moore, C. E.,	Toomey,
Clendening,	Hewitt,	Moore, H. A.,	VanSant,
Cooper,	Hocker,	Murray,	Varnier,
Costa,	Johnson,	Najaka,	Wachhaus,
Dalrymple,	Jones, T. H. W.,	Naugle,	Waterhouse,
Davis,	Keller,	Pichney,	Watkins,
Dennison,	Kent,	Pitzer,	Weidner,
Dowling,	Kline,	Price, H. W. Jr.,	Wescott,
DuBois,	Kohl,	Reagan,	White,
Dunn,	Kratz,	Reilly, J. M.,	Wilt,
Erb,	Lafore,	Rigby,	Wood,
Ewing,	Leisey,	Riley, R. L.,	Yeakel,
Ferster,	Leonard, W. C.,	Robertson,	Young,
Firmstone,	Light,	Royer,	Ziegler,
Flack,	Loftus,	Rubin,	Sorg,

## NOT VOTING—2

Speaker

Jump, Whalley,

So the question was determined in the negative and the resolution was not adopted.

## RESOLUTION

## TO DISCHARGE COMMITTEE (HOUSE BILL 351)

Mr. CONWAY offered a resolution which was read and considered as follows:

In the House of Representatives, August 14, 1951.

Resolved, that the Committee on Municipal Corporations be discharged from further consideration of House Bill No. 351, title: "An Act to repeal the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 1145) entitled 'An Act empowering cities of the second class cities of the second class A cities of the third class boroughs towns townships of the first class school districts of the second class school districts of the third class and school districts of the fourth class to levy assess and collect or to provide for the levy assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employees to assess and collect such taxes and permitting penalties to be imposed and enforced providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court.'"

Said bill having been referred to the Committee on Municipal Corporations, on February 20, 1951.

On the question,

Will the House adopt the resolution?

The yeas and nays were required by Mr. Conway and Mr. Lovett and were as follows:

## YEAS—89

Amarando,	Headlee,	McGee,	Reidenbach.
Andrews,	Hersch,	McNally,	Rose,
Beaver,	Hoggard,	Mihm,	Rosen,
Berkstresser,	Hunter,	Miller, J. C.,	Rovansek.
Boles,	Jenkins,	Mills,	Sarra.
Breth,	Jones, G. E.,	Monroe,	Scanlon,
Bucchin,	Jones, J. M.,	Moran,	Schmidt,
Byrne,	Jones, P. F.,	Muldowney,	Schuster,
Cochran,	Kamyk,	Munley,	Seyler,
Conway,	Kolankiewicz,	Musto,	Snider,
Corr,	Kornick,	Needham,	Stank,
Coyle,	Kubacki,	Olsen,	Swope,
Dougherty,	Lederer,	Penglase,	Taylor,
Dunn,	Leonard, L.,	Peta,	Toll,
Fenrich,	Leven,	Petrosky,	Varallo,
Filip,	Limper,	Pettigrew,	Verona,
Filo,	Lopresti,	Pfaff,	Wargo,
Gaffney,	Lovett,	Polaski,	Welsh,
Good,	Lutty,	Polen,	Westrick,
Guarnieri,	Maxwell,	Price, R. A.,	Wheeler,
Hagerty,	Mazza,	Readinger,	Williams,
Hamilton, R. K.,	McDermitt,	Reese,	Yester,
			Yetzer,

## NAYS—116

Banker,	Frost,	Lyons,	Sax,
Barkdoll,	Geer,	Madden,	Scott,
Baumunk,	Gibson,	Madigan,	Shoemaker,
Bear,	Gleason,	Markley,	Shotwell,
Beech,	Goodling,	McConnell,	Smith,
Blair,	Graybill,	McCormack,	Sollenberger,
Bloom,	Greenwood,	McCullough,	Spencer,
Bolton,	Greer,	McInroy,	Stimmel,
Bomberger,	Gutendorf,	McKinney,	Stoner,
Boorse,	Guthrie,	McMillen,	Swartz,
Bower,	Hall,	Metz,	Tahl,
Breisch,	Hamilton, W. H.,	Mikula,	Thompson, E. F.,
Brown,	Harney,	Miller, H. G.,	Thompson, R. L.,
Cella,	Haudenshield,	Mintess,	Tompkins,
Clapper,	Helm,	Moore, C. E.,	Toomey,
Clendening,	Hewitt,	Moore, H. A.,	VanSant,
Cooper,	Hocker,	Murray,	Varnier,
Costa,	Johnson,	Najaka,	Wachhaus,
Dalrymple,	Jones, T. H. W.,	Naugle,	Waterhouse,
Davis,	Keller,	Pichney,	Watkins,
Dennison,	Kent,	Pitzer,	Weidner,
Dowling,	Kline,	Price, H. W. Jr.,	Wescott,



DuBois,	Kohl,	Reagan,	White,
Duffy,	Kratz,	Relly, J. M.,	Wilt,
Erb,	Lafore,	Rigby,	Wood,
Ewing,	Lelsey,	Riley, R. L.,	Yeakel,
Ferster,	Leonard, W. C.,	Robertson,	Young,
Firmstone,	Light,	Royer,	Ziegler,
Flack,	Loftus,	Rubin,	Sorg,

Speaker

## NOT VOTING—2

Jump, Whalley,

So the question was determined in the negative and the resolution was not adopted.

## RESOLUTION

## TO DISCHARGE COMMITTEE (HOUSE BILL 1034)

Mr. ROSE offered a resolution which was read and considered as follows:

In the House of Representatives, August 14, 1951.

Resolved, that the Committee on State Government be discharged from further consideration of House Bill No. 1034, title: "An Act to further amend subsection (d) of Section 11 of the act, approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 955), entitled, as amended, 'Housing Authorities Law,' by making stipulations as to minimum wages and maximum hours of labor mandatory in contracts of the Authority."

Said bill having been referred to the Committee on State Government, on April 18, 1951.

On the question,

Will the House adopt the resolution?

The yeas and nays were required by Mr. Rose and Mr. Lovett and were as follows:

## YEAS—89

Amarando,	Headlee,	McGee,	Reidenbach,
Andrews,	Hersch,	McNally,	Rose,
Beaver,	Hoggard,	Mihm,	Rosen,
Berkstresser,	Hunter,	Miller, J. C.,	Rovanssek,
Boles,	Jenkins,	Mills,	Sarra,
Breth,	Jones, G. E.,	Monroe,	Scanlon,
Bucchin,	Jones, J. M.,	Moran,	Schmidt,
Byrne,	Jones, P. F.,	Muldowney,	Schuster,
Cochran,	Kamyk,	Munley,	Seyler,
Conway,	Kolankiewicz,	Musto,	Snider,
Corr,	Kornick,	Needham,	Stank,
Coyle,	Kubacki,	Olsen,	Swope,
Dougherty,	Lederer,	Penglase,	Taylor,
Duffy,	Leonard, L.,	Peta,	Toll,
Fenrich,	Leven,	Petrosky,	Varallo,
Filip,	Limper,	Pettigrew,	Verona,
Filo,	Lopresti,	Pfaff,	Wargo,
Gaffney,	Lovett,	Polaski,	Welsh,
Good,	Lutty,	Polen,	Westrick,
Guarnieri,	Maxwell,	Price, R. A.,	Wheeler,
Hagerty,	Mazza,	Readinger,	Williams,
Hamilton, R. K.,	McDermitt,	Reese,	Yester,
			Yetzer,

## NAYS—116

Banker,	Frost,	Lyons,	Sax,
Barkdoll,	Geer,	Madden,	Scott,
Baumunk,	Gibson,	Madigan,	Shoemaker,
Bear,	Gleason,	Markley,	Shotwell,
Beech,	Goodling,	McConnell,	Smith,
Blair,	Graybill,	McCormack,	Sollenberger,
Bloom,	Greenwood,	McCullough,	Spencer,
Bolton,	Greer,	McInroy,	Stimmel,
Bomberger,	Gutendorf,	McKinney,	Stoner,
Boorse,	Guthrie,	McMillen,	Swartz,
Bower,	Hall,	Metz,	Tahl,
Brelsach,	Hamilton, W. H.,	Mikula,	Thompson, E. F.,
Brown,	Harney,	Miller, H. G.,	Thompson, R. L.,
Cella,	Haudenschild,	Mintess,	Tompkins,
Clapper,	Helm,	Moore, C. E.,	Toomey,
Clendenning,	Hewitt,	Moore, H. A.,	VanSant,
Cooper,	Hocker,	Murray,	Varner,

Costa,	Johnson,	Najaka,	Wachhaus,
Dalrymple,	Jones, T. H. W.,	Naugle,	Waterhouse,
Davis,	Keller,	Pichney,	Watkins,
Dennison,	Kent,	Pitzer,	Weidner,
Dowling,	Kline,	Price, H. W. Jr.,	Wescott,
DuBois,	Kohl,	Reagan,	White,
Dunn,	Kratz,	Reilly, J. M.,	Wilt,
Erb,	Lafore,	Rigby,	Wood,
Ewing,	Lelsey,	Riley, R. L.,	Yeakel,
Ferster,	Leonard, W. C.,	Robertson,	Young,
Firmstone,	Light,	Royer,	Ziegler,
Flack,	Loftus,	Rubin,	Sorg,

Speaker

## NOT VOTING—2

Jump, Whalley,

So the question was determined in the negative and the resolution was not adopted.

## RESOLUTION

## TO DISCHARGE COMMITTEE (HOUSE BILL 1198)

Mr. LUTTY offered a resolution which was read and considered as follows:

In the House of Representatives, August 14, 1951.

Resolved, that the Committee on Labor Relations be discharged from further consideration of House Bill No. 1198, "An Act to add section 1.1 to the act, approved the twenty-second day of May, one thousand nine hundred thirty-three (P. L. 851), entitled 'An act fixing the pay and mileage of jurors and witnesses,' by requiring employers to make certain payments to employes when on jury duty."

Said bill having been referred to the Committee on Labor Relations, on May 8, 1951.

On the question,

Will the House adopt the resolution?

The yeas and nays were required by Mr. Lutty and Mr. Lovett and were as follows:

## YEAS—89

Amarando,	Headlee,	McGee,	Reidenbach,
Andrews,	Hersch,	McNally,	Rose,
Beaver,	Hoggard,	Mihm,	Rosen,
Berkstresser,	Hunter,	Miller, J. C.,	Rovanssek,
Boles,	Jenkins,	Mills,	Sarra,
Breth,	Jones, G. E.,	Monroe,	Scanlon,
Bucchin,	Jones, J. M.,	Moran,	Schmidt,
Byrne,	Jones, P. F.,	Muldowney,	Schuster,
Cochran,	Kamyk,	Munley,	Seyler,
Conway,	Kolankiewicz,	Musto,	Snider,
Corr,	Kornick,	Needham,	Stank,
Coyle,	Kubacki,	Olsen,	Swope,
Dougherty,	Lederer,	Penglase,	Taylor,
Duffy,	Leonard, L.,	Peta,	Toll,
Fenrich,	Leven,	Petrosky,	Varallo,
Filip,	Limper,	Pettigrew,	Verona,
Filo,	Lopresti,	Pfaff,	Wargo,
Gaffney,	Lovett,	Polaski,	Welsh,
Good,	Lutty,	Polen,	Westrick,
Guarnieri,	Maxwell,	Price, R. A.,	Wheeler,
Hagerty,	Mazza,	Readinger,	Williams,
Hamilton, R. K.,	McDermitt,	Reese,	Yester,
			Yetzer,

## NAYS—116

Banker,	Frost,	Lyons,	Sax,
Barkdoll,	Geer,	Madden,	Scott,
Baumunk,	Gibson,	Madigan,	Shoemaker,
Bear,	Gleason,	Markley,	Shotwell,
Beech,	Goodling,	McConnell,	Smith,
Blair,	Graybill,	McCormack,	Sollenberger,
Bloom,	Greenwood,	McCullough,	Spencer,
Bolton,	Greer,	McInroy,	Stimmel,
Bomberger,	Gutendorf,	McKinney,	Stoner,
Boorse,	Guthrie,	McMillen,	Swartz,
Bower,	Hall,	Metz,	Tahl,
Brelsach,	Hamilton, W. H.,	Mikula,	Thompson, E. F.,
Brown,	Harney,	Miller, H. G.,	Thompson, R. L.,



Cella,	Haudenshield,	Mintess,	Tompkins,
Clapper,	Helm,	Moore, C. E.,	Toomey,
Clendenning,	Hewitt,	Moore, H. A.,	VanSant,
Cooper,	Hocker,	Murray,	Varner,
Costa,	Johnson,	Najaka,	Wachhaus,
Dalrymple,	Jones, T. H. W.,	Naugle,	Waterhouse,
Davis,	Keller,	Pichney,	Watkins,
Dennison,	Kent,	Pitzer,	Weldner,
Dowling,	Kline,	Price, H. W. Jr.,	Wescott,
DuBois,	Kohl,	Reagan,	White,
Dunn,	Kratz,	Reilly, J. M.,	Wilt,
Erb,	Lafore,	Rigby,	Wood,
Ewing,	Lelsey,	Riley, R. L.,	Yeakel,
Ferster,	Leonard, W. C.,	Robertson,	Young,
Firmstone,	Light,	Royer,	Ziegler,
Flack,	Loftus,	Rubin,	Sorg,
			Speaker

NOT VOTING—2

Jump, Whalley,

So the question was determined in the negative and the resolution was not adopted.

RESOLUTION

TO DISCHARGE COMMITTEE (HOUSE BILL 549)

Mr. MORAN offered a resolution which was read and considered as follows:

In the House of Representatives, August 14, 1951.  
Resolved, That the Committee on Workmen's Compensation be discharged from further consideration of House Bill No. 549, title: "An Act to further amend clause (4) of Section 401 of the act, approved the fifth day of December, one thousand nine hundred thirty-six (1937 P. L. 2897), entitled, 'Unemployment Compensation Law,' clarifying certain existing and adding new qualifications required to receive compensation."

Said bill having been referred to the Committee on Workmen's Compensation, on March 6, 1951.

On the question,  
Will the House adopt the resolution?  
The yeas and nays were required by Mr. Moran and Mr. Lovett and were as follows:

YEAS—89

Amarando,	Hersch,	Mihm,	Rose,
Andrews,	Hoggard,	Miller, J. C.,	Rosen,
Beaver,	Hunter,	Mills,	Rovansek,
Berkstresser,	Jenkins,	Monroe,	Sarraf,
Boles,	Jones, G. E.,	Moran,	Scanlon,
Breth,	Jones, J. M.,	Muldowney,	Schmidt,
Bucchin,	Jones, P. F.,	Munley,	Schuster,
Byrne,	Kamyk,	Musto,	Seyler,
Cochran,	Kolankiewicz,	Needham,	Snider,
Conway,	Kornick,	Olsen,	Stank,
Corr,	Kubacki,	Penglase,	Swope,
Coyle,	Lederer,	Peta,	Taylor,
Dougherty,	Leonard, L.,	Petrosky,	Toll,
Duffy,	Leven,	Pettigrew,	Varallo,
Fenrich,	Limper,	Pfaff,	Verona,
Filip,	Lopresti,	Polaski,	Wargo,
Filo,	Lovett,	Polen,	Welsh,
Gaffney,	Lutty,	Price, R. A.,	Westrick,
Good,	Maxwell,	Readinger,	Wheeler,
Guarnieri,	Mazza,	Reese,	Williams,
Hagerty,	McDermitt,	Reldenbach,	Yester,
Hamilton, R. K.,	McGee,	Robertson,	Yetzer,
Headlee,	McNally,		

NAYS—116

Banker,	Frost,	Lyons,	Scott,
Barkdoll,	Geer,	Madden,	Shoemaker,
Baumunk,	Gibson,	Madigan,	Shotwell,
Bear,	Gleason,	Markley,	Smith,
Beech,	Goodling,	McConnell,	Sollenberger,
Blair,	Graybill,	McCormack,	Spencer,
Bloom,	Greenwood,	McCullough,	Stimmel,
Bolton,	Greer,	McInroy,	Stoner,

Bomberger,	Gutendorf,	McKinney,	Swartz,
Booras,	Guthrie,	McMillen,	Tahl,
Bower,	Hall,	Metz,	Thompson, E. F.,
Brelsch,	Hamilton, W. H.,	Mikula,	Thompson, R. L.,
Brown,	Harney,	Miller, H. G.,	Tompkins,
Cella,	Haudenshield,	Mintess,	Toomey,
Clapper,	Helm,	Moore, C. E.,	VanSant,
Clendenning,	Hewitt,	Moore, H. A.,	Varner,
Cooper,	Hocker,	Murray,	Wachhaus,
Costa,	Johnson,	Najaka,	Waterhouse,
Dalrymple,	Jones, T. H. W.,	Naugle,	Watkins,
Davis,	Keller,	Pichney,	Weldner,
Dennison,	Kent,	Pitzer,	Weecott,
Dowling,	Kline,	Price, H. W. Jr.,	White,
DuBois,	Kohl,	Reagan,	Wilt,
Dunn,	Kratz,	Reilly, J. M.,	Wood,
Erb,	Lafore,	Rigby,	Yeakel,
Ewing,	Lelsey,	Riley, R. L.,	Young,
Ferster,	Leonard, W. C.,	Royer,	Ziegler,
Firmstone,	Light,	Rubin,	Sorg,
Flack,	Loftus,	Sax,	Speaker

NOT VOTING—2

Jump, Whalley,

So the question was determined in the negative and the resolution was not adopted.

RESOLUTION

TO DISCHARGE COMMITTEE (HOUSE BILL 1015)

Mr. LOVETT offered a resolution which was read and considered as follows:

In the House of Representatives, August 14, 1951.  
Resolved, That the Committee on Labor Relations be discharged from further consideration of House Bill No. 1015, title: "An act to further amend section four of the act approved the second day of June one thousand nine hundred thirty-seven (P. L. 1198) entitled 'Labor Anti-Injunction Act,' removing certain exceptions to the application of the act."

Said bill having been referred to the Committee on Labor Relations, on April 17, 1951.

On the question,  
Will the House adopt the resolution?  
The yeas and nays were required by Mr. Lovett and Mr. Guarnieri and were as follows:

YEAS—89

Amarando,	Headlee,	McGee,	Reldenbach,
Andrews,	Hersch,	McNally,	Rose,
Beaver,	Hoggard,	Mihm,	Rosen,
Berkstresser,	Hunter,	Miller, J. C.,	Rovansek,
Boles,	Jenkins,	Mills,	Sarraf,
Breth,	Jones, G. E.,	Monroe,	Scanlon,
Bucchin,	Jones, J. M.,	Moran,	Schmidt,
Byrne,	Jones, P. F.,	Muldowney,	Schuster,
Cochran,	Kamyk,	Munley,	Seyler,
Conway,	Kolankiewicz,	Musto,	Snider,
Corr,	Kornick,	Needham,	Stank,
Coyle,	Kubacki,	Olsen,	Swope,
Dougherty,	Lederer,	Penglase,	Taylor,
Duffy,	Leonard, L.,	Peta,	Toll,
Fenrich,	Leven,	Petrosky,	Varallo,
Filip,	Limper,	Pettigrew,	Verona,
Filo,	Lopresti,	Pfaff,	Wargo,
Gaffney,	Lovett,	Polaski,	Welsh,
Good,	Lutty,	Polen,	Westrick,
Guarnieri,	Maxwell,	Price, R. A.,	Wheeler,
Hagerty,	Mazza,	Readinger,	Williams,
Hamilton, R. K.,	McDermitt,	Reese,	Yester,
			Yetzer,

NAYS—116

Banker,	Frost,	Lyons,	Sax,
Barkdoll,	Geer,	Madden,	Scott,
Baumunk,	Gibson,	Madigan,	Shoemaker,
Bear,	Gleason,	Markley,	Shotwell,
Beech,	Goodling,	McConnell,	Smith,



Blair,	Graybill,	McCormack,	Sollenberger,
Bloom,	Greenwood,	McCullough,	Spencer,
Bolton,	Greer,	McInroy,	Stimmel,
Bomberger,	Gutendorf,	McKinney,	Stoner,
Boorse,	Guthrie,	McMillen,	Swartz,
Bower,	Hall,	Metz,	Tahl,
Breisch,	Hamilton, W. H.,	Mikula,	Thompson, E. F.,
Brown,	Harney,	Miller, H. G.,	Thompson, R. L.,
Cella,	Haudenshield,	Mintess,	Tompkins,
Clapper,	Helm,	Moore, C. E.,	Toomey,
Clendening,	Hewitt,	Moore, H. A.,	VanSant,
Cooper,	Hocker,	Murray,	Varner,
Costa,	Johnson,	Najaka,	Wachhaus,
Dalrymple,	Jones, T. H. W.,	Naugle,	Waterhouse,
Davis,	Keller,	Pichney,	Watkins,
Dennison,	Kent,	Pitzer,	Weidner,
Dowling,	Kline,	Price, H. W. Jr.,	Wescott,
DuBois,	Kohl,	Reagan,	White,
Dunn,	Kratz,	Reilly, J. M.,	Wilt,
Erb,	Lafore,	Rigby,	Wood,
Ewing,	Lelsey,	Riley, R. L.,	Yeakel,
Ferster,	Leonard, W. C.,	Robertson,	Young,
Firmstone,	Light,	Royer,	Ziegler,
Flack,	Loftus,	Rubin,	Sorg,

Speaker

## NOT VOTING—2

Jump, Whalley,

So the question was determined in the negative and the resolution was not adopted.

## RESOLUTION

## TO DISCHARGE COMMITTEE (HOUSE BILL 494)

Mr. FILIP offered a resolution which was read and considered as follows:

In the House of Representatives, August 14, 1951.

Resolved That the Committee on Workmen's Compensation be discharged from further consideration of House Bill No. 494, title: "An Act to further amend the act, approved the second day of June, one thousand nine hundred fifteen (P. L. 736), entitled as amended Workmen's Compensation Act of 1915," by authorizing the payment of compensation for the period starting immediately after disability begins."

Said bill having been referred to the Committee on Workmen's Compensation, on February 27, 1951.

On the question,

Will the House adopt the resolution?

The yeas and nays were required by Mr. Filip and Mr. Lovett and were as follows:

## YEAS—89

Amarando,	Headlee,	McGee,	Reidenbach,
Andrews,	Hersch,	McNally,	Rose,
Beaver,	Hoggard,	Mihm,	Rosen,
Berkstresser,	Hunter,	Miller, J. C.,	Rovansek,
Boles,	Jenkins,	Mills,	Rubin,
Breth,	Jones, G. E.,	Monroe,	Scanlon,
Bucchin,	Jones, J. M.,	Moran,	Schmidt,
Byrne,	Jones, P. F.,	Muldowney,	Schuster,
Cochran,	Kamyk,	Munley,	Seyler,
Conway,	Kolankiewicz,	Musto,	Snider,
Corr,	Kornick,	Needham,	Stank,
Coyle,	Kubacki,	Olsen,	Swope,
Dougherty,	Lederer,	Penglase,	Taylor,
Duffy,	Leonard, L.,	Peta,	Toll,
Fenrich,	Leven,	Petrosky,	Varallo,
Filip,	Limper,	Pettigrew,	Verona,
Filo,	Lopresti,	Pfaff,	Wargo,
Gaffney,	Lovett,	Polaski,	Welsh,
Good,	Lutty,	Polen,	Westrick,
Guarnieri,	Mazza,	Price, R. A.,	Wheeler,
Hagerty,	Maxwell,	Readinger,	Williams,
Hamilton, R. K.,	McDermitt,	Reese,	Yester,
			Yetzer,

## NAYS—116

Banker, Frost, Lyons, Sax,

Barkdoll,	Geer,	Madden,	Scott,
Baumunk,	Gibson,	Madigan,	Shoemaker,
Bear,	Gleason,	Markley,	Shotwell,
Beech,	Goodling,	McConnell,	Smith,
Blair,	Graybill,	McCormack,	Sollenberger,
Bloom,	Greenwood,	McCullough,	Spencer,
Bolton,	Greer,	McInroy,	Stimmel,
Bomberger,	Gutendorf,	McKinney,	Stoner,
Boorse,	Guthrie,	McMillen,	Swartz,
Bower,	Hall,	Metz,	Tahl,
Breisch,	Hamilton, W. H.,	Mikula,	Thompson, E. F.,
Brown,	Harney,	Miller, H. G.,	Thompson, R. L.,
Cella,	Haudenshield,	Mintess,	Tompkins,
Clapper,	Helm,	Moore, C. E.,	Toomey,
Clendening,	Hewitt,	Moore, H. A.,	VanSant,
Cooper,	Hocker,	Murray,	Varner,
Costa,	Johnson,	Najaka,	Wachhaus,
Dalrymple,	Jones, T. H. W.,	Naugle,	Waterhouse,
Davis,	Keller,	Pichney,	Watkins,
Dennison,	Kent,	Pitzer,	Weidner,
Dowling,	Kline,	Price, H. W. Jr.,	Wescott,
DuBois,	Kohl,	Reagan,	White,
Dunn,	Kratz,	Reilly, J. M.,	Wilt,
Erb,	Lafore,	Rigby,	Wood,
Ewing,	Lelsey,	Riley, R. L.,	Yeakel,
Ferster,	Leonard, W. C.,	Robertson,	Young,
Firmstone,	Light,	Royer,	Ziegler,
Flack,	Loftus,	Sarrafa,	Sorg,

Speaker

## NOT VOTING—2

Jump, Whalley,

So the question was determined in the negative and the resolution was not adopted.

## RESOLUTION

## TO DISCHARGE COMMITTEE (HOUSE BILL NO. 948)

Mr. POLASKI offered a resolution which was read and considered as follows:

In the House of Representatives, August 14, 1951.

Resolved, that the Committee on Workmen's Compensation be discharged from further consideration of House Bill No. 948, Title: "An Act to further amend Section 404 of the act, approved the fifth day of December, one thousand nine hundred thirty-six (1937, P. L. 289), entitled, 'Unemployment Compensation Law,' by increasing benefits."

Said bill having been referred to the Committee on Workmen's Compensation, April 5, 1951.

On the question,

Will the House adopt the resolution?

The yeas and nays were required by Mr. Polaski and Mr. Lovett and were as follows:

## YEAS—89

Amarando,	Headlee,	McGee,	Reidenbach,
Andrews,	Hersch,	McNally,	Rose,
Beaver,	Hoggard,	Mihm,	Rosen,
Berkstresser,	Hunter,	Miller, J. C.,	Rovansek,
Boles,	Jenkins,	Mills,	Sarrafa,
Breth,	Jones, G. E.,	Monroe,	Scanlon,
Bucchin,	Jones, J. M.,	Moran,	Schmidt,
Byrne,	Jones, P. F.,	Muldowney,	Schuster,
Cochran,	Kamyk,	Munley,	Seyler,
Conway,	Kolankiewicz,	Musto,	Snider,
Corr,	Kornick,	Needham,	Stank,
Coyle,	Kubacki,	Olsen,	Swope,
Dougherty,	Lederer,	Penglase,	Taylor,
Duffy,	Leonard, L.,	Peta,	Toll,
Fenrich,	Leven,	Petrosky,	Varallo,
Filip,	Limper,	Pettigrew,	Verona,
Filo,	Lopresti,	Pfaff,	Wargo,
Gaffney,	Lovett,	Polaski,	Welsh,
Good,	Lutty,	Polen,	Westrick,
Guarnieri,	Maxwell,	Price, R. A.,	Wheeler,
Hagerty,	Mazza,	Readinger,	Williams,
Hamilton, R. K.,	McDermitt,	Reese,	Yester,
			Yetzer,



## NAYS—116

Banker,	Frost,	Lyons,	Sax,
Barkdoll,	Geer,	Madden,	Scott,
Baumunk,	Gibson,	Madigan,	Shoemaker,
Bear,	Gleason,	Markley,	Shotwell,
Beech,	Goodling,	McConnell,	Smith,
Blair,	Graybill,	McCormack,	Sollenberger,
Bloom,	Greenwood,	McCullough,	Spencer,
Bolton,	Greer,	McInroy,	Stimmel,
Bomberger,	Gutendorf,	McKinney,	Stoner,
Boorse,	Guthrie,	McMillen,	Swartz,
Bower,	Hall,	Metz,	Tahl,
Breisch,	Hamilton, W. H.,	Mikula,	Thompson, E. F.,
Brown,	Harney,	Miller, H. G.,	Thompson, R. L.,
Cella,	Haudenshield,	Mintess,	Tompkins,
Clapper,	Helm,	Moore, C. E.,	Toomey,
Clendening,	Hewitt,	Moore, H. A.,	VanSant,
Cooper,	Hocker,	Murray,	Varner,
Costa,	Johnson,	Najaka,	Wachhaus,
Dalrymple,	Jones, T. H. W.,	Naugle,	Waterhouse,
Davis,	Keller,	Pichney,	Watkins,
Dennison,	Kent,	Pitzer,	Weidner,
Dowling,	Kline,	Price, H. W. Jr.,	Wescott,
DuBois,	Kohl,	Reagan,	White,
Dunn,	Kratz,	Relly, J. M.,	Wilt,
Erb,	Lafore,	Rigby,	Wood,
Ewing,	Leisey,	Riley, R. L.,	Yeakel,
Ferster,	Leonard, W. C.,	Robertson,	Young,
Firmstone,	Light,	Royer,	Ziegler,
Flack,	Loftus,	Rubin,	Sorg,

Speaker

## NOT VOTING—2

Jump, Whalley,

So the question was determined in the negative and the resolution was not adopted.

## RESOLUTION

## TO DISCHARGE COMMITTEE (HOUSE BILL No. 314)

Mr. SARRAF offered a resolution which was read and considered as follows:

In the House of Representatives, August 14, 1951.

Resolved, that the Committee on Judiciary be discharged from further consideration of House Bill No. 314, Title: "An Act proposing an amendment to article eight of the Constitution of the Commonwealth of Pennsylvania by adding thereto section eighteen providing for absentee voting."

Said bill having been referred to the Committee on Judiciary, on February 14, 1951.

On the question,

Will the House adopt the resolution?

The yeas and nays were required by Mr. Sarraf and Mr. Lovett and were as follows:

## YEAS—89

Amarando,	Headlee,	McGee,	Reidenbach.
Andrews,	Hersch,	McNally,	Rose,
Beaver,	Hoggard,	Mihm,	Rosen,
Berkstresser,	Hunter,	Miller, J. C.,	Rovanssek,
Boles,	Jenkins,	Mills,	Sarraf,
Breth,	Jones, G. E.,	Monroe,	Scanlon,
Bucchin,	Jones, J. M.,	Moran,	Schmidt,
Byrne,	Jones, P. F.,	Muldowney,	Schuster,
Cochran,	Kamyk,	Munley,	Seyler,
Conway,	Kolankiewicz,	Musto,	Snider,
Corr,	Kornick,	Needham,	Stank,
Coyle,	Kubacki,	Olsen,	Swope,
Dougherty,	Lederer,	Penglase,	Taylor,
Duffy,	Leonard, L.,	Peta,	Toll,
Fenrich,	Leven,	Petrosky,	Varallo,
Filip,	Limper,	Pettigrew,	Verona,
Filo,	Lopresti,	Pfaff,	Wargo,
Gaffney,	Lovett,	Polaski,	Welsh,
Good,	Lutty,	Polen,	Westrick,
Guarnieri,	Maxwell,	Price, R. A.,	Wheeler,
Hagerty,	Mazza,	Readinger,	Williams,
Hamilton, R. K.,	McDermitt,	Reese,	Yester,
			Yetzer,

## NAYS—116

Banker,	Frost,	Lyons,	Sax,
Barkdoll,	Geer,	Madden,	Scott,
Baumunk,	Gibson,	Madigan,	Shoemaker,
Bear,	Gleason,	Markley,	Shotwell,
Beech,	Goodling,	McConnell,	Smith,
Blair,	Graybill,	McCormack,	Sollenberger,
Bloom,	Greenwood,	McCullough,	Spencer,
Bolton,	Greer,	McInroy,	Stimmel,
Bomberger,	Gutendorf,	McKinney,	Stoner,
Boorse,	Guthrie,	McMillen,	Swartz,
Bower,	Hall,	Metz,	Tahl,
Breisch,	Hamilton, W. H.,	Mikula,	Thompson, E. F.,
Brown,	Harney,	Miller, H. G.,	Thompson, R. L.,
Cella,	Haudenshield,	Mintess,	Tompkins,
Clapper,	Helm,	Moore, C. E.,	Toomey,
Clendening,	Hewitt,	Moore, H. A.,	VanSant,
Cooper,	Hocker,	Murray,	Varner,
Costa,	Johnson,	Najaka,	Wachhaus,
Dalrymple,	Jones, T. H. W.,	Naugle,	Waterhouse,
Davis,	Keller,	Pichney,	Watkins,
Dennison,	Kent,	Pitzer,	Weidner,
Dowling,	Kline,	Price, H. W. Jr.,	Wescott,
DuBois,	Kohl,	Reagan,	White,
Dunn,	Kratz,	Relly, J. M.,	Wilt,
Erb,	Lafore,	Rigby,	Wood,
Ewing,	Leisey,	Riley, R. L.,	Yeakel,
Ferster,	Leonard, W. C.,	Robertson,	Young,
Firmstone,	Light,	Royer,	Ziegler,
Flack,	Loftus,	Rubin,	Sorg,

Speaker

## NOT VOTING—2

Jump, Whalley,

So the question was determined in the negative and the resolution was not adopted.

## RESOLUTION

## TO DISCHARGE COMMITTEE (HOUSE BILL No. 1362)

Mr. KAMYK offered a resolution which was read and considered as follows:

In the House of Representatives, August 14, 1951.

Resolved, that the Committee on Workmen's Compensation be discharged from further consideration of House Bill No. 1362, Title: "An Act to further amend subsection (u) of Section 4 of the act, approved the fifth day of December, one thousand nine hundred thirty-six (1937 P. L. 2879), entitled 'Unemployment Compensation Law,' by further defining 'unemployment.'"

Said bill having been referred to the Committee on Workmen's Compensation, on May 24, 1951.

On the question,

Will the House adopt the resolution?

The yeas and nays were required by Mr. Kamyk and Mr. Lovett and were as follows:

## YEAS—89

Amarando,	Headlee,	McGee,	Reidenbach.
Andrews,	Hersch,	McNally,	Rose,
Beaver,	Hoggard,	Mihm,	Rosen,
Berkstresser,	Hunter,	Miller, J. C.,	Rovanssek,
Boles,	Jenkins,	Mills,	Sarraf,
Breth,	Jones, G. E.,	Monroe,	Scanlon,
Bucchin,	Jones, J. M.,	Moran,	Schmidt,
Byrne,	Jones, P. F.,	Muldowney,	Schuster,
Cochran,	Kamyk,	Munley,	Seyler,
Conway,	Kolankiewicz,	Musto,	Snider,
Corr,	Kornick,	Needham,	Stank,
Coyle,	Kubacki,	Olsen,	Swope,
Dougherty,	Lederer,	Penglase,	Taylor,
Duffy,	Leonard, L.,	Peta,	Toll,
Fenrich,	Leven,	Petrosky,	Varallo,
Filip,	Limper,	Pettigrew,	Verona,
Filo,	Lopresti,	Pfaff,	Wargo,
Gaffney,	Lovett,	Polaski,	Welsh,
Good,	Lutty,	Polen,	Westrick,
Guarnieri,	Maxwell,	Price, R. A.,	Wheeler,
Hagerty,	Mazza,	Readinger,	Williams,
Hamilton, R. K.,	McDermitt,	Reese,	Yester,
			Yetzer,



## NAYS—116

Banker,	Frost,	Lyons,	Sax,
Barkdoll,	Geer,	Madden,	Scott,
Baumunk,	Gibson,	Madigan,	Shoemaker,
Bear,	Gleason,	Markley,	Shotwell,
Beech,	Goodling,	McConnell,	Smith,
Blair,	Graybill,	McCormack,	Sollenberger,
Bloom,	Greenwood,	McCullough,	Spencer,
Bolton,	Greer,	McInroy,	Stimmel,
Bombberger,	Gutendorf,	McKinney,	Stoner,
Boorse,	Guthrie,	McMillen,	Swartz,
Bower,	Hall,	Metz,	Tahl,
Brelsich,	Hamilton, W. H.,	Mikula,	Thompson, E. F.,
Brown,	Harney,	Miller, H. G.,	Thompson, R. L.,
Cella,	Haudenschild,	Mintess,	Tompkins,
Clapper,	Helm,	Moore, C. E.,	Toomey,
Clendenning,	Hewitt,	Moore, H. A.,	VanSant,
Cooper,	Hocker,	Murray,	Varner,
Costa,	Johnson,	Najaka,	Wachhaus,
Dalrymple,	Jones, T. H. W.,	Naugle,	Waterhouse,
Davis,	Keller,	Pichney,	Watkins,
Dennison,	Kent,	Pitzer,	Weidner,
Dowling,	Kline,	Price, H. W. Jr.,	Wescott,
DuBois,	Kohl,	Reagan,	White,
Dunn,	Kratz,	Reilly, J. M.,	Wilt,
Erb,	Lafore,	Rigby,	Wood,
Ewing,	Lelsey,	Riley, R. L.,	Yeakel,
Ferster,	Leonard, W. C.,	Robertson,	Young,
Firmstone,	Light,	Royer,	Ziegler,
Flack,	Loftus,	Rubin,	Sorg,

Speaker

## NOT VOTING—2

Jump, Whalley,

So the question was determined in the negative and the resolution was not adopted.

## RESOLUTION

## TO DISCHARGE COMMITTEE (HOUSE BILL No. 933)

Mr. KAMYK offered a resolution which was read and considered as follows:

In the House of Representatives, August 14, 1951.

Resolved, that the Committee on Labor Relations be discharged from further consideration of House Bill 933, "An act requiring employers employing one hundred or more persons in any shop or factory, to employ one or more licensed physicians and one or more registered nurses to render medical aid; requiring that medical and first aid equipment be made available by such employers; providing penalties.

Said bill having been referred to the Committee on Labor Relations, on April 4, 1951.

On the question,

Will the House adopt the resolution?

The yeas and nays were required by Mr. Kamyk and Mr. Lovett and were as follows:

## YEAS—89

Amarando,	Headlee,	McGee,	Reidenbach,
Andrews,	Hersch,	McNally,	Rose,
Beaver,	Hoggard,	Mihm,	Rosen,
Berkstresser,	Hunter,	Miller, J. C.,	Rovanssek,
Boles,	Jenkins,	Mills,	Sarraff,
Breth,	Jones, G. E.,	Monroe,	Scanlon,
Bucchin,	Jones, J. M.,	Moran,	Schmidt,
Byrne,	Jones, P. F.,	Muldowney,	Schuster,
Cochran,	Kamyk,	Munley,	Seyler,
Conway,	Kolankiewicz,	Musto,	Snider,
Corr,	Kornick,	Needham,	Stank,
Coyle,	Kubacki,	Olsen,	Swope,
Dougherty,	Lederer,	Penglase,	Taylor,
Duffy,	Leonard, L.,	Peta,	Toll,
Fenrich,	Leven,	Petrosky,	Varallo,
Fillp,	Limper,	Pettigrew,	Verona,
Filo,	Lopresti,	Pfaff,	Wargo,
Gaffney,	Lovett,	Polaski,	Welsh,
Good,	Lutty,	Polen,	Westrick,
Guarnieri,	Maxwell,	Price, R. A.,	Wheeler,
Hagerty,	Mazza,	Readinger,	Williams,
Hamilton, R. K.,	McDermitt,	Reese,	Yester,
			Yetzer,

## NAYS—116

Banker,	Frost,	Lyons,	Sax,
Barkdoll,	Geer,	Madden,	Scott,
Baumunk,	Gibson,	Madigan,	Shoemaker,
Bear,	Gleason,	Markley,	Shotwell,
Beech,	Goodling,	McConnell,	Smith,
Blair,	Graybill,	McCormack,	Sollenberger,
Bloom,	Greenwood,	McCullough,	Spencer,
Bolton,	Greer,	McInroy,	Stimmel,
Bombberger,	Gutendorf,	McKinney,	Stoner,
Boorse,	Guthrie,	McMillen,	Swartz,
Bower,	Hall,	Metz,	Tahl,
Brelsich,	Hamilton, W. H.,	Mikula,	Thompson, E. F.,
Brown,	Harney,	Miller, H. G.,	Thompson, R. L.,
Cella,	Haudenschild,	Mintess,	Tompkins,
Clapper,	Helm,	Moore, C. E.,	Toomey,
Clendenning,	Hewitt,	Moore, H. A.,	VanSant,
Cooper,	Hocker,	Murray,	Varner,
Costa,	Johnson,	Najaka,	Wachhaus,
Dalrymple,	Jones, T. H. W.,	Naugle,	Waterhouse,
Davis,	Keller,	Pichney,	Watkins,
Dennison,	Kent,	Pitzer,	Weidner,
Dowling,	Kline,	Price, H. W. Jr.,	Wescott,
DuBois,	Kohl,	Reagan,	White,
Dunn,	Kratz,	Reilly, J. M.,	Wilt,
Erb,	Lafore,	Rigby,	Wood,
Ewing,	Lelsey,	Riley, R. L.,	Yeakel,
Ferster,	Leonard, W. C.,	Robertson,	Young,
Firmstone,	Light,	Royer,	Ziegler,
Flack,	Loftus,	Rubin,	Sorg,

Speaker

## NOT VOTING—2

Jump, Whalley,

So the question was determined in the negative and the resolution was not adopted.

## RESOLUTION

## TO DISCHARGE COMMITTEE (HOUSE BILL 1072)

Mr. McGEE offered a resolution which was read and considered as follows:

In the House of Representatives, August 14, 1951.

Resolved, that the Committee on Labor Relations be discharged from further consideration of House Bill No. 1072, title: "An Act to further amend subsection (c) of Section 7 of the act, approved the first day of June, one thousand nine hundred thirty-seven (P. L. 1168), entitled 'Pennsylvania Labor Relations Act,' by eliminating the right of an employer to request an election."

Said bill having been referred to the Committee on Labor Relations on April 30, 1951.

On the question,

Will the House adopt the resolution?

The yeas and nays were required by Mr. McGee and Mr. Lovett and were as follows:

## YEAS—89

Amarando,	Headlee,	McGee,	Reidenbach,
Andrews,	Hersch,	McNally,	Rose,
Beaver,	Hoggard,	Mihm,	Rosen,
Berkstresser,	Hunter,	Miller, J. C.,	Rovanssek,
Boles,	Jenkins,	Mills,	Sarraff,
Breth,	Jones, G. E.,	Monroe,	Scanlon,
Bucchin,	Jones, J. M.,	Moran,	Schmidt,
Byrne,	Jones, P. F.,	Muldowney,	Schuster,
Cochran,	Kamyk,	Munley,	Seyler,
Conway,	Kolankiewicz,	Musto,	Snider,
Corr,	Kornick,	Needham,	Stank,
Coyle,	Kubacki,	Olsen,	Swope,
Dougherty,	Lederer,	Penglase,	Taylor,
Duffy,	Leonard, L.,	Peta,	Toll,
Fenrich,	Leven,	Petrosky,	Varallo,
Fillp,	Limper,	Pettigrew,	Verona,
Filo,	Lopresti,	Pfaff,	Wargo,
Gaffney,	Lovett,	Polaski,	Welsh,
Good,	Lutty,	Polen,	Westrick,
Guarnieri,	Maxwell,	Price, R. A.,	Wheeler,
Hagerty,	Mazza,	Readinger,	Williams,
Hamilton, R. K.,	McDermitt,	Reese,	Yester,
			Yetzer,



NAYS—116

Banker,	Frost,	Lyons,	Sax,
Barkdoll,	Geer,	Madden,	Scott,
Baumunk,	Gibson,	Madigan,	Shoemaker,
Bear,	Gleason,	Markley,	Shotwell,
Beech,	Goodling,	McConnell,	Smith,
Blair,	Graybill,	McCormack,	Sollenberger,
Bloom,	Greenwood,	McCullough,	Spencer,
Bolton,	Greer,	McInroy,	Stimmel,
Bomberger,	Gutendorf,	McKinney,	Stoner,
Boorse,	Guthrie,	McMillen,	Swartz,
Bower,	Hall,	Metz,	Tahl,
Breisch,	Hamilton, W. H.,	Mikula,	Thompson, E. F.,
Brown,	Harney,	Miller, H. G.,	Thompson, R. L.,
Cella,	Haudenshield,	Mintess,	Tompkins,
Clapper,	Helm,	Moore, C. E.,	Toomey,
Clendenning,	Hewitt,	Moore, H. A.,	VanSant,
Cooper,	Hocker,	Murray,	Varner,
Costa,	Johnson,	Najaka,	Wachhaus,
Dalrymple,	Jones, T. H. W.,	Naugle,	Waterhouse,
Davis,	Keller,	Pichney,	Watkins,
Dennison,	Kent,	Pitzer,	Weidner,
Dowling,	Kline,	Price, H. W. Jr.,	Wescott,
DuBois,	Kohl,	Reagan,	White,
Dunn,	Krats,	Reilly, J. M.,	Wilt,
Erb,	Lafore,	Rigby,	Wood,
Ewing,	Leisey,	Riley, R. L.,	Yeakel,
Ferster,	Leonard, W. C.,	Robertson,	Young,
Firmstone,	Light,	Royer,	Ziegler,
Flack,	Loftus,	Rubin,	Sorg,

Speaker

NOT VOTING—2

Jump, Whalley,

So the question was determined in the negative and the resolution was not adopted.

RESOLUTION

TO DISCHARGE COMMITTEE (HOUSE BILL 925)

Mr. DUFFY offered a resolution which was read and considered as follows:

In the House of Representatives, August 14, 1951.

Resolved, that the Committee on Workmen's Compensation be discharged from further consideration of House Bill No. 925, title: "An Act to further amend clause (a) of section 320 of the act, approved the second day of June, one thousand nine hundred fifteen (P. L. 736), entitled as amended "Workmen's Compensation Act of 1915," by increasing the compensation paid to illegally employed minors."

Said bill having been referred to the Committee on Workmen's Compensation, on April 4, 1951.

On the question,

Will the House adopt the resolution?

The yeas and nays were required by Mr. Duffy and Mr. Lovett and were as follows:

YEAS—89

Amarando,	Headlee,	McGee,	Reidenbach,
Andrews,	Hersch,	McNally,	Rose,
Beaver,	Hoggard,	Mihm,	Rosen,
Berkstresser,	Hunter,	Miller, J. C.,	Rovansek,
Boles,	Jenkins,	Mills,	Sarra,
Breth,	Jones, G. E.,	Monroe,	Scanlon,
Bucchin,	Jones, J. M.,	Moran,	Schmidt,
Byrne,	Jones, P. F.,	Muldowney,	Schuster,
Cochran,	Kamyk,	Munley,	Seyler,
Conway,	Kolankiewicz,	Musto,	Snider,
Corr,	Kornick,	Needham,	Stank,
Coyle,	Kubacki,	Olsen,	Swope,
Dougherty,	Lederer,	Penglase,	Taylor,
Duffy,	Leonard, L.,	Peta,	Toll,
Fenrich,	Leven,	Petrosky,	Varallo,
Flip,	Limper,	Pettigrew,	Verona,
Filo,	Lopresti,	Pfaff,	Wargo,
Gaffney,	Lovett,	Polaski,	Welsh,

Good,  
Guarnieri,  
Hagerty,  
Hamilton, R. K.,

Lutty,  
Maxwell,  
Mazza,  
McDermitt,

Polen,  
Price, R. A.,  
Readinger,  
Reese,

Westrick,  
Wheeler,  
Williams,  
Yester,  
Yetzer,

NAYS—116

Banker,	Frost,	Lyons,	Sax,
Barkdoll,	Geer,	Madden,	Scott,
Baumunk,	Gibson,	Madigan,	Shoemaker,
Bear,	Gleason,	Markley,	Shotwell,
Beech,	Goodling,	McConnell,	Smith,
Blair,	Graybill,	McCormack,	Sollenberger,
Bloom,	Greenwood,	McCullough,	Spencer,
Bolton,	Greer,	McInroy,	Stimmel,
Bomberger,	Gutendorf,	McKinney,	Stoner,
Boorse,	Guthrie,	McMillen,	Swartz,
Bower,	Hall,	Metz,	Tahl,
Breisch,	Hamilton, W. H.,	Mikula,	Thompson, E. F.,
Brown,	Harney,	Miller, H. G.,	Thompson, R. L.,
Cella,	Haudenshield,	Mintess,	Tompkins,
Clapper,	Helm,	Moore, C. E.,	Toomey,
Clendenning,	Hewitt,	Moore, H. A.,	VanSant,
Cooper,	Hocker,	Murray,	Varner,
Costa,	Johnson,	Najaka,	Wachhaus,
Dalrymple,	Jones, T. H. W.,	Naugle,	Waterhouse,
Davis,	Keller,	Pichney,	Watkins,
Dennison,	Kent,	Pitzer,	Weidner,
Dowling,	Kline,	Price, H. W. Jr.,	Wescott,
DuBois,	Kohl,	Reagan,	White,
Dunn,	Krats,	Reilly, J. M.,	Wilt,
Erb,	Lafore,	Rigby,	Wood,
Ewing,	Leisey,	Riley, R. L.,	Yeakel,
Ferster,	Leonard, W. C.,	Robertson,	Young,
Firmstone,	Light,	Royer,	Ziegler,
Flack,	Loftus,	Rubin,	Sorg,

Speaker

NOT VOTING—2

Jump, Whalley,

So the question was determined in the negative and the resolution was not adopted.

RESOLUTION

TO DISCHARGE COMMITTEE (HOUSE BILL 1265)

Mr. TOLL offered a resolution which was read and considered as follows:

In the House of Representatives, August 14, 1951.

Resolved, that the Committee on Labor Relations be discharged from further consideration of House Bill No. 1265, "An Act to add Section 652.1 to the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "The Penal Code," to prohibit discrimination in employment on account of age.

Said bill having been referred to the Committee on Labor Relations, on May 16, 1951.

On the question,

Will the House adopt the resolution?

The yeas and nays were required by Mr. Toll and Mr. Lovett, and were as follows:

YEAS—89

Amarando,	Headlee,	McGee,	Reidenbach,
Andrews,	Hersch,	McNally,	Rose,
Beaver,	Hoggard,	Mihm,	Rosen,
Berkstresser,	Hunter,	Miller, J. C.,	Rovansek,
Boles,	Jenkins,	Mills,	Sarra,
Breth,	Jones, G. E.,	Monroe,	Scanlon,
Bucchin,	Jones, J. M.,	Moran,	Schmidt,
Byrne,	Jones, P. F.,	Muldowney,	Schuster,
Cochran,	Kamyk,	Munley,	Seyler,
Conway,	Kolankiewicz,	Musto,	Snider,
Corr,	Kornick,	Needham,	Stank,
Coyle,	Kubacki,	Olsen,	Swope,
Dougherty,	Lederer,	Penglase,	Taylor,
Duffy,	Leonard, L.,	Peta,	Toll,
Fenrich,	Leven,	Petrosky,	Varallo,



Filip,  
Filo,  
Gaffney,  
Good,  
Guarnieri,  
Hagerty,  
Hamilton, R. K., McDermitt,

Limper,  
Lopresti,  
Lovett,  
Lutty,  
Maxwell,  
Mazza,  
McDermitt,

Pettigrew,  
Pfaff,  
Polaski,  
Polen,  
Price, R. A.,  
Readinger,  
Reese,

Verona,  
Wargo,  
Welsh,  
Westrick,  
Wheeler,  
Williams,  
Yester,  
Yetzer,

Coyle,  
Dougherty,  
Duffy,  
Fenrich,  
Filip,  
Filo,  
Gaffney,  
Good,  
Guarnieri,  
Hagerty,  
Hamilton, R. K.,

Kubacki,  
Lederer,  
Leonard, L.,  
Leven,  
Limper,  
Lopresti,  
Lovett,  
Lutty,  
Maxwell,  
Mazza,  
McDermitt,

Olsen,  
Penglass,  
Peta,  
Petrosky,  
Pfaff,  
Polaski,  
Polen,  
Price, R. A.,  
Readinger,  
Reese,

Swope,  
Taylor,  
Toll,  
Varallo,  
Verona,  
Wargo,  
Welsh,  
Westrick,  
Wheeler,  
Williams,  
Yester,  
Yetzer,

## NAYS—116

Banker,  
Barkdoll,  
Baumunk,  
Bear,  
Beech,  
Blair,  
Bloom,  
Bolton,  
Bomberger,  
Boorse,  
Bower,  
Breisch,  
Brown,  
Cella,  
Clapper,  
Clendenning,  
Cooper,  
Costa,  
Dalrymple,  
Davis,  
Dennison,  
Dowling,  
DuBois,  
Dunn,  
Erb,  
Ewing,  
Ferster,  
Firmstone,  
Flack,

Frost,  
Geer,  
Gibson,  
Gleason,  
Goodling,  
Graybill,  
Greenwood,  
Greer,  
Gutendorf,  
Guthrie,  
Hall,  
Hamilton, W. H.,  
Harney,  
Haudenshield,  
Helm,  
Hewitt,  
Hocker,  
Johnson,  
Jones, T. H. W.,  
Keller,  
Kent,  
Kline,  
Kohl,  
Kratz,  
Lafore,  
Lelsey,  
Leonard, W. C.,  
Light,  
Loftus,

Lyons,  
Madden,  
Madigan,  
Markley,  
McConnell,  
McCormack,  
McCullough,  
McInroy,  
McKinney,  
McMillen,  
Metz,  
Mikula,  
Miller, H. G.,  
Mintess,  
Moore, C. E.,  
Moore, H. A.,  
Murray,  
Najaka,  
Naugle,  
Pichney,  
Pitzer,  
Price, H. W. Jr.,  
Reagan,  
Reilly, J. M.,  
Rigby,  
Riley, R. L.,  
Robertson,  
Royer,  
Rubin,

Sax,  
Scott,  
Shoemaker,  
Shotwell,  
Smith,  
Sollenberger,  
Spencer,  
Stimmel,  
Stoner,  
Swartz,  
Tahl,  
Thompson, E. F.,  
Thompson, R. L.,  
Tompkins,  
Toomey,  
VanSant,  
Varner,  
Wachhaus,  
Waterhouse,  
Watkins,  
Weidner,  
Wescott,  
White,  
Wilt,  
Wood,  
Yeakel,  
Young,  
Ziegler,  
Sorg,

Speaker

## NOT VOTING—2

Jump, Whalley,

So the question was determined in the negative and the resolution was not adopted.

## RESOLUTION

## TO DISCHARGE COMMITTEE (HOUSE BILL 599)

Mr. LEVEN offered a resolution which was read and considered as follows:

In the House of Representatives, August 14, 1951.

Resolved, that the Committee on Labor Relations be discharged from further consideration of House Bill No. 599, Title: "An Act to permit any person entitled to vote to absent himself from any service or employment in which he is then engaged or employed for a period of two hours in certain cases, without deduction in salary or wages."

Said bill having been referred to the Committee on Labor Relations, on March 13, 1951.

On the question,

Will the House adopt the resolution?

The yeas and nays were required by Mr. Leven and Mr. Lovett, and were as follows:

## YEAS—89

Amarando,  
Andrews,  
Beaver,  
Berkstresser,  
Boles,  
Breth,  
Bucchin,  
Byrne,  
Cochran,  
Conway,  
Corr,

Headlee,  
Hersch,  
Hoggard,  
Hunter,  
Jenkins,  
Jones, G. E.,  
Jones, J. M.,  
Jones, P. F.,  
Kamyk,  
Kolankiewicz,  
Kornick,

McGee,  
McNally,  
Mihm,  
Miller, J. C.,  
Mills,  
Monroe,  
Moran,  
Muldowney,  
Munley,  
Musto,  
Needham,

Reidenbach,  
Rose,  
Rosen,  
Rovaneck,  
Sarraf,  
Scanlon,  
Schmidt,  
Schuster,  
Seyler,  
Snider,  
Stank,

Banker,  
Barkdoll,  
Baumunk,  
Bear,  
Beech,  
Blair,  
Bloom,  
Bolton,  
Bomberger,  
Boorse,  
Bower,  
Breisch,  
Brown,  
Cella,  
Clapper,  
Clendenning,  
Cooper,  
Costa,  
Dalrymple,  
Davis,  
Dennison,  
Dowling,  
DuBois,  
Dunn,  
Erb,  
Ewing,  
Ferster,  
Firmstone,  
Flack,

Frost,  
Geer,  
Gibson,  
Gleason,  
Goodling,  
Graybill,  
Greenwood,  
Greer,  
Gutendorf,  
Guthrie,  
Hall,  
Hamilton, W. H.,  
Harney,  
Haudenshield,  
Helm,  
Hewitt,  
Hocker,  
Johnson,  
Jones, T. H. W.,  
Keller,  
Kent,  
Hall,  
Kline,  
Kohl,  
Kratz,  
Lafore,  
Lelsey,  
Leonard, W. C.,  
Light,

Loftus,  
Lyons,  
Madden,  
Madigan,  
Markley,  
McConnell,  
McCormack,  
McCullough,  
McInroy,  
McKinney,  
McMillen,  
Metz,  
Mikula,  
Miller, H. G.,  
Mintess,  
Moore, C. E.,  
Moore, H. A.,  
Murray,  
Najaka,  
Naugle,  
Pichney,  
Pitzer,  
Price, H. W. Jr.,  
Reagan,  
Reilly, J. M.,  
Rigby,  
Riley, R. L.,  
Robertson,  
Royer,  
Rubin,

Sax,  
Scott,  
Shoemaker,  
Shotwell,  
Smith,  
Sollenberger,  
Spencer,  
Stimmel,  
Stoner,  
Swartz,  
Tahl,  
Thompson, E. F.,  
Thompson, R. L.,  
Tompkins,  
Toomey,  
VanSant,  
Varner,  
Wachhaus,  
Waterhouse,  
Watkins,  
Weidner,  
Wescott,  
White,  
Wilt,  
Wood,  
Yeakel,  
Young,  
Ziegler,  
Sorg,

Speaker

## NOT VOTING—2

Jump, Whalley,

So the question was determined in the negative and the resolution was not adopted.

## RESOLUTION

## TO DISCHARGE COMMITTEE (HOUSE BILL 278)

Mr. GRANVILLE E. JONES offered a resolution which was read and considered as follows:

In the House of Representatives, August 14, 1951.

Resolved, that the Committee on Highways be discharged from further consideration of House Bill No. 278, Title: "An Act to amend the act approved the first day of June one thousand nine hundred forty-five (P. L. 1242) entitled 'State Highway Law,' by specifying the rate of wages paid to labor employed by the Department of Highways."

Said bill having been referred to the Committee on Highways, on February 14, 1951.

On the question,

Will the House adopt the resolution?

The yeas and nays were required by Mr. Granville E. Jones and Mr. Lovett, and were as follows:

## YEAS—89

Amarando,  
Andrews,  
Beaver,  
Berkstresser,  
Boles,  
Breth,  
Bucchin,

Headlee,  
Hersch,  
Hoggard,  
Hunter,  
Jenkins,  
Jones, G. E.,  
Jones, J. M.,

McGee,  
McNally,  
Mihm,  
Miller, J. C.,  
Mills,  
Monroe,  
Moran,

Reidenbach,  
Rose,  
Rosen,  
Rovaneck,  
Sarraf,  
Scanlon,  
Schmidt,



Byrne,  
Cochran,  
Conway,  
Corr,  
Coyle,  
Dougherty,  
Duffy,  
Fenrich,  
Filip,  
Filo,  
Gaffney,  
Good,  
Guarnieri,  
Hagerty,  
Hamilton, R. K.,

Jones, P. F.,  
Kamyk,  
Kolankiewicz,  
Kornick,  
Kubacki,  
Lederer,  
Leonard, L.,  
Leven,  
Limper,  
Lopresti,  
Lovett,  
Lutty,  
Maxwell,  
Mazza,  
McDermitt.

Muldowney,  
Munley,  
Musto,  
Needham,  
Olsen,  
Penglase,  
Peta,  
Petrosky,  
Pettigrew,  
Pfaff,  
Polaski,  
Polen,  
Price, R. A.,  
Readinger,  
Reese,

Schuster,  
Seyler,  
Snider,  
Stank,  
Swope,  
Taylor,  
Toll,  
Varallo,  
Verona,  
Wargo,  
Welsh,  
Westrick,  
Wheeler,  
Williams,  
Yester,  
Yetzer.

Berkstresser,  
Boles,  
Breth,  
Bucchin,  
Byrne,  
Cochran,  
Conway,  
Corr,  
Coyle,  
Dougherty,  
Duffy,  
Fenrich,  
Filip,  
Filo,  
Gaffney,  
Good,  
Guarnieri,  
Hagerty,  
Hamilton, R. K.,

Hunter,  
Jenkins,  
Jones, G. E.,  
Jones, J. M.,  
Jones, P. F.,  
Kamyk,  
Kolankiewicz,  
Kornick,  
Kubacki,  
Lederer,  
Leonard, L.,  
Leven,  
Limper,  
Lopresti,  
Lovett,  
Lutty,  
Maxwell,  
Mazza,  
McDermitt.

Miller, J. C.,  
Mills,  
Monroe,  
Moran,  
Muldowney,  
Munley,  
Musto,  
Needham,  
Olsen,  
Penglase,  
Peta,  
Petrosky,  
Pettigrew,  
Pfaff,  
Polaski,  
Polen,  
Price, R. A.,  
Readinger,  
Reese,

Rovansek,  
Sarraf,  
Scanlon,  
Schmidt,  
Schuster,  
Seyler,  
Snider,  
Stank,  
Swope,  
Taylor,  
Toll,  
Varallo,  
Verona,  
Wargo,  
Welsh,  
Westrick,  
Wheeler,  
Williams,  
Yester,  
Yetzer.

## NAYS—116

Banker,  
Barkdoll,  
Baumunk,  
Bear,  
Beech,  
Blair,  
Bloom,  
Bolton,  
Bomberger,  
Boorse,  
Bower,  
Breisch,  
Brown,  
Cella,  
Clapper,  
Clendening,  
Cooper,  
Costa,  
Dalrymple,  
Davis,  
Dennison,  
Dowling,  
DuBois,  
Dunn,  
Erb,  
Ewing,  
Ferster,  
Firmstone,  
Flack,

Frost,  
Gear,  
Gibson,  
Gleason,  
Goodling,  
Graybill,  
Greenwood,  
Greer,  
Gutendorf,  
Guthrie,  
Hall,  
Hamilton, W. H.,  
Harney,  
Haudenshield,  
Helm,  
Hewitt,  
Hocker,  
Johnson,  
Jones, T. H. W.,  
Keller,  
Kent,  
Kline,  
Kohl,  
Kratz,  
Lafore,  
Lelsey,  
Leonard, W. C.,  
Light,  
Loftus,

Lyons,  
Madden,  
Madigan,  
Markley,  
McConnell,  
McCormack,  
McCullough,  
McInroy,  
McKinney,  
McMillen,  
Metz,  
Mikula,  
Miller, H. G.,  
Mintess,  
Moore, C. E.,  
Moore, H. A.,  
Murray,  
Najaka,  
Naugle,  
Pichney,  
Pitzer,  
Price, H. W. Jr.,  
Reagan,  
Reilly, J. M.,  
Rigby,  
Riley, R. L.,  
Robertson,  
Royer,  
Rubin,

Sax,  
Scott,  
Shoemaker,  
Shotwell,  
Smith,  
Sollenberger,  
Spencer,  
Stimmel,  
Stoner,  
Swartz,  
Tahl,  
Thompson, E. F.,  
Thompson, R. L.,  
Tompkins,  
Toomey,  
VanSant,  
Varner,  
Wachhaus,  
Waterhouse,  
Watkins,  
Weidner,  
Wescott,  
White,  
Wilt,  
Wood,  
Yeakel,  
Young,  
Ziegler,  
Sorg,

Speaker

## NOT VOTING—2

Jump, Whalley.

So the question was determined in the negative and the resolution was not adopted.

## RESOLUTION

## TO DISCHARGE COMMITTEE (HOUSE BILL 1195)

Mrs. MONROE offered a resolution which was read and considered as follows:

In the House of Representatives, August 14, 1951.

Resolved, that the Committee on Labor Relations be discharged from further consideration of House Bill No. 1195, "An Act to further amend subsection (a) of Section 3 of the act, approved the twenty-fifth day of July, one thousand nine hundred thirteen (P. L. 1024), entitled 'Female Labor Law,' by prohibiting the working of women for more than six consecutive days without at least one day of rest.

Said bill having been referred to the Committee on Labor Relations, on May 8, 1951.

On the question,

Will the House adopt the resolution?

Theyas and nays were required by Mrs. Monroe and Mr. Lovett, ad were as follows:

## YEAS—89

Amarando,  
Andrews,  
Beaver,

Headlee,  
Hersch,  
Hoggard,

McGee,  
McNally,  
Mihm,

Reidenbach,  
Rose,  
Rosen,

## NAYS—116

Banker,  
Barkdoll,  
Baumunk,  
Bear,  
Beech,  
Blair,  
Bloom,  
Bolton,  
Bomberger,  
Boorse,  
Bower,  
Breisch,  
Brown,  
Cella,  
Clapper,  
Clendening,  
Cooper,  
Costa,  
Dalrymple,  
Davis,  
Dennison,  
Dowling,  
DuBois,  
Dunn,  
Erb,  
Ewing,  
Ferster,  
Firmstone,  
Flack,

Frost,  
Gear,  
Gibson,  
Gleason,  
Goodling,  
Graybill,  
Greenwood,  
Greer,  
Gutendorf,  
Guthrie,  
Hall,  
Hamilton, W. H.,  
Harney,  
Haudenshield,  
Helm,  
Hewitt,  
Hocker,  
Johnson,  
Jones, T. H. W.,  
Keller,  
Kent,  
Kline,  
Kohl,  
Kratz,  
Lafore,  
Lelsey,  
Leonard, W. C.,  
Light,  
Loftus,

Lyons,  
Madden,  
Madigan,  
Markley,  
McConnell,  
McCormack,  
McCullough,  
McInroy,  
McKinney,  
McMillen,  
Metz,  
Mikula,  
Miller, H. G.,  
Mintess,  
Moore, C. E.,  
Moore, H. A.,  
Murray,  
Najaka,  
Naugle,  
Pichney,  
Pitzer,  
Price, H. W. Jr.,  
Reagan,  
Reilly, J. M.,  
Rigby,  
Riley, R. L.,  
Robertson,  
Royer,  
Rubin,

Sax,  
Scott,  
Shoemaker,  
Shotwell,  
Smith,  
Sollenberger,  
Spencer,  
Stimmel,  
Stoner,  
Swartz,  
Tahl,  
Thompson, E. F.,  
Thompson, R. L.,  
Tompkins,  
Toomey,  
VanSant,  
Varner,  
Wachhaus,  
Waterhouse,  
Watkins,  
Weidner,  
Wescott,  
White,  
Wilt,  
Wood,  
Yeakel,  
Young,  
Ziegler,  
Sorg,

Speaker

## NOT VOTING—2

Jump, Whalley.

So the question was determined in the negative and the resolution was not adopted.

## RESOLUTION

## TO DISCHARGE COMMITTEE (HOUSE BILL 430)

Mr. Schuster offered a resolution which was read and considered as follows:

In the House of Representatives, August 14, 1951.

Resolved, that the Committee on Labor Relations be discharged from further consideration of House Bill No. 430, Title: "An Act to further amend subsection (c) of section three of the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168), entitled 'Pennsylvania Labor Relations Act,' by further defining employer."

Said bill having been referred to the Committee on Labor Relations, on February 21, 1951.

On the question,

Will the House adopt the resolution?

The yeas and nays were required by Mr. Schuster and Mr. Lovett, and were as follows:



## YEAS—89

Amarando.	Headlee.	McGee.	Reidenbach.
Andrews.	Hersch.	McNally.	Rose.
Beaver.	Hoggard.	Mihm.	Rosen.
Berkstresser.	Hunter.	Miller, J. C.	Rovansek.
Boles.	Jenkins.	Mills.	Sarra.
Breth.	Jones, G. E.	Monroe.	Scanlon.
Bucchin.	Jones, J. M.	Moran.	Schmidt.
Byrne.	Jones, P. F.	Muldowney.	Schuster.
Cochran.	Kamyk.	Munley.	Seyler.
Conway.	Kolankiewicz.	Musto.	Snider.
Corr.	Kornick.	Needham.	Stank.
Coyle.	Kubacki.	Olsen.	Swope.
Dougherty.	Lederer.	Penglase.	Taylor.
Duffy.	Leonard, L.	Peta.	Toll.
Fenrich.	Leven.	Petrosky.	Varallo.
Fillip.	Limper.	Pettigrew.	Verona.
Filo.	Lopresti.	Pfaff.	Wargo.
Gaffney.	Lovett.	Polaski.	Welsh.
Good.	Lutty.	Price, R. A.	Westrick.
Guarnieri.	Maxwell.	Readinger.	Wheeler.
Hagerty.	Mazza.	Reese.	Williams.
Hamilton, R. K.	McDermitt.		Yester.
			Yetzer.

## NAYS—116

Banker.	Frost.	Lyons.	Sax.
Barkdoll.	Geer.	Madden.	Scott.
Baumunk.	Gibson.	Madigan.	Shoemaker.
Bear.	Gleason.	Markley.	Shotwell.
Beech.	Goodling.	McConnell.	Smith.
Blair.	Graybill.	McCormack.	Sollenberger.
Bloom.	Greenwood.	McCullough.	Spencer.
Bolton.	Greer.	McInroy.	Stimmel.
Bomberger.	Gutendorf.	McKinney.	Stoner.
Boorse.	Guthrie.	McMillen.	Swartz.
Bower.	Hall.	Metz.	Tahl.
Breisch.	Hamilton, W. H.	Mikula.	Thompson, E. F.
Brown.	Harney.	Miller, H. G.	Thompson, R. L.
Cella.	Haudenshield.	Mintess.	Tompkins.
Clapper.	Helm.	Moore, C. E.	Toomey.
Clendenning.	Hewitt.	Moore, H. A.	VanSant.
Cooper.	Hocker.	Murray.	Varner.
Costa.	Johnson.	Najaka.	Wachhaus.
Dalrymple.	Jones, T. H. W.	Naugle.	Waterhouse.
Davis.	Keller.	Pichney.	Watkins.
Dennison.	Kent.	Pitzer.	Weidner.
Dowling.	Kilne.	Price, H. W. Jr.	Wescott.
DuBois.	Kohl.	Reagan.	White.
Dunn.	Kratz.	Reilly, J. M.	Wilt.
Erb.	Lafore.	Rigby.	Wood.
Ewing.	Leisey.	Riley, R. L.	Yeakel.
Ferster.	Leonard, W. C.	Robertson.	Young.
Firmstone.	Light.	Royer.	Ziegler.
Flack.	Loftus.	Rubin.	Sorg.

Speaker

## NOT VOTING—2

Jump. Whalley.

So the question was determined in the negative and the resolution was not adopted.

## RESOLUTION

## TO DISCHARGE COMMITTEE (HOUSE BILL 429)

Mr. SCHUSTER offered a resolution which was read and considered as follows:

In the House of Representatives, August 14, 1951.

Resolved, that the Committee on Labor Relations be discharged from further consideration of House Bill No. 429, Title: "An Act to further amend the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168), entitled 'Pennsylvania Labor Relations Act,' by further defining declaring and limiting unfair labor practices by employers and employees making further provision for designation and selection of representatives for the purpose of collective bargaining changing the practice before the Labor Relations Board and limiting its power in certain cases."

Said bill having been referred to the Committee on Labor Relations, on February 21, 1951.

On the question,

Will the House adopt the resolution?

The yeas and nays were required by Mr. Schuster and Mr. Lovett, and were as follows:

## YEAS—89

Amarando.	Headlee.	McGee.	Reidenbach.
Andrews.	Hersch.	McNally.	Rose.
Beaver.	Hoggard.	Mihm.	Rosen.
Berkstresser.	Hunter.	Miller, J. C.	Rovansek.
Boles.	Jenkins.	Mills.	Sarra.
Breth.	Jones, G. E.	Monroe.	Scanlon.
Bucchin.	Jones, J. M.	Moran.	Schmidt.
Byrne.	Jones, P. F.	Muldowney.	Schuster.
Cochran.	Kamyk.	Munley.	Seyler.
Conway.	Kolankiewicz.	Musto.	Snider.
Corr.	Kornick.	Needham.	Stank.
Coyle.	Kubacki.	Olsen.	Swope.
Dougherty.	Lederer.	Penglase.	Taylor.
Duffy.	Leonard, L.	Peta.	Toll.
Fenrich.	Leven.	Petrosky.	Varallo.
Fillip.	Limper.	Pettigrew.	Verona.
Filo.	Lopresti.	Pfaff.	Wargo.
Gaffney.	Lovett.	Polaski.	Welsh.
Good.	Lutty.	Polen.	Westrick.
Guarnieri.	Maxwell.	Price, R. A.	Wheeler.
Hagerty.	Mazza.	Readinger.	Williams.
Hamilton, R. K.	McDermitt.	Reese.	Yester.
			Yetzer.

## NAYS—116

Banker.	Frost.	Lyons.	Sax.
Barkdoll.	Geer.	Madden.	Scott.
Baumunk.	Gibson.	Madigan.	Shoemaker.
Bear.	Gleason.	Markley.	Shotwell.
Beech.	Goodling.	McConnell.	Smith.
Blair.	Graybill.	McCormack.	Sollenberger.
Bloom.	Greenwood.	McCullough.	Spencer.
Bolton.	Greer.	McInroy.	Stimmel.
Bomberger.	Gutendorf.	McKinney.	Stoner.
Boorse.	Guthrie.	McMillen.	Swartz.
Bower.	Hall.	Metz.	Tahl.
Breisch.	Hamilton, W. H.	Mikula.	Thompson, E. F.
Brown.	Harney.	Miller, H. G.	Thompson, R. L.
Cella.	Haudenshield.	Mintess.	Tompkins.
Clapper.	Helm.	Moore, C. E.	Toomey.
Clendenning.	Hewitt.	Moore, H. A.	VanSant.
Cooper.	Hocker.	Murray.	Varner.
Costa.	Johnson.	Najaka.	Wachhaus.
Dalrymple.	Jones, T. H. W.	Naugle.	Waterhouse.
Davis.	Keller.	Pichney.	Watkins.
Dennison.	Kent.	Pitzer.	Weidner.
Dowling.	Kilne.	Price, H. W. Jr.	Wescott.
DuBois.	Kohl.	Reagan.	White.
Dunn.	Kratz.	Reilly, J. M.	Wilt.
Erb.	Lafore.	Rigby.	Wood.
Ewing.	Leisey.	Riley, R. L.	Yeakel.
Ferster.	Leonard, W. C.	Robertson.	Young.
Firmstone.	Light.	Royer.	Ziegler.
Flack.	Loftus.	Rubin.	Sorg.

Speaker

## NOT VOTING—2

Jump. Whalley.

So the question was determined in the negative and the resolution was not adopted.

## RESOLUTION

## TO DISCHARGE COMMITTEE (HOUSE BILL 904)

Messrs. ROVANSEK and WESTRICK offered a resolution which was read and considered as follows:

In the House of Representatives, August 14, 1951.

Resolved that the Committee on Workmen's Compensation be discharged from further consideration of House Bill 904, Title: "An Act to further amend the act, approved the fifth day of December, one thousand nine hundred thirty-six (1937 P. L. 2879) entitled 'Unemployment Compensation Law,' by providing allowance for dependents."



Said bill having been referred to the Committee on Workmen's Compensation, April 4, 1951.

On the question,

Will the House adopt the resolution?

The yeas and nays were required by Messrs. Rovanseck, Westrick and Mr. Lovett, and were as follows:

#### YEAS—89

Amarando,	Headlee,	McGee,	Reidenbach,
Andrews,	Hersch,	McNally,	Rose,
Beaver,	Hoggard,	Mihm,	Rosen,
Berkstresser,	Hunter,	Miller, J. C.,	Rovanseck,
Boies,	Jenkins,	Mills,	Sarra,
Breth,	Jones, G. E.,	Monroe,	Scanlon,
Bucchin,	Jones, J. M.,	Moran,	Schmidt,
Byrne,	Jones, P. F.,	Muldowney,	Schuster,
Cochran,	Kamyk,	Munley,	Seyler,
Conway,	Kolankiewicz,	Musto,	Snider,
Corr,	Kornick,	Needham,	Stank,
Coyle,	Kubacki,	Olsen,	Swope,
Dougherty,	Lederer,	Pengase,	Taylor,
Duffy,	Leonard, L.,	Peta,	Toll,
Fenrich,	Leven,	Petrosky,	Varallo,
Filip,	Limper,	Pettigrew,	Verona,
Filo,	Lopresti,	Pfaff,	Wargo,
Gaffney,	Lovett,	Polaski,	Welsh,
Good,	Lutty,	Poleh,	Westrick,
Guarnieri,	Maxwell,	Price, R. A.,	Wheeler,
Hagerty,	Mazza,	Readinger,	Williams,
Hamilton, R. E.,	McDermitt,	Reese,	Yester,
			Yetzer,

#### NAYS—116

Banker,	Frost,	Lyons,	Sax,
Barkdoll,	Geer,	Madden,	Scott,
Baumunk,	Gibson,	Madigan,	Shoemaker,
Bear,	Gleason,	Markley,	Shotwell,
Beech,	Goodling,	McConnell,	Smith,
Blair,	Graybill,	McCormack,	Sollenberger,
Bloom,	Greenwood,	McCullough,	Spencer,
Bolton,	Greer,	McInroy,	Stimmel,
Bomberger,	Gutendorf,	McKinney,	Stoner,
Boorse,	Guthrie,	McMillen,	Swartz,
Bower,	Hall,	Metz,	Tahl,
Breisch,	Hamilton, W. H.,	Mikula,	Thompson, E. F.,
Brown,	Harney,	Miller, H. G.,	Thompson, R. L.,
Cella,	Haudensfield,	Mintess,	Tompkins,
Clapper,	Helm,	Moore, C. E.,	Toomey,
Clendening,	Hewitt,	Moore, H. A.,	VanSant,
Cooper,	Hocker,	Murray,	Varner,
Costa,	Johnson,	Najaka,	Wachhaus,
Dalrymple,	Jones, T. H. W.,	Naugle,	Waterhouse,
Davis,	Keller,	Pichney,	Watkins,
Dennison,	Kent,	Pitzer,	Weidner,
Dowling,	Kline,	Price, H. W. Jr.,	Wescott,
DuBois,	Kohl,	Reagan,	White,
Dunn,	Kratz,	Reilly, J. M.,	Wilt,
Erb,	Lafore,	Rigby,	Wood,
Ewing,	Lelsey,	Riley, R. L.,	Yeakel,
Ferster,	Leonard, W. C.,	Robertson,	Young,
Firmstone,	Light,	Royer,	Ziegler,
Flack,	Loftus,	Rubin,	Sorg,

Speaker

#### NOT VOTING—2

Jump, Whalley.

So the question was determined in the negative and the resolution was not adopted.

#### RESOLUTION CONGRATULATIONS

Mr. HELM offered a resolution which was read, considered and unanimously adopted as follows:

In the House of Representatives, August 14, 1951.

On a similar hot August 14th in the first year of this century, a child was born in Apollo. This child remained there and grew up to be its leading citizen, until he became involved in the present "Long Assembly," and

spent more time in Harrisburg than in Apollo; therefore be it

Resolved, That because Apollo cannot reach him to wish him a happy birthday and speed him on to further years of service to his community and State, the House of Representatives hereby extends to Honorable W. Mack Guthrie its warmest congratulations and best wishes for a long, happy and prosperous life, filled with opportunities to serve in public and private life, with the unflinching ability and zeal that has always marked his efforts; and be it further

Resolved, That a copy of this resolution be transmitted by the Chief Clerk to Mr. Guthrie.

The SPEAKER. The Chair recognizes the gentleman from Armstrong, Mr. Guthrie.

Mr. GUTHRIE. Mr. Speaker, I wish to thank my colleague from Armstrong county for offering the kind resolution. I want to say that I feel like the fellow who says he is 39 years old. However, I am just a few years older.

#### RESOLUTION

#### RECALLING HOUSE BILL NO. 815 FROM THE GOVERNOR

Mr. ROYER offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, August 14, 1951.

Resolved (if the Senate concur), that House Bill No. 815, Printer's No. 586, entitled "An Act to further amend the act approved the first day of may one thousand nine hundred twenty-nine (P. L. 905) entitled 'An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds," be recalled from the Governor for proposed amendments.

Ordered, That the Clerk present the same to the Senate for concurrence.

#### SENATE MESSAGE

#### AMENDED HOUSE BILL RETURNED FOR GOVERNOR

The Clerk of the Senate being introduced, returned bill from the House of representatives numbered and entitled as follows:

#### HOUSE BILL NO. 1487.

An Act to provid for the expenses of the Joint State Government Commission of the General Assembly beginning June first one thousand nine hundred and fifty-one and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and fifty-one



With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerks read the amendments as follows:

Amend the title, page 1, line 2, by striking out after the word "Assembly" the words "for the two."

Amend Section 1, uage 2, line 1, by striking out after the word "of" the words "three hundred thirty-five thousand dollars (\$335,000)" and inserting in lieu thereof the words "thirty-five thousand dollars (\$35,000)"; page 2, line 8, by striking out after the word "Commission" the words "for the two fiscal years"; page 2, line 9, by inserting after the word "fifty-one" the words "and until such time as moneys appropriated for such commission for the 1951-1953 biennium shall become available."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—205

Amarando,	Goodling,	Mazza,	Royer,
Andrews,	Graybill,	McConnell,	Rubin,
Banker,	Greenwood,	McCormack,	Sarra,
Barkdoll,	Greer,	McCullough,	Sax,
Baumunk,	Guarnieri,	McDermitt,	Scanlon,
Bear,	Gutendorf,	McGee,	Schmidt,
Beaver,	Guthrie,	McInroy,	Schuster,
Beech,	Hagerty,	McKinney,	Scott,
Berkstresser,	Hall,	McMillen,	Seyler,
Blair,	Hamilton, R. K.,	McNally,	Shoemaker,
Bloom,	Hamilton, W. H.,	Meiz,	Shotwell,
Boies,	Harney,	Mihm,	Smith,
Bolton,	Haudenschild,	Mikula,	Snider,
Bomberger,	Headlee,	Miller, H. G.,	Sollenberger,
Boorse,	Helm,	Miller, J. C.,	Spencer,
Bower,	Hersch,	Mills,	Stank,
Breisch,	Hewitt,	Mintess,	Stimmel,
Breth,	Hocker,	Monroe,	Stoner,
Brown,	Hoggard,	Moore, C. E.,	Swartz,
Bucchin,	Hunter,	Moore, H. A.,	Swope,
Byrne,	Jenkins,	Moran,	Tahl,
Cella,	Johnson,	Muldowney,	Taylor,
Clapper,	Jones, G. E.,	Munley,	Thompson, E. F.,
Clendening,	Jones, J. M.,	Murray,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Musto,	Toll,
Conway,	Jones, T. H. W.,	Najaka,	Tompkins,
Cooper,	Kamyk,	Naugle,	Toomey,
Corr,	Keller,	Needham,	VanSant,
Costa,	Kent,	Olsen,	Varallo,
Coyle,	Kline,	Penglase,	Varner,
Dalrymple,	Kohl,	Peta,	Verona,
Davis,	Kolankiewicz,	Petrosky,	Wachhaus,
Dennison,	Kornick,	Pettigrew,	Wargo,
Dougherty,	Kratz,	Pfaff,	Waterhouse,
Dowling,	Kubacki,	Pichney,	Watkins,
DuBois,	Lafore,	Pitzer,	Weidner,
Duffy,	Lederer,	Polaski,	Welsh,
Dunn,	Leisey,	Polen,	Wescott,
Erb,	Leonard, L.,	Price, H. W. Jr.,	Westrick,
Ewing,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Fenrich,	Leven,	Readinger,	White,
Ferster,	Light,	Reagan,	Williams,
Filip,	Limper,	Reese,	Wilt,
Filo,	Loftus,	Reidenbach,	Wood,
Firmstone,	Lopresti,	Reilly, J. M.,	Yeakel,
Flack,	Lovett,	Rigby,	Yester,
Frost,	Lutty,	Riley, R. L.,	Yetzer,
Gaffney,	Lyons,	Robertson,	Young,
Geer,	Madden,	Rose,	Ziegler,
Gibson,	Madigan,	Rosen,	Sorg,
Gleason,	Markley,	Rovansek,	Speaker
Good,	Maxwell,		

#### NAYS—0

#### NOT VOTING—2

Jump, Whalley,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

### SENATE MESSAGE

#### CONCURRENCE IN HOUSE RESOLUTION

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, August 10, 1951.

Resolved (if the Senate concur), that House Bill No. 815, Printer's No. 586, entitled "An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled 'An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highway of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds," be recalled from the Governor for proposed amendments.

### BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, the same being correct, the titles were publicly read as follows:

#### HOUSE BILL No. 1487.

An Act to provide for the expenses of the Joint State Government Commission of the General Assembly beginning June first one thousand nine hundred and fifty-one and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and fifty-one

#### SENATE BILL No. 303.

An Act relating to the apportionment of estate taxes and providing procedure for enforcement of contribution or exoneration

#### SENATE BILL No. 481.

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of



Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships with the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by defining "antique motor vehicles" and authorizing the operation of such vehicles with limitations as to use of lighting equipment in certain cases

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

### REPORT FROM COMMITTEE

Mr. CORR form the Committee on Education, reported as amended, House Bill No. 1545, entitled:

An Act to amend Section 504 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revis-

ing, consolidating and changing the laws relating thereto," by further regulating the operation and maintenance of cafeterias by boards of school directors.

### REPUBLICAN CAUCUS

The SPEAKER. There will be a Republican caucus tomorrow morning at 10:00 a. m. Eastern Standard Time, in the House caucus room.

### COMMITTEE MEETINGS

Motor Vehicles, Mr. Dennison, Chairman, Room 522, Wednesday, August 15, at 9:30 a. m.

Public Health and Sanitation, Mr. Frost, Chairman, Room 329, Wednesday, August 15, at 9:00 a. m.

All times are Eastern Standard Time.

### ADJOURNMENT

Mr. HELM. Mr. Speaker, I move that this House do now adjourn until Wednesday, August 15, 1951 at 11:00 a. m. EST.

The motion was agreed to, and (at 6:02 p. m. EST) the House adjourned.







# Legislative Journal.

Session 1951.

139th of the General Assembly.

Vol. 32.

HARRISBURG, PA., WEDNESDAY, AUGUST 15, 1951.

No. 78.

## SENATE

WEDNESDAY, August 15, 1951

The Senate met at 10:00 o'clock, a. m. Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Lloyd H Wood) in the Chair.

### PRAYER

The Chaplain, Rev. ALFRED L. TAXIS, Pastor of the First Presbyterian Church, Port Carbon, Pennsylvania, offered the following prayer:

O God, forgive us for doing the things that make us uncomfortable when we pray. We say we believe in Thee, yet we doubt Thy power and goodness. We say we trust in Thee, yet we manage things to suit ourselves. We say we believe Thou art the answer to our problems, yet we never consult Thee.

Reach down, O God, and change the gears within us that we may go forward with Thee. Amen.

### JOURNAL APPROVED

The PRESIDENT, A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WALKER and Mr. CROWE, further reading was dispensed with, and the Journal was approved.

### LEAVE OF ABSENCE

Mr. HALUSKA asked and obtained leave of absence for Mr. DENT, for today's Session only.

### NOMINATIONS BY THE GOVERNOR

#### NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

#### CONSIDERATION OF NOTARIES PUBLIC

Mr. WATSON. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on August 15, 1951.

Mr. ROBINSON. Mr. President, I second the motion. The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, August 15, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute for the date of confirmation:

#### BUTLER COUNTY

Mrs. Ellen A Tielsch, Butler.

#### DAUPHIN COUNTY

Miss M. R. Titelman, Harrisburg.

#### NORTHAMPTON COUNTY

Mrs. Gertrude Fehnel, Bethlehem Twp., Bethlehem.

#### PHILADELPHIA COUNTY

Charles Sterne, Jr., Phila., 220 S Front St.  
Joseph Brecher, Phila., 5826 N. 16th St.

#### SOMERSET COUNTY

Mrs. Maude S. Pugh, Berlin.

#### SUSQUEHANNA COUNTY

Mrs. Helen O. Olmstead, Montrose.

JOHN S. FINE.

A motion was made by Mr. WATSON and Mr. ROBINSON,

That the Senate do advise and consent to said nomination.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Bane,	Hare,	McPherson, Jr.,	Stevenson,
Barr,	Holland,	Meade,	Stiefel,
Barrett,	Kephart,	Neff,	Taylor,
Berger,	Kessler,	Pechan,	Toole,
Blass,	Lane,	Peelor,	Wade,
Byrne,	Leader,	Propert,	Wagner,
Chapman,	Letzler,	Robinson,	Walker,
Crowe,	Mahany,	Rosenfeld,	Watkins,
Diehm,	Mallery,	Ruth,	Watson,
DiSilvestro,	McCreesh,	Scarlett,	Wolfe,
Fleming,	McGinnis,	Silvert,	Wood,
Freed,	McMenamin,	Snowden,	Yosko,
Haluska,			

#### NAYS—0



Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

### HOUSE MESSAGES

#### HOUSE CONCURS IN SENATE BILL No. 110

The Clerk of the House of Representatives being introduced,

Returned to the Senate, Senate Bill No. 110, entitled:

An Act to facilitate in the northern section of the Commonwealth by providing for the construction operation and maintenance of a turnpike from a point on the Erie extension to a point on the Scranton extension of the Pennsylvania Turnpike or to a point on the Northeastern Extension of the Pennsylvania Turnpike at such points as the Pennsylvania Turnpike Commission may decide are the most feasible and practicable for the further extension of the Pennsylvania Turnpike from or near the City of Erie in Erie County to or near the City of Scranton in Lackawanna County conferring powers and imposing duties on the Pennsylvania Turnpike Commission authorizing the issuance of turnpike revenue bonds of the Commonwealth payable solely from tolls to pay the cost of such turnpike and to issue notes or other evidences of indebtedness providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act providing for the collection of tolls for the payment of such bonds notes or other evidences of indebtedness and for the cost of maintenance operation and repair of the Turnpike making such turnpike bonds notes or other evidences of indebtedness exempt from taxation constituting such bonds legal investments in certain instances requiring suits against the commission to be brought in Dauphin County prescribing conditions on which such turnpike shall become free providing for grade separations grade changes relocations restoration and vacation of public roads and State highways affected by the turnpike providing for the purchasing or condemnation of land and procedure for determining damages in condemnation granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the commission and authorizing the issuance of turnpike revenue refunding bonds

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL No. 211

He also returned to the Senate, Senate Bill No. 211, entitled:

A Joint Resolution proposing an amendment to section one article fourteen of the Constitution of the Commonwealth of Pennsylvania permitting county treasurers to hold successive terms.

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL No. 496

He also returned to the Senate, Senate Bill No. 496, entitled:

An Act authorizing the Department of Highways to erect and construct a bridge on Race Street between Sixth and Broad Avenues over certain railroad tracks in the City of Altoona, empowering the Public Utility Commission to fix and determine the proportionate shares of the cost and maintenance thereof, including compensation for damages to adjacent land owners; and making an appropriation.

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL No. 499

He also returned to the Senate, Senate Bill No. 499, entitled:

An Act to add Section 15.1 to the act approved the eighth day of July one thousand nine hundred forty-one (P. L. 298) entitled "An act authorizing the creation of and providing for and regulating the maintenance and operation of a county employees' retirement system in counties of the fourth class imposing certain charges on counties and fixing penalties" by providing for optional minimum retirement allowances under certain conditions.

with the information that the House has passed the same without amendments

#### SENATE BILL No. 365 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 365, entitled:

An Act to further amend the act approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 364), entitled "An act relating to business corporations; defining and providing for the organization, merger, consolidation, reorganization, winding up and dissolution of such corporation; conferring certain rights, powers, duties, and immunities upon him and their officers and shareholders; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the second class within the provisions of this act; prescribing the terms and conditions upon which foreign business corporations may be admitted, or may continue, to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, and certain State departments, commissions, and officers; authorizing certain State departments, boards, commissions, or officers to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," by permitting the Department of State to copy and destroy or return certain documents; permitting directors to fill vacancies in the board of directors resulting from an increase in the number of directors; deleting certain requirements as to the appointment, compensation and duties of agents; providing that meetings of shareholders at which directors are to be elected may be adjourned for periods of fifteen days each; fixing the method of cumulative voting in cases where directors are elected separately by the holders of different classes of shares; providing that courts having jurisdiction over trustees who are evenly divided as to how shares shall be voted may direct the voting of such shares; deleting requirements as to the voting of shares of foreign corporations owned by other corporations; providing that articles of incorporation may be amended to eliminate the preemptive rights of shareholders, and providing for the purchase of and payment for shares of any shareholders who dissent therefrom; specifying cases of merger or consolidation of which sixty days' notice to shareholders must be given; providing that shareholders of a parent corporation shall have no right to dissent from a merger or consolidation of such parent and one or more wholly-owned subsidiaries thereof, providing the state of incorporation and relative rights and preferences of the shareholders of the parent corporation are not changed thereby; providing that foreign corporations which shall have done business in Pennsylvania without procuring a certificate of authority to do so shall be conclusively presumed to have appointed the Secretary of the Commonwealth their agent to accept service of process in cases arising out of acts of omissions of such corporation in the Commonwealth, and specifying the duties of the Secretary upon receipt of such process.



with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended will appear on the Calendar.

#### SENATE BILL No. 615 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 615, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns and townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by increasing annual registration fees for certain commercial motor vehicles truck tractors trailers and semi-trailers prescribing additional equipment requirements for certain vehicles increasing the maximum gross weights and axle loads allowed for certain vehicles changing the requirements for weighing vehicles and removal of excess loads and prescribing and changing penalties

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended will appear on the Calendar.

#### HOUSE MESSAGE

#### SENATE BILL No. 703 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 703, entitled:

An Act authorizing the capture or destruction of birds in any city in certain cases.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended will appear on the Calendar.

#### HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence bills of the House, as follows:

HOUSE BILL No. 1286, entitled:

An Act authorizing the Commonwealth to negotiate temporary emergency loans to defray current and other

expenses of the State government during any fiscal biennium evidenced by tax anticipation notes, secured by and payable from current revenues of any current biennium levied, assessed, collectible and accruing during such fiscal biennium; defining the powers and duties of the Governor, the Auditor General and the State Treasurer in relation thereto; providing for the payment of interest on and the payment of such loans and making an appropriation.

Which was committed to the Committee on Appropriations.

HOUSE BILL No. 1559, entitled:

An Act providing that chattel mortgage and conditional sale contracts filed in the prothonotary's office shall be surrendered upon satisfaction of record, to the person causing such satisfaction.

Which was committed to the Committee on Judiciary General.

HOUSE BILL No. 1645, entitled:

An Act transferring money from the World War II Veterans' Compensation Fund to the World War II Veterans' Compensation Sinking Fund for the purpose of meeting interest and sinking fund requirements on World War II Veterans' Compensation Boards.

Which was committed to the Committee on Appropriations.

HOUSE BILL No. 1654, entitled:

An Act to provide for the expenses of the Joint State Government Commission of the General Assembly for the two fiscal years beginning June first one thousand nine hundred and fifty-one and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and fifty-one.

Which was committed to the Committee on Appropriations.

#### REPORTS FROM COMMITTEES

Mr. PROPERT, from the Committee on Banking reported as committed, Senate Bill No. 177, entitled:

An Act to further amend sections two hundred three and two hundred four of the act, approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 624), entitled, as amended, "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private bankers and employees' mutual banking associations; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers and employees' mutual banking associations, and of the officers, directors, trustees, shareholders, attorneys, and other employees of all such corporations, employees' mutual banking associations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts," by further restricting changes in location of principal places of business of banking institutions and by limiting the establishment and maintenance of branch banks to counties in which the principal places of business of banking institutions are located.



Mr. McCREESH, from the Committee on Law and Order reported as amended, Senate Bill No. 959, entitled:

An Act to amend the act approved the twelfth day of April one thousand nine hundred fifty-one (Act No. 21) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" by further regulating and limiting the issuance of distributors' and importing distributors' licenses.

He also, from the Committee on Law and Order, reported as committed, House Bill No. 1039, entitled:

An Act to amend sections 401 and 406 of the act approved the twelfth day of April one thousand nine hundred fifty-one (Act No. 21) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" by permitting certain sales of liquor for consumption off the premises.

#### BILL INTRODUCED AND REFERRED

Mr. PEELOR read in his place and presented to the Chair Senate Bill No. 828, entitled

An Act to further amend Section 1 of the act, approved the eighteenth day of June, one thousand nine hundred forty-one (P. L. 136), entitled "An act authorizing certain officers on active duty with the armed forces of the United States to act as notaries public, and requiring certification of their authority," changing the provisions of said act in order to make it conform in certain respects to certain Acts of Congress.

Which was committed to the Committee on Military Affairs and Aeronautics.

#### SENATE RESOLUTIONS

##### COMMENDING THE PENNSYLVANIA HISTORICAL AND MUSEUM COMMISSION

Messrs. STIEFEL, CHAPMAN, BARR, WALKER and HOLLAND offered the following resolution which was twice read, considered and agreed to:

In the Senate, August 15, 1951.

Historical research in the graduate schools of our Universities is one of the best ways of bringing to light and developing the varied important aspects of the history of

our great Commonwealth. Anything which will encourage graduate students to undertake such research work in Pennsylvania history is beneficial, for it will help to extend the bounds of knowledge of our historic past. Professional research in the history of the Keystone State at the top of the ladder of the educational system cannot fail to enhance the values of the teaching of Pennsylvania and local history in the elementary and secondary schools.

To encourage graduate research by opening up the possibility of publication, the Pennsylvania Historical and Museum Commission has developed a policy of publishing worthy dissertations and theses, whenever they seemed to be meritorious and significant contributions to historical literature on Pennsylvania. In this way it has sought to make available to teachers and students at moderate cost important works on various aspects of Pennsylvania history.

The latest publication of this nature is **Pittsburgh's Commercial Development, 1800-1850**, by Catherine E. Reiser, who wrote it as her doctoral dissertation at the University of Pittsburgh. This book is a fascinating study of "Pittsburgh, Gateway to the West," which shows how natural and man-made avenues of trade contributed to the building of a great commercial center. It details the way in which Pittsburghers built up manufactures as commerce developed, and made use of the great natural resources of that region. Nothing could be more significant of the history of this great city than its business history during the first half of the nineteenth century. Dr. Reiser has written, and the Pennsylvania Historical and Museum Commission has published, a major contribution to Pennsylvania history. Now therefore be it

Resolved that the Senate of Pennsylvania hereby commends the Pennsylvania Historical and Museum Commission for its policy of publishing outstanding works on Pennsylvania history which are the product of historical research in our graduate schools, thus encouraging graduate students to undertake such studies; and that it particularly commends the publication of **Pittsburgh's Commercial Development, 1800-1850**, by Catherine E. Reiser, as a major contribution to Pennsylvania's business history.

##### COMMENDING THE OGONTZ CENTER OF THE PENNSYLVANIA STATE COLLEGE

Mr. PROPERT offered the following resolution which was twice read, considered and agreed to:

In the Senate, August 15, 1951.

Whereas, The Ogontz School was for almost a century one of the most widely known and best beloved American private schools for young women; and

Whereas, In 1950 the Board of Trustees of the Ogontz School, at the suggestion of its headmistress, Dr. Abby A. Sutherland, and Mr. Wayne Herkness, President of the Board, most generously gave the buildings and grounds of the School as an outright gift to the Pennsylvania State College; and

Whereas, In September 1950, the Pennsylvania State College opened a Center at Ogontz as an integral unit of its State-wide program of educational service to the people of this Commonwealth; and

Whereas, The size and composition of the groups enrolling for instruction at the Ogontz Center during its first year of operation testify to the regional need for the educational facilities involved; and

Whereas, Instruction at the Ogontz Center has been in keeping with the high academic standards characteristic of the Pennsylvania State College; therefore be it

Resolved, That the Senate does hereby recognize with appreciation the public-spirited generosity of Dr. Sutherland, Mr. Herkness, and the Trustees of the Ogontz School in making it possible for the Land-Grant College of this Commonwealth to be more conveniently helpful to more people; and be it further

Resolved, That the Senate recognizes with approval the Ogontz Center of the Pennsylvania State College as a worthy addition to the educational resources of south-



eastern Pennsylvania and commends the Trustees, President Eisenhower, and the staff of the Pennsylvania State College for their initiative in making the facilities of The Ogontz Center available for the instruction of both the youth and the adults of Montgomery County and its environs; and be it further

Resolved, That copies of this resolution be sent to Dr. Abby A. Sutherland, Mr. Wayne Herkness and President Milton Eisenhower.

#### SENATE CONCURRENT RESOLUTION

#### URGING THE DEPARTMENT OF HIGHWAYS TO ERECT AN OVERPASS OVER ROUTE 30 IN WESTMORELAND COUNTY

Mr. BARR on behalf of Mr. DENT offered the following resolution which was twice read as follows:

In the Senate, August 15, 1951.

Whereas, The crossing of Route 30, better known as the Lincoln Highway, between Circleville and Jacktown, in Westmoreland County, is hazardous to children and adults who must cross the said highway in passenger cars and school buses; and

Whereas, The promotion of highway safety has long been an established policy in the Commonwealth of Pennsylvania; therefore be it

Resolved (if the House of Representatives concur), That the General Assembly of the Commonwealth of Pennsylvania hereby urges the Department of Highways to construct an overpass over Route 30, known as the Lincoln Highway, at a point between Circleville and Jacktown, in Westmoreland County, for the purpose of avoiding danger to highway users crossing the Lincoln Highway between the aforementioned municipalities.

#### REQUEST THAT RULE 39 BE SUSPENDED

Mr. BARR. Mr. President, I ask unanimous consent that Rule 39, which requires resolutions be referred to an appropriate committee, be dispensed with and the Senate proceed to the consideration of the foregoing resolution.

The PRESIDENT. Is there objection?

Mr. WALKER. Mr. President, I object to immediate consideration of the resolution.

The PRESIDENT. The resolution is referred to the Committee on Highways.

#### REPORTS FROM COMMITTEES

Mr. KESSLER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. KESSLER, from the Committee on Public Health and Welfare, reported as amended, House Bill No. 1205, entitled:

An Act defining analytical-biochemical-biological laboratory regulating the operation of the same requiring such laboratories to obtain permits and to be operated under the direct supervision of qualified persons imposing certain duties upon the Department of Health and providing penalties.

He also, from the Committee on Public Health and Welfare, reported as committed, House Bill No. 1326, entitled:

An Act to further amend the act approved the nineteenth day of March one thousand nine hundred nine (P. L. 46) entitled "An act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Ex-

aminers to define the powers and duties of said Board of Osteopathic Examiner to provide for the examining and licensing of osteopaths in this State and to provide penalties for the violation of this act" by providing for the licensing without examination of persons licensed by the provinces of the Dominion of Canada in certain cases.

He also, from the Committee on Public Health and Welfare, reported as committed, House Bill No. 1356, entitled:

An Act to amend sections one and thirteen of the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 940) entitled "An act relating to boarding houses for children providing for the licensing and inspection thereof and the adoption of rules and regulations for the maintenance operation and conduct thereof by the Department of Welfare defining offenses and prescribing penalties" by redefining "boarding houses for children" and increasing penalties

He also, from the Committee on Public Health and Welfare, reported as committed, House Bill No. 1357, entitled:

An Act to amend the act approved the fourteenth day of April one thousand nine hundred and twenty-five (P. L. 234) entitled "An act relating to Boarding Houses for Infants providing for the licensing thereof and the adoption of rules and regulations for maintenance operation and conduct thereof by the Department of Welfare and fixing penalties by redefining "boarding houses for infants" eliminating license fees and increasing penalties

He also, from the Committee on Public Health and Welfare, reported as committed, House Bill No. 1505, entitled:

An Act to amend the act approved the twelfth day of June one thousand nine hundred thirty-one (P. L. 510) entitled "An act providing for the licensure and regulation of certain private nursing homes and private hospitals conferring certain powers and duties upon the Department of Welfare and providing penalties" by further providing for the licensure and regulation of such nursing homes and hospitals.

He also, from the Committee on Public Health and Welfare, reported as committed, House Bill No. 1562, entitled:

An Act to amend sections one and two of the act approved the twenty-third day of May one thousand nine hundred forty-five (P. L. 926) entitled "An act for the protection of the public health by regulating the conduct and operation of public eating and drinking places within this Commonwealth requiring their licensing imposing certain duties on the Department of Health of this Commonwealth and on the local health authorities and providing penalties" by providing for the licensing of public eating or drinking places by county departments of health or joint-county departments of health in certain political subdivisions.

#### CALENDAR

#### BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 11, as follows:

An Act to amend subsection (a) of Section 9 of the act approved the twenty-sixth day of May one thousand nine hundred forty-nine (P. L. 1828) entitled "An act concerning the investment powers and duties of guardians committees trustees and other fiduciaries except personal representatives and prescribing the nature and kind of investments which may be made and retained by such fiduciaries" by authorizing investments in com-



mon stocks meeting certain qualifications and eliminating the requirement that stock must be listed on an exchange as to the stock of banks and insurance companies

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (a) of Section 9 of the act approved the twenty-sixth day of May one thousand nine hundred forty-nine (P. L. 1828) entitled "An act concerning the investment powers and duties of guardians committees trustees and other fiduciaries except personal representatives and prescribing the nature and kind of investments which may be made and retained by such fiduciaries" is hereby amended to read as follows

#### Section 9 Stocks

(a) Preferred and Common Stock Preferred and common stock of any corporation organized under the laws of the United States or of any commonwealth or state thereof or of the District of Columbia shall be an authorized investment if

(1) purchased in the exercise of that degree of judgment and care under the circumstances then prevailing which men of prudence discretion and intelligence exercise in the management of their own affairs not in regard to speculation but in regard to the permanent disposition of their funds considering the probable income to be derived therefrom as well as the probable safety of their capital

(2) in the case of preferred stock the corporation issuing the stock has earned a net profit in eight of the preceding ten fiscal years as reflected in its statements and during each of the preceding ten fiscal years has paid dividends in the specified amounts upon all its preferred stock if any outstanding during such year [and]

(3) in the case of common stock the corporation issuing the stock has earned a net profit in twelve of the preceding sixteen fiscal years as reflected in its statements and during each of the preceding sixteen fiscal years has paid dividends in the specified amounts upon all its preferred stock if any outstanding during said year and in each of at least twelve of the preceding sixteen fiscal years has paid dividends in some amount upon all its common stock if any outstanding during such year

(4) in the case of any stock other than stock of a bank or insurance company the stock is listed or traded (or if unlisted or not entitled to trading privileges shall be eligible for listing and application for such listing shall have been made) on the New York Stock Exchange or any other exchange approved by the Secretary of Banking

No investment in common stock shall be made which at that time would cause the market value of the investments in common stocks to exceed one third of the market value of the estate not including in such market value the value of any participation in a common trust fund No sale or other liquidation of any investment shall be required solely because of any change in market values whereby the percentages of stocks hereinabove set forth are exceeded In determining the market value of an estate a fiduciary may rely upon published market quotations as to those investments for which such quotations are available and upon such valuations of other property as in his best judgment seem fair and reasonable according to available information

When a corporation has acquired a substantial part of its property within sixteen years immediately preceding the investment by consolidation or merger or by the purchase of a substantial part of the property of any other corporation or corporations the earnings of the predecessor or constituent corporations shall be consolidated so as to ascertain whether the requirements of this section have been satisfied

"Corporation" as used in this section shall include a voluntary association a joint-stock association or company a business trust a Massachusetts trust a common-law trust and any other organization organized and existing for any lawful purpose and which like a corporation continues to exist notwithstanding changes in the personnel of its members or participants and conducts its

affairs through a committee a board or some other group acting in a representative capacity

Section 2 The provisions of this act shall become effective immediately upon final enactment

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

#### SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 11

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 11.

Mr. TAYLOR. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Bane,	Hare,	McPherson, Jr.,	Stevenson,
Barr,	Holland,	Meade,	Stiefel,
Barrett,	Kephart,	Neff,	Taylor,
Berger,	Kessler,	Pechan,	Toole,
Blass,	Lane,	Peelor,	Wade,
Byrne,	Leader,	Propert,	Wagner,
Chapman,	Letzler,	Robinson,	Walker,
Crowe,	Mahany,	Rosenfeld,	Watkins,
Diehm,	Mallery,	Ruth,	Watson,
DiSilvestro,	McCreesh,	Scarlett,	Wolfe,
Fleming,	McGinnis,	Silvert,	Wood,
Freed	McMenamin,	Snowden,	Yosko,
Haluska,			

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 54, as follows:

An Act to provide for an additional law judge of the court of common pleas in the seventh judicial district

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 In addition to the judges provided for in the act approved the twenty-first day of May one thousand nine hundred thirty-one (P. L. 167) entitled "An act to designate the several judicial districts of the Commonwealth as required by the Constitution and to provide for the election and commissioning of judges learned in the law for the said districts" an additional law judge is hereby authorized and provided for the court of common pleas of the seventh judicial district who shall possess the same qualifications which are required by the Constitution and laws for the president judge of the court of common pleas of said district and who shall hold his office for a like term and by the same tenure and shall have the same power authority and jurisdiction and shall be subject to the same duties restrictions and penalties and shall receive the same compensation provided for by law for judges learned in the law as if the same office had been established in the time of and subject to the provisions of the act approved the seventh day of July one thousand nine hundred forty-seven (P. L. 1410) entitled "An act to fix



the salaries and compensation of the judges of the Supreme Court the judges of the Superior Court the judges of the courts of common pleas the judges of the orphans' courts the judges of the Municipal Court of Philadelphia and the judges of the County Court of Allegheny County and certain associate judges not learned in the law and repealing certain acts inconsistent herewith"

Section 2 At the municipal election in November one thousand nine hundred fifty-three the qualified electors of the said seventh judicial district shall elect in the same manner prescribed by law for the election of the president judge of the court of common pleas of said district a competent person learned in the law to serve as said additional law judge of the court of common pleas of said seventh judicial district from the first Monday in January one thousand nine hundred fifty-four for a term of ten years Vacancies in the office hereby created whether caused by death resignation expiration of term or otherwise shall be filled in the same manner as is required by law in case of a similar vacancy in the office of president judge of said court

Section 3 The Governor is hereby authorized to appoint a competent person learned in the law as such additional law judge of the court of common pleas of the said seventh judicial district to serve until the first Monday of January one thousand nine hundred fifty-four

Section 4 The provisions of this act shall become effective immediately upon final enactment

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

#### SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 54

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 54.

Mr. TAYLOR. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Bane,	Hare,	McMenamin,	Stevenson,
Barr,	Holland,	Meade,	Stiefel,
Barrett,	Kephart,	Neff,	Taylor,
Berger,	Kessler,	Pechan,	Toole,
Blass,	Lane,	Peelor,	Wade,
Byrne,	Leader,	Propert,	Wagner,
Chapman,	Letzler,	Robinson,	Walker,
Crowe,	Mahanay,	Rosenfeld,	Watkins,
Diehm,	Mallory,	Ruth,	Watson,
DiSilvestro,	McCreesh,	Scarlett,	Wolfe,
Fleming,	McGinnis,	Silvert,	Wood,
Freed,	McPherson, Jr.	Snowden,	Yosko,
Haluska,			

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### THIRD READING CALENDAR

#### BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 228, as follows:

An Act to amend section 733 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by providing for an alternate procedure in desertion and nonsupport cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 733 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" is hereby amended to read as follows

Section 733 Desertion and Nonsupport If any husband or father being within the limits of this Commonwealth separates himself from his wife or from his children or from wife and children without reasonable cause or neglects to maintain his wife or children (1) his wife or children may file a petition prepared by the district attorney and joined in and consented to by the husband or father in the court of quarter sessions of the county in which the wife or children reside or in the county wherein the desertion or failure to maintain took place setting forth the facts relating to the separation from or neglect to maintain his wife or children or both whereupon the court or any judge thereof in chambers shall enter an order fixing a time and place for hearing or (2) any magistrate upon information made before him under oath or affirmation by his wife or children or either of them or by any person may issue his warrant for the arrest of the person against whom the information shall have been made and bind him over with one sufficient surety to appear at the court of quarter sessions or other court having jurisdiction there to answer the said charge of desertion

The said court after hearing in a summary proceeding may order the person against whom complaint has been made or petition filed being of sufficient ability to pay such sum as said court shall think reasonable and proper for the comfortable support and maintenance of the said wife or children or both and to commit such person to prison there to remain until he shall comply with such order or give security by one or more sureties to the Commonwealth and in such sum as the court shall direct for the compliance therewith The court may also issue the appropriate writ of execution against any property real or personal belonging to the defendant and its writ of attachment execution against any money or property to which he may be in any way entitled whether under what is known as a spendthrift trust or otherwise which shall not exceed fifty per centum thereof and shall remain a continuing levy until the order has been paid in full with costs The person against whom an order is made shall not be entitled to the benefits of any exemption law now in force or hereafter passed

The provisions of this section shall apply to any trust whether it is known as a spendthrift trust or otherwise whether such trust was created or came into existence before or after the passage of this act When an attachment execution is issued the further proceedings thereon shall be in the manner provided in the case of foreign attachments

Any wife so deserted shall be a competent witness on the part of the Commonwealth and the husband shall also be a competent witness

Should any such person abscond remove or be found in any other county of the Commonwealth than the one in which said warrant issued he may be arrested by the said warrant being backed by any magistrate of the county in which such person may be found

Whenever the court of quarter sessions of any county in the Commonwealth commits the person complained of to the county prison there to remain until he complies with their order or give security etc the court may at any time after three (3) months if it shall be satisfied of the inability of such person to comply with the said order



and give such security to discharge him from imprisonment.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Bane,	Hare,	McPherson, Jr.	Stevenson,
Barr,	Holland,	Meade,	Stiefel,
Barrett,	Kephart,	Neff,	Taylor,
Berger,	Kessler,	Pechan,	Toole,
Blass,	Lane,	Peelor,	Wade,
Byrne,	Leader,	Propert,	Wagner,
Chapman,	Letzler,	Robinson,	Walker,
Crowe,	Mahanay,	Rosenfeld,	Watkins,
Diehm,	Mallery,	Ruth,	Watson,
DiSilvestro,	McCreesh,	Scarlett,	Wolfe,
Fleming,	McGinnis,	Silver,	Wood,
Freed,	McMenamin,	Snowden,	Yosko,
Haluska,			

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 718, as follows:

An Act making a deficiency appropriation to aid certain school districts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of seven hundred fifty thousand dollars (\$750,000) is hereby appropriated to the Department of Public Instruction for the payment of the deficiency in the appropriation for the purpose of aiding financially handicapped and distressed school districts in such sums and in such manner as the Superintendent of Public Instruction shall determine and for defraying the necessary cost for the administration thereof for the balance of the two fiscal years ending May thirty-first one thousand nine hundred and fifty-one and for the succeeding fiscal biennium until the thirtieth day of September one thousand nine hundred and fifty-one

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. HALUSKA. Mr. President, I do not rise to oppose this bill at this time, but I want to rise in place to renew my suggestion that before we pass upon the deficiency appropriations for the next biennium or the present biennium for distressed school districts, that we call in before a committee of this Senate, or the Appropriations Committee, officials from Schuylkill County or any other county that presents the same type of a claim. I have no desire to open up the record, but if we must, I am prepared to show that things are not right in Schuylkill County. I am prepared to show that the public officials in Schuylkill County have not done their job according to the oath

of office they have taken. When any district is distressed, we must come to their rescue, but when they are distressed, they must prove to us that they have used all the resources possible within their means to collect taxes, and if they have failed and we find that they are distressed, it is up to us to do something about the matter, but Schuylkill County is a county by itself and just going back to the statement made by Senator Duff when he was Governor, of the remarks he made about a certain individual in Schuylkill County, and then Governor Duff said, "I shall conduct an investigation and certain people shall go to jail." Well, Duff has been elected and no one has gone to jail, but now we are called upon to fill in the gap of that promise.

This condition will reoccur, Mr. President, during the present biennium, and once again we will be called upon to fill in the gap that public officials fail to take care of, and I am asking my colleagues on the other side of the House to join with me to have these men come in during next week and show cause for the deplorable condition they find themselves in. It is not the fault of the school teachers. They must be paid, they must eat, but I have received a number of telegrams this morning from Schuylkill County from people that are interested, who wish to come in here and testify and show their side of the story and agree with my statements of this week that Schuylkill County is not on the up and up. Those are unpleasant words, but there is something wrong, Mr. President, and I do believe sincerely that we should find out and go down to the bottom of this affair and see what is wrong.

Mr. President, I could make many statements; they may be wrong, but if we had the opportunity to discuss this matter with men who are judges, county commissioners, who are responsible, I believe we can arrive at a better conclusion. It may be helpful to that county. So, I am going to vote for this measure now, but I will oppose any further deficiency appropriations in that county, especially until they show cause for their condition.

Mr. WALKER. Mr. President, I just want to make two comments to the gentleman from Cambria. I note that the distinguished gentleman from Schuylkill is about to put on his shield in order to defend the fair name of Schuylkill County. He said things in Schuylkill County were not right, but the last time I saw a report from Schuylkill County they looked all right to me.

Mr. President, he quoted the former Governor of the Commonwealth, our present Junior Senator, Senator Duff, as making certain statements and the implication, I gathered, Mr. President, was that the distinguished gentleman from Carnegie had made a commitment that had not been kept. I would appreciate it very much, Mr. President, if the gentleman from Cambria would furnish me with that quotation so that it can be checked, because the distinguished citizen from Allegheny County, Senator Duff, has an amazing record for keeping commitments that he has made. If he said he would make an investigation in Schuylkill County, I would like to get the background on that commitment so that we can see that it is kept.

May I also say to the gentleman from Cambria that there is at the present time a resolution requesting the Joint State Government Commission to make a certain study of various school costs, including the problem that is presented by House Bill No. 718, and when that study is



made I am certain that we would appreciate it very much if the gentleman from Cambria would come before the Joint State Government Commission and give us the benefit of the information that he has so studiously obtained.

Mr. HALUSKA. Mr. President, it is not my desire to hold up this Session today, and I certainly will comply with the request made by the gentleman from Allegheny, Monday. I shall make it public information or private information. I shall show him definitely in black and white of the promises and charges made by Senator Duff in regard to the Schuylkill situation and Northumberland County, and at Monday's Session I can have the information for you, I say, privately or publicly.

Mr. WALKER. Mr. President, the statement made by Senator Haluska—I do not want to be captious or technical—was charges in Schuylkill County.

Mr. HALUSKA. Mr. President, I may amend my charges and say, Schuylkill and Northumberland Counties. That is the adjacent county.

Mr. WAGNER. Mr. President and gentlemen of the Senate, it seems to me that on one subject of the many that we discussed here, certainly schools ought to be the thing that is above partisan politics. I think the gentleman deliberately dragged in politics this morning and on Monday afternoon, when he spoke, and I think he deliberately or otherwise put Schuylkill County in a light in this school situation which is completely unfair and entirely unfounded by the record or the facts.

Mr. President, he said this morning that "I could make many statements here if I cared to take the time, some of which might be wrong," and I submit to the Senate that he has already made many statements that are entirely wrong, entirely unfair, without basis in fact or even in theory or suspicion. Now, his original statement was that the former Governor of Pennsylvania made public statements that he would investigate Schuylkill County and put somebody in Schuylkill County in jail. I challenge the Senator to submit the name of anybody in Schuylkill County who was threatened with jail, or the name of anybody in Schuylkill County who ought to go to jail. I do not believe that Schuylkill County was the place mentioned, and I challenge him, in view of what he has already said, to give to the Senate and to the newspapers the name of the person involved.

Now, Mr. President, he made the statement the other day that people coming in here for emergency aid from distressed school districts did not pay their taxes, they take a free ride, they steal, he said or implied, from the Commonwealth to carry on the expenses of the local school districts. Now, that just is not so. It is not so in Schuylkill County, it is not so in Cambria County from where they come to get aid for distressed school districts. According to the record, if any Senator has gone over to the Department of Public Instruction in the help of any school district and tried to get emergency aid, he knows what a task it is. He knows that the books are looked into, the budget is studied, the tax rate is looked over and where there is any deficiency in the way of local failure to make an honest assessment, where there is any disproportion of the number of teachers to the number of units of pupils for whom reimbursement is made by the State, you cannot get a grant until you go back home and pass a resolution in the school board agreeing to lay off your surplus teacher

or teachers, or agreeing to increase your personal property tax, or agreeing to make a determined effort to raise the assessments on the local properties. Now, that is the basis on which emergency aid is given. The State of Pennsylvania has determined that a certain portion of the expense of running a school district shall be paid by local taxpayers, and the balance, according to capacity to pay, shall be provided through subsidies from the State.

Mr. President, I think he said on Monday afternoon, "Why doesn't the State take this money and divide it among all of us instead of some getting a free ride?" You cannot make equalization of educational opportunity that way. You cannot give the per capita share of the money among the people of a district that has a steel mill or some great industrial resource, and then go out into the rural area where they have nothing but cows and children and chickens and expect those people to pay for education in that district, and that is a fact that has been accepted by this Commonwealth for a long, long time. Then there was a rather smearing, nasty implication made about how the people in Schuylkill County vote. They come in here and get all this money to pay their school teachers, money that ought to be paid locally. He says, "No wonder they vote Republican."

Now, Mr. President, that is a reflection on the integrity of the Republican Party in Schuylkill County, the residents of Schuylkill County, and the integrity of the Department of Public Instruction in the Commonwealth of Pennsylvania. I have never made the distinction between Republicans and Democrats in trying to help teachers who were not paid. I have never told the Department of Public Instruction that the school districts in Schuylkill County, the three that get most of the emergency aid, who are most cryingly in distress, who are always in need of help, have voted overwhelmingly Democratic for years. I have not told them that the district that is in for the biggest amount of money gave four votes to Paul Wagner when he ran for Senator last time, and fifteen hundred votes to his Democratic opponent. There was nothing personal in that. I have a lot of people who like me in that township, four of them. What will happen next time, we just have no way of telling, but there are three districts, and I would not embarrass them by naming them here, historically Democratic in spite of all the administering we do to them, in spite of our sincere efforts to be helpful to them with their children and with their local situation, three of them as overwhelmingly Democratic as the one whose figures I just mentioned, who are on the distressed list repeatedly.

Now, Mr. President, when thirteen districts come here and apply for relief from Schuylkill County, they are burglars. Well, what about the five districts from Cambria County that came down here for relief? Are they burglars and do you shoot a man for being thirteen-thirteenth dishonest or being five-thirteenth dishonest? Do you know the five districts in Cambria County vote Democratic? If so, is there any relationship to that and his Senator and the influence he might have to get them help in Harrisburg? Not for the record if we can avoid it, but for the satisfaction of the Appropriations Committee, or the Education Committee or any group of Senators who might be expressly interested, I would be very happy to sit down with the gentleman and list school by school those in Schuylkill County and what the comparative political reg-



istrations are in those districts that get aid, and I invite him to submit the same thing for the County of Cambria.

In 1949-1950, the number of districts that received special aid were not just Schuylkill County. As I say, thirteen were from Schuylkill, distressed coal areas, five of them from Cambria County, for what reason I don't know, and almost a hundred of them from the State generally. The number of districts that got special aid in 1950-51, plus the number of districts that applied for special aid and who have not yet been cleared, was ninety-two districts.

This fund is not established for the convenience of Schuylkill County. It is established for the convenience of emergency situations throughout the State. The County of Fayette was not mentioned. Historically, I believe Fayette is a Democratic County. Whether it is because of the splendid Senator they send down here or not, I do not know. He is a fine member of the Education Committee. He never talks politics, not because it would not be smart under the circumstances, but because he does not speak of schools in that kind of situation. Now, that Senator's county received aid for ten districts in the Democratic County of Fayette. Is that so much finer a record than Schuylkill's thirteen? Is that because of an honest need on the part of almost as many districts as Senator Haluska says are out with shotguns, holding up the State treasury? Luzerne had ten; Fayette had ten; Clearfield County had ten; all adding up to about 100 districts.

Now, Mr. President, there is a situation there and I will agree with the Senator on that. I do not have any objection, and when Dr. Chapman finally invited me to come in as a guest of the Appropriations Committee on Monday and tell them the story about my area and Northumberland County, I said in there, "Certainly it is all right to bring County Commissioners down here and explore the assessing situation." The Schuylkill County Commissioners know what they are doing, they are businesslike men, they are dealing with trying situations, they are dealing honestly and to impugn their integrity because this situation exists is not only unfair, but it is outright prejudice.

Mr. President, I think the gentleman implied, at least, that not only should the Commissioners be put in jail, but he said something about the Judges and the improper actions that they take in regard to some of these coal situations. If the gentleman wants to say that the Judges of Schuylkill County should be put in jail, that is his responsibility. If he wants to say the Commissioners should be dismissed, that is his responsibility, but I think, probably in good faith and fairness to the people of Pennsylvania, he ought to prove it, and then when he is through proving the fact that that punishment should be meted out to Schuylkill County officials, because they came down here and got emergency aid for distressed school districts, then he better be ready to make provisions to accommodate in adjacent cells the Judges and Commissioners from Cambria County which he represents.

Mr. HALUSKA. Mr. President, there is an old saying, "If you cannot convince, try to confuse," and the gentleman from Schuylkill County is certainly trying to do a good job of confusing and not convincing whatsoever. He made a remark that I stated that Judges and County Commissioners would go to jail. You show me where I made that remark, Mr. President. He is talking very, very

loosely. He is trying to confuse the issue. He also stated that I had made a remark on this floor Monday or Tuesday that this money should be divided equally throughout the Commonwealth. Show me, Mr. President, where I made that remark. I will fight my battles but I hate to have men try to twist words around. I cannot be fooled so easily, not by Senator Wagner or by anybody else. It is my prerogative to speak my mind as I see it, and I stated on a number of occasions that I find no fault, and it is our duty to assist distressed school districts.

I have voted for these measures, I will vote for them in the future, Mr. President, whether it be in Schuylkill, Cambria, Fayette or elsewhere where those conditions will exist, and that is what we are here for, but I also stated that all of those districts, whether they be in my county or his county, should show cause for that condition, and I state now again that Schuylkill County has gone down lower in administration than any county of the Commonwealth, that the officials that are responsible for the assessment of raising taxation have not used up all their resources, and if officials in my county do likewise, I will stand pat and accuse them in the same manner. I have no such knowledge, but it is a known fact that something is wrong in Schuylkill County and, Mr. President, the gentleman said that I have made many wrong statements. I said what I might say today might be wrong before first obtaining the facts. So, I am saving that until Monday, but I want him to point out to me what I said on this floor thus far that is wrong, that I cannot back up. I said the Governor of the Commonwealth, at that time Duff, made certain charges about officials in Schuylkill County and Northumberland County, and on Monday I shall prove that statement. Am I wrong in saying that if I prove it, and I am going to prove it. So, it is an easy matter to get up on the floor and defend his cause by making loose statements. I do not make loose statements. When I make them, they will be facts. What I said up until now are bonafide facts. The officials have not exercised their prerogatives. They have not been on the job, they have not used up all their resources to collect the money due the county, and that is why they find themselves in this condition, and I say in answer to Senator Walker, I shall be happy, if given the opportunity, to meet with the Joint State Government Commission to show my cause and if I am wrong, then I am wrong, I made a mistake, but up until now my position is that I am right until I am proven wrong. I hold steadfast to my point. There is something wrong in Schuylkill County, Mr. President.

Mr. WAGNER. Mr. President, I will be very brief. The gentleman who made the accusations spread them out very loosely. He listened to the defense and then he sat in judgment and decided he was right.

Now, Mr. President, he says he does not make loose statements, but he has just amended his original statement to suit his convenience and get him out of the corner. There is not a man on the floor who did not hear him say Governor Duff promised to go in Schuylkill County and put somebody in jail. I will leave it to members of either party. I am going to review the transcript from the other day. I said this morning that he either said or implied that the Commissioners and Judges ought to be put in jail. I must be right on one story or the other, because countless people came to me after the Session and said, "Senator



Haluska wants your Commissioners and Judges locked up."

Mr. President, I invite him to do as I hope to do—get a transcript of the record of his speech the other day and let us see whether or not he did not say what I stated this morning.

Mr. HALUSKA. Mr. President, figures do not lie. The record is straight. I say again that I have not at any time on this floor in my seventeen years of service made a remark for the record that any man should go to jail, and that holds for the remarks I made this week. However, I do say, Mr. President, it is my thought that if the facts that I have are correct, the Judges and County Commissioners of Schuylkill County should be surcharged. Now there must be some difference in the word "surcharge" and the words "go to jail." At least there is in my dictionary, and I want the gentleman to show me, Mr. President. Three or four times he made that remark. Open up the record and read it. I will not stand back idly and have him make those loose remarks that I made the remark that somebody should go to jail.

I want to clarify the situation, Mr. President, and let him prove today by the record where I made that remark. If I did not make it, I ask an apology. If I made it, I will give one.

Mr. HOLLAND. Mr. President, I am not going to make any charges on this floor. However, I am going to ask Senator Wagner to join with me Monday in a resolution in which I am going to request that the Commissioners of Schuylkill County and the Commissioners of Northumberland County be brought before this Senate in an open hearing to answer the charges that I have here which are taken from the records of these counties. I hope that it will clarify this matter to see who is lying and who is not lying. That is the only way out of it.

Mr. President, I do not believe we should make false charges against men unless we can prove them, and here are charges that have been given to me just ten minutes ago by a special messenger from Northumberland County. It gives me figures, names and everything else who offer to come down here and confront these Commissioners, and I think that is a proper way in doing it. I am going to prepare a resolution and ask Senator Wagner to join with me Monday in having it passed through, and bring these Commissioners to the bar of justice.

Mr. WAGNER. Mr. President, I am only up again because I want to save the gentleman the trouble of writing more than one resolution. I do not know why I should join him in a resolution summoning the Commissioners of Schuylkill County, implying a lack of confidence in them. I think a proper committee, in Appropriations or Education, ought to invite Commissioners from any county they want figures on to come down and explore the situation with them. Not Schuylkill or Northumberland, but all of the counties in which school districts have received this emergency aid. Let us find out whether the reason that five districts in Cambria County got emergency aid is due to the same conditions that exist in Schuylkill and Northumberland. Let us not assume that, and let the papers come out and say, "Pennsylvania Senate summons Schuylkill County officials to a public hearing to face charges." I think that is ridiculous. You might just as well ask a guy if he is still beating his wife. Let us do this in an orderly

fashion. If it is going to be done at all, let us make it comprehensive and all inclusive and settle the problem.

Mr. HOLLAND. Mr. President, I will go along with the Senator on that type of resolution, but I do insist that the press be at this hearing. I do not want anything smothered about beating your wife, because from the story I have they have been beating their wives a long time in these counties and also beating the taxpayers in these counties.

Mr. WALKER. Mr. President, I am always very reluctant to enforce the rules of the Senate. We have a very fraternalistic attitude in the Senate in dealing with parliamentary matters. I must caution the gentlemen of the Senate in considering the bill that is before us, let us please refrain from debating the resolution which will be presented Monday, perhaps. I would suggest to the gentlemen of the Senate that the matter under consideration at this moment is a bill which is on our Calendar. I appreciate all of the discussion that has taken place, and I would appreciate it very much if from here on in the discussion would be limited to the matters in the bill, and all of this collateral matter about who goes to jail which can be discussed when the printed record has been perused by the offending and the offended parties.

Now, Mr. President, the last time the wheel went around we were about to have a roll call on House Bill No. 718. Unless there are some gems of wisdom and some pearls of thought to be dropped upon that specific bill, I would like to suggest the roll call.

Mr. YOSKO. Mr. President, I am not going to make any accusations either, aside from the fact that I did say that from my study of allocations made to so-called distressed school districts, I have come to the conclusion that there is something wrong some place, loose administration over in the Department of Public Instruction or there is collusion and conspiracy between somebody, and in that connection I called the Department of Public Instruction this morning and I asked them to give me a list of all the school districts that would receive funds under this bill that is now before us. I asked them to tell me what investigations if any were made to determine whether or not the school districts involved were actually in distress. I asked them to give me the amount of the tax duplicate of each of the school districts, the amount of that tax duplicate collected to determine just what the financial situation is in those school districts relative to the collection of the taxes assessed, and they told me they would have that report over here for me by ten-thirty. At least, I requested it by ten-thirty or eleven o'clock, and I searched my desk here and I do not see it, and I do not see anybody in the room here with that report.

Mr. President, I think it is a mistake for us to pass a bill here this morning appropriating \$750,000 without some evidence of the need for that money. I am not opposed to helping school districts that are in distress, but I have a statement here beginning with 1943, 1944, 1945, 1946, 1947, 1948 and 1949, listing all of the counties and all of the school districts in those counties that were given assistance as distressed school districts, and I think it is wrong for the Commonwealth of Pennsylvania to year after year give handouts to the same school districts over and over again. That is what you will find in these reports if you take a look at them, and that is particularly true, and I do not want Senator Wagner or anybody else from Schuylkill



Counuty to think I am picking on him because I am not, but there are some school districts in Schuylkill County that come in every year for assistance. Now, there is something wrong with those school districts, and somebody ought to go into those school districts and find out what is wrong, and it is about time that it is done.

Mr. President, I am not going to take up too much time of this Senate, but I am going to ask that this bill go over until Monday to give us a chance to get these reports from the Department of Public Instruction so that we know what we are voting for so that we can intelligently vote on this bill. We just do not have the information before us that we ought to have, and I think it is a mistake for us to vote on the bill until we do get that information. I am going to ask, Mr. President, that this bill go over until Monday to give the Department of Public Instruction a chance to compile this data so that we can study it and so that we will know exactly what we are voting for and voting on.

Mr. WALKER. Mr. President, I am objecting to the the bill going over in order at this time.

Mr. YOSKO. Mr. President, in the absence of that, I ask unanimous consent at this time to present a resolution.

Mr. WALKER. Mr. President, I object to the resolution being presented at this time. There is nothing before the Senate at this point but the consideration on final passage of House Bill No. 718. As soon as this bill has been acted on one way or the other, I will have no objection to the gentleman presenting his resolution, but I must insist that some slight semblance of parliamentary procedure be maintained in the dying weeks of this Session.

Mr. HALUSKA. Mr. President, I absolutely agree with the gentleman from Allegheny County that there is nothing before us but the passage of this bill, but if I may digress for a moment, and if I am out of order I will rise later on to clarify the record, the vanity of the Senator from Schuylkill County has been somewhat scratched and probably mine has been scratched. He said I made some untrue statements and I say he has made some untrue statements, and I would like to ask, Mr. President, if I am in order, that a transcript of the speech that I made Monday be prepared for each Senator by next week to prove definitely as to whether or not I made the remark that Judges and the County Commissioners of Schuylkill County should go to jail. I have my honor at stake as well as he has his, and I think, in all fairness, before we adjourn this Senate should know whether or not I made such a loose remark. I would like to ask the gentleman from Allegheny County whether he would agree to have a transcript of my remarks made that we can pick up where we left off today and pick up on Monday.

Mr. WALKER. Mr. President, I am assuming the gentleman is interrogating me.

Mr. HALUSKA. That is right, Mr. President.

Mr. WALKER. Mr. President, may I say for the information of the gentleman from Cambria that just as soon as our very efficient stenographic force can present him with a copy of the transcript, they will do so. I certainly would object to having a transcript run off for every Member of the Senate between now and Monday. That would tax the force tremendously. I am sure that if Senator Haluska and Senator Wagner are presented with copies of who said what when, that they will advise the

Senate Monday as to the authenticity of the statements that have been made.

Before asking for a roll call on this bill, if such is desired at this moment, may I suggest that due to the fact that we are in the eighth month of the Session, that the gentlemen of the Senate remember that at no time does any Member of the Senate suggest the veracity of any statements made on this floor. The suggestion just made by the gentleman from Cambria that he and Senator Wagner are questioning each other's veracity, I think, goes directly to the remarks made and not to the integrity of the individuals making them, and we want to continue to preserve the fraternalistic spirit that has made this legislative body the outstanding Senate Chamber in the forty-eight States of the Republic.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Bane,	Hare,	McPherson, Jr.	Stevenson,
Barr,	Holland,	Meade,	Stiefel,
Barrett,	Kephart,	Neff,	Taylor,
Berger,	Kessler,	Pechan,	Toole,
Blass,	Lane,	Peelor,	Wade,
Byrne,	Leader,	Propert,	Wagner,
Chapman,	Letzler,	Robinson,	Walker,
Crowe,	Mahanay,	Rosenfeld,	Watkins,
Diehm,	Mallery,	Ruth,	Watson,
DiSilvestro,	McCreesh,	Scarlett,	Wolfe,
Fleming,	McGinnis,	Silvert,	Wood,
Freed,	McMenamin,	Snowden,	Yosko,
Haluska,			

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

#### REPORT FROM COMMITTEE

Mr. LANE. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. LANE, from the Committee on Law and Order, reported as committed, House Bill No. 1060, entitled:

An Act to amend the act approved the twelfth day of April one thousand nine hundred fifty-one (Act No. 21) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" by making the serving of food optional with certain licensees and changing certain requirements relating to the serving of food.



He also from the Committee on Law and Order, reported as amended House Bill No. 1085, entitled:

An Act to amend the act approved the twelfth day of April one thousand nine hundred fifty-one (P. L. Act No. 21) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" by making the establishment and operation of Pennsylvania liquor stores and the granting of malt and brewed beverages distributors licenses subject to local option and providing where tie vote occurs on local option question the status quo obtains.

He also from the Committee on Law and Order, reported as committed, House Bill No. 1030, entitled:

An Act to further amend Section 643 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by prohibiting minors from delivering liquor or malt and brewed beverages.

He also from the Committee on Law and Order, reported as committed, House Bill No. 1196, entitled:

An Act to amend clause (15) of the second paragraph of Section 493 of the act approved the twelfth day of April one thousand nine hundred fifty-one (Act No. 21) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" by making the cashing receiving handling or negotiating of Public Assistance checks or the cashing of payroll checks by licensees of the Pennsylvania Liquor Control Board an unlawful act

He also from the Committee on Law and Order, reported as committed, House Bill No. 620, entitled:

An Act to amend clause (b) of section 207 of the act approved the twelfth day of April one thousand nine hundred fifty-one (Act No. 21) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State Liquor Stores for the payment of certain

license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" by further providing for the fixing of sale prices for Pennsylvania liquor stores.

He also from the Committee on Law and Order, reported as committed, House Bill No. 1100, entitled:

An Act to amend sections 464 and 471 of the act, approved the twelfth day of April, one thousand nine hundred fifty-one (Act. No. 21) entitled "An act relating to alcoholic liquors, alcohol and malt and brewed beverages, amending, revising, consolidating and changing the laws relating thereto, regulating and restricting the manufacture, purchase, sale, possession, consumption, importation, transportation, furnishing, holding in bond, holding in storage, traffic in, and use of alcoholic liquors, alcohol and malt and brewed beverages, and the persons engaged or employed therein; defining the powers and duties of the Pennsylvania Liquor Control Board; providing for the establishment and operation of State liquor stores, for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant; prescribing penalties and forfeitures; providing for local option and repealing existing laws," by further defining the powers of courts on appeal.

He also from the Committee on Law and Order, reported as amended, House Bill No. 1506, entitled: :

An Act to amend the act approved the twelfth day of April one thousand nine hundred fifty-one (P. L. 90) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" by further providing for transfers of certain retail liquor and retail dispenser licenses and changing the quota provisions.

#### SENATE RESOLUTION

#### REQUESTING THE INVESTIGATION OF THE DISTRIBUTION DISTRESSED SCHOOL DISTRICT FUND

Mr. YOSKO. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. YOSKO, offered the following resolution which was twice read as follows:

In the Senate, August 15, 1951.

Whereas, The General Assembly, each session, appropriates large sums of money to the Department of Public Instruction for assistance to distressed school districts, and

Whereas, The Superintendent of Public Instruction is given complete discretion in the dissipation of these funds, and the General Assembly not only neglects to impose reasonable controls and safeguards for the protection of these public funds, but even fails to provide standards and minimum requirements which might guide the Superintendent of Public Instruction in the exercise of his discretion, and



Whereas, This condition allows for inequitable distribution of the funds with undeserving school districts receiving unneeded funds, and deserving districts receiving inadequate or no assistance, and opens the door to deliberate favoritism and coercion; therefore be it

Resolved, That the Senate of Pennsylvania hereby requests the Attorney General to investigate the distribution of these funds, and determine whether or not the Department of Public Instruction employs a set of minimum requirements and standards in determining the fact of distress in any school district, whether or not the department makes any effort to discover and correct the cause of such distress, and whether or not the department reaches its final decision on assistance, impartially, and on the basis of genuine need, occasioned with an absence of fault on the part of the school district; and be it further

Resolved, That the Senate direct the Attorney General to prosecute the guilty parties, should the investigation develop any evidence of fraud, favoritism, coercion or collusion, among school districts, or with the Department of Public Instruction; and be it further

Resolved, That the Attorney General be requested to make a complete report of his investigation to the Senate Committee on Appropriations, together with his recommendations for remedial legislation.

#### REQUEST THAT RULE 39 BE SUSPENDED

Mr. YOSKO. Mr. President, I ask unanimous consent that Rules 39, which requires resolution be referred to an appropriate committee, be dispensed with and the Senate proceed to the consideration of the foregoing resolution.

The PRESIDENT. Is there objection?

Mr. WALKER. Mr. President, I object, to immediate consideration of the resolution.

The PRESIDENT. The resolution is referred to the Committee on Rules.

#### REPORTS FROM COMMITTEE

Mr. CHAPMAN. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CHAPMAN, from the Committee on Appropriations, reported as committed, House Bill No. 1286, entitled:

An Act authorizing the Commonwealth to negotiate temporary emergency loans to defray current and other expenses of the State government during any fiscal biennium evidenced by tax anticipation notes secured by and payable from current revenues of any current biennium levied assessed collectible and accruing during such fiscal biennium defining the powers and duties of the Governor the Auditor General and the State Treasurer in relation thereto providing for the payment of interest on and the repayment of such loans and making an appropriation.

He also from the Committee on Appropriations, reported as committed, House Bill No. 1645, entitled:

An Act transferring money from the World War II Veterans' Compensation Fund to the World War II Veterans' Compensation Sinking Fund for the purpose of meeting interest and sinking fund requirements on World War II Veterans' Compensation Bonds.

#### SENATE RESOLUTION

CALLING FOR THE RESTORATION AND REPAIR OF THE WILLIAM PARSON HOUSE OR THE GEORGE TAYLOR HOUSE IN EASTON

Mr. YOSKO. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. YOSKO, offered the following resolution which was twice read as follows:

In the Senate, August 15, 1951.

The historic building known as the William Parsons House or the George Taylor House, at the northeast corner of South Fourth and Ferry Streets in the City of Easton, is one of the most significant sites in that area.

This Georgian Colonial structure was erected in 1757 by William Parsons, the founder of Easton, and later occupied by George Taylor, a signer of the Declaration of Independence, who was also an early Pennsylvania ironmaster and a member of the General Assembly.

The George Taylor Chapter, Daughters of the American Revolution, has been keeping up this building as an historic shrine, but major repairs and restoration work are necessary if this home is to be preserved to posterity. Now therefore be it

Resolved, That the Senate of Pennsylvania hereby calls upon the City of Easton, in conjunction with the George Taylor Chapter, Daughters of the American Revolution, and the Northampton County Historical Society, to evolve plans for the proper restoration and repair of this home of the founder of Easton and of a Signer of the Declaration of Independence, a two-fold historic shrine which is significant to the City, the Commonwealth, and the Nation, and

Be It Further Resolved a copy of this Resolution be forwarded to the City of Easton, Daughters of the American Revolution, and the Northampton County Historical Society.

#### REQUEST THAT RULE 39 BE SUSPENDED

Mr. YOSKO. Mr. President, I ask unanimous consent that Rule 39, which requires resolutions be referred to an appropriate committee, be dispensed with and the Senate proceed to the consideration of the foregoing resolution.

The PRESIDENT. Is there objection?

Mr. WALKER. Mr. President, I object to immediate consideration of the resolution.

The PRESIDENT. The resolution is referred to the Committee on Rules.

#### SENATE RESOLUTION

REQUESTING A SUB-COMMITTEE ON HIGHWAYS OF THE JOINT STATE GOVERNMENT COMMISSION TO MAKE A STUDY OF CERTAIN HIGHWAY NEEDS IN BEAVER COUNTY

Mr. NEFF. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. NEFF, offered the following resolution which was twice read and referred to the Committee on Rules:

In the Senate, August 15, 1951.

Whereas, Beaver County is truly the "Gateway to the West," and

Whereas, Beaver County, with its manifold industries and industrial potential, ranks seventh in the Counties of the United States in industrial output, and

Whereas, The concentration of population and the County's strategic situation as an artery of commerce require the greatest facility in the flow of such commerce, And be it Resolved,

That the Sub-Committee of Highways of the Joint State Government Commission be instructed to make a study of:

1. A need for additional bridges crossing the Ohio River



within the territorial limits of Beaver County.

2. That the Sub-Committee request the Department of Highways to make detailed traffic-flow studies with the end in view of making necessary improvements on the Fair Oaks—Warrendale Highway, which is the route leading from Beaver County to the Warrendale interchange of the Pennsylvania Turnpike, on the Ohio River Boulevard from Hays to Pittsburgh, and that the said Sub-Committee further request the Department of Highways to make traffic studies of the area of Conway Corners and Rochester in said County, and that the said Sub-Committee further request the study by the Department of Highways of widening that segment of highway from Ellwood City to Koppel, a main-route South to the Turnpike Interchange at Homewood, and that the Highway Department give the results of such study to the said Sub-Committee, and Be It Further Resolved,

That said Sub-Committee report its study and recommendations to the next regular session of the General Assembly.

### BILLS SIGNED

The President (Lieutenant-Governor Lloyd H. Wood) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 11, entitled:

An Act to amend subsection (a) of Section 9 of the act, approved the twenty-sixth day of May, one thousand nine hundred forty-nine (P. L. 1828), entitled "An act concerning the investment powers and duties of guardians, committees, trustees, and other fiduciaries, except personal representatives, and prescribing the nature and kind of investments which may be made and retained by such fiduciaries," authorizing investments in common stocks meeting certain qualifications and eliminating the requirement that stock must be listed on an exchange as to the stock of banks and insurance companies.

Senate Bill No. 54, entitled:

An Act to provide for an additional law judge of the court of common pleas in the seventh judicial district

Senate Bill No. 110, entitled:

An Act to facilitate traffic in the northern section of the Commonwealth by providing for the construction operation and maintenance of a turnpike from a point on the Erie extension to a point on the Scranton extension of the Pennsylvania Turnpike at such points as the Pennsylvania Turnpike Commission may decide are the most feasible and practicable for the further extension of the Pennsylvania Turnpike from or near the City of Erie in Erie County to or near the City of Scranton in Lackawanna County conferring powers and imposing duties on the Pennsylvania Turnpike Commission authorizing the issuance of turnpike revenue bonds of the Commonwealth payable solely from tolls to pay the cost of such turnpike and to issue notes or other evidences of indebtedness providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act providing for the collection of tolls for the payment of such bonds notes or other evidences of indebtedness and for the cost of maintenance operation and repair of the turnpike making such turnpike bonds notes or other evidences of indebtedness exempt from taxation constituting such bonds legal investments in certain instances requiring suits against the commission to be brought in Dauphin County prescribing conditions on which such turnpike shall become free providing for grade separations grade changes relocations restoration and vacation of public roads and State highways affected by the turnpike providing for the purchasing or condemnation of land and procedure for determining damages in condem-

nation granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the commission and authorizing the issuance of turnpike revenue refunding bonds

Senate Bill No. 211, entitled:

A Joint Resolution proposing an amendment to section one, article fourteen of the Constitution of the Commonwealth of Pennsylvania, permitting county treasurers to hold successive terms.

Senate Bill No. 496, entitled:

An Act authorizing the Department of Highways to erect and construct a bridge on Race Street between Sixth and Broad Avenues over certain railroad tracks in the City of Altoona, empowering the Public Utility Commission to fix and determine the proportionate shares of the cost and maintenance thereof, including compensation for damages to adjacent land owners; and making an appropriation.

Senate Bill No. 499, entitled:

An Act to add Section 15.1 to the act approved the eighth day of July one thousand nine hundred forty-one (P. L. 298) entitled "An act authorizing the creation of and providing for and regulating the maintenance and operation of a county employees' retirement system in counties of the fourth class imposing certain charges on counties and fixing penalties" by providing for optional minimum retirement allowances under certain conditions

Whereupon,

The President (Lieutenant-Governor Lloyd H. Wood) in the presence of the Senate signed the same.

The PRESIDENT. The Chair invites the gentleman from Luzerne, Mr. Wood, to the rostrum to preside.

The PRESIDING OFFICER (T. N. Wood) in the Chair.

### THIRD READING CALENDAR

#### BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 753, as follows:

An Act providing for an enumeration of persons subject to per capita and occupation taxes in counties wherein are situated school districts of the second third and fourth class placing the expense thereof on taxing districts authorized by law to levy such taxes conferring powers and imposing duties on boards of school directors of such school districts county commissioners and chief county assessors in such counties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The board of school directors in every school district of the second third and fourth class shall between March first and September first of each two year period cause to be made by the same persons employed by the board for the enumeration of children between the ages of six and eighteen years a careful correct and accurate enumeration on census cards provided by the county at the expense of the county of all persons twenty-one years of age or over who reside in the district A separate census card shall be used for each person and shall show his name address in the district occupation and place of employment and the name of the school district municipality or township and county Such enumeration shall include every person twenty-one years of age or over within the district and shall be made by careful inquiry at the residence of every person in the district

Section 2 On or before the tenth day of September of each two year period in all school districts which have a



per capita tax the census cards shall be assembled and returned by the board of school directors in each school district to the chief county assessor of the county indicated on the census card together with the certificate of the board of school directors that the enumeration has been completed. The chief county assessor shall cause to be prepared therefrom a complete list of all persons within the county for per capita or occupation tax purposes and shall provide copies of so much of the list as shall be applicable to each of the taxing districts within the county.

Section 3 The census takers shall be paid by the county eight (\$.08) cents per mile for the use of their automobiles in conducting the enumeration and an amount to be fixed by the salary board for each census card completed. The salary board shall fix such compensation not later than February first of each two year period and give notice of the amount fixed to each taxing district within the county. If any taxing district shall be dissatisfied with the compensation so fixed the governing body thereof may present its petition to the court of quarter sessions of the county setting forth its reasons for complaint. The court after hearing shall approve or modify the action of the salary board and enter an order establishing the compensation per census card to be paid to the census takers.

Section 4 The county shall pay the costs incurred in conducting the census but shall be reimbursed by the taxing districts in the county which are authorized by law to levy a per capita or occupation tax. Each such taxing district whether or not it levies and collects a per capita or occupation tax shall pay to the county an amount equal to the product obtained by multiplying the total cost of the enumeration by a fraction the numerator of which is equal to the number of names on the list furnished the particular taxing district and the denominator of which is equal to the total number of names on all of the lists prepared by the chief county assessor.

Section 5 The following acts are hereby repealed in so far as they are inconsistent with the provisions of this act.

(1) The act approved the twenty-sixth day of June one thousand nine hundred thirty-one (P. L. 1379) entitled "An act creating in counties of the third class a board for the assessment and revision of taxes providing for the appointment of the members of such board by the county commissioners providing for their salaries payable by the county abolishing existing boards defining the powers and duties of such board regulating the assessment of persons property and occupations for county borough town township school and poor purposes authorizing the appointment of subordinate assessors a solicitor engineers and clerks providing for their compensation payable by such counties abolishing the office of ward borough and township assessors so far as the making of assessments and valuations for taxation is concerned and providing for the acceptance of this act by cities."

(2) The act approved the twenty-second day of May one thousand nine hundred thirty-three (P. L. 853) entitled "An act relating to taxation designating the subjects property and persons subject to and exempt from taxation for all local purposes providing for and regulating the assessment and valuation of persons property and subjects of taxation for county purposes and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuations amending revising and consolidating the law relating thereto and repealing existing laws."

(3) The act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 626) entitled "An act providing for and regulating the assessment and valuation of all subjects of taxation in counties of the second class creating and prescribing the powers and duties of a Board of Property Assessment Appeals and Review imposing duties on certain county and city officers abolishing the board for the assessment and revision of taxes in such counties and prescribing penalties"

(4) The act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 571) entitled "An act relating to assessment for taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects property and persons subject to and exempt from taxation for county borough town township school except in cities and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for the assessment and revision of taxes defining the powers and duties of such board providing for the acceptance of this act by cities regulating the office of ward borough town and township assessors abolishing the office of assistant triennial assessor in townships of the first class providing for the appointment of a chief assessor assistant assessors and other employees providing for their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the recorder of deeds and eliminating the triennial assessment."

Section 6 All other acts and parts of acts are hereby repealed in so far as they are inconsistent with the provisions of this act.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Bane,	Hare,	McPherson, Jr.	Stevenson,
Barr,	Holland,	Meade,	Stiefel,
Barrett,	Kephart,	Neff,	Taylor,
Berger,	Kessler,	Pechan,	Toole,
Blass,	Lane,	Peelor,	Wade,
Byrne,	Leader,	Proper,	Wagner,
Chapman,	Letzler,	Robinson,	Walker,
Crowe,	Mahany,	Rosenfeld,	Watkins,
Diehm,	Mallery,	Ruth,	Watson,
DiSilvestro,	McCreesh,	Scarlett,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yosko,
Freed,	McMenamin,	Snowden,	Wood,
Haluska,			Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 812, as follows:

An Act to amend the title and certain sections of and to add new sections to the act approved the thirtieth day of June one thousand nine hundred forty-seven (P. L. 1154) entitled "An act to prohibit the manufacture and sale of oleomargarine or butterine and other similar products when colored in imitation of yellow butter to provide for license fees to be paid by manufactures wholesale and retail dealers and by proprietors of hotels restaurants dining-rooms and boarding-houses for the manufacture or sale of oleomargarine butterine or other similar products not colored in imitation of yellow butter to regulate the manufacture sale and advertising of oleomargarine butterine or other similar products not colored in imitation of yellow butter and prevent and punish fraud and deception in such manufacture sale and advertising as an imitation butter to prescribe penalties and punishment for violation of this act and the means and method of procedure



for its enforcement to regulate certain matters of evidence in such procedure and to prescribe certain powers and duties of the Department of Agriculture" by permitting the manufacture and except in certain cases the sale of colored oleomargarine butterine and similar products

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 the title of the act approved the thirtieth day of June one thousand nine hundred forty-seven (P. L. 1154) entitled "An act to prohibit the manufacture and sale of oleomargarine or butterine and other similar products when colored in imitation of yellow butter to provide for license fees to be paid by manufacturers wholesale and retail dealers and by proprietors of hotels restaurants dining-rooms and boarding-houses for the manufacture or sale of oleomargarine butterine or other similar products not colored in imitation of yellow butter to regulate the manufacture sale and advertising of oleomargarine butterine or other similar products not colored in imitation of yellow butter and prevent and punish fraud and deception in such manufacture sale and advertising as an imitation butter to prescribe penalties and punishment for violation of this act and the means and method of procedure for its enforcement to regulate certain matters of evidence in such procedure and to prescribe certain powers and duties of the Department of Agriculture is hereby amended to read as follows

#### An Act

To [prohibit] regulate the manufacture [and] sale transportation possession use and advertising of oleomargarine [or] butterine and other similar products and to prohibit the sale possession or use thereof in certain cases [when colored in imitation of yellow butter] to provide for license fees to be paid by manufacturers wholesale and retail dealers and by proprietors of hotels restaurants dining-room and boarding-houses [for the manufacture or sale of oleomargarine butterine or other similar products not colored in imitation of yellow butter to regulate the manufacture sale and advertising of oleomargarine butterine or other similar products not colored in imitation of yellow butter and] to prevent and punish fraud and deception in such manufacture sale use and advertising [as an imitation butter] to prescribe penalties and punishment for violation of this act and the means and method of procedure for its enforcement to regulate certain matters of evidence in such procedure and to prescribe certain powers and duties of the Department of Agriculture

Section 2 Section 1 2 3 and 4 of said act are hereby amended to read as follows

#### Section 1 Definitions

The following words and terms as used in this act shall be construed as follows

"Department" means the Department of Agriculture of the Commonwealth of Pennsylvania its agents employees attorneys and representatives

"Secretary" means the secretary of the Department of Agriculture of the Commonwealth of Pennsylvania

"Wholesale Dealer" means all persons firms and corporations who shall sell to dealers and persons who shall buy to sell again and all persons firms and corporations who make sales in quantities of ten pounds and over at any time

"Retail Dealer" means all persons firms and corporations who shall sell in quantities of less than ten pounds

"Hotel restaurant dining room or boarding house" shall mean any public restaurant lunch room public institution or other place where food is served to the public inmates or employes for a consideration whether such consideration be in the form of cash service or otherwise

"Service or Use" shall not only include the serving of oleomargarine or butterine but shall include its use in the preparation of food in eating places as herein defined

"Premises" shall mean and include all buildings or

structures used for the preparation storage or serving of food

Section headings shall not be construed to affect in any manner the scope or meaning of any section of this act

The singular shall be construed to include the plural the masculine shall be construed to include the feminine and the neuter and conversely the neuter shall be construed to include the masculine and the feminine

#### Section 2 Manufacture and Sale of Oleomargarine Regulated

No person firm or corporation shall by himself herself or themselves or by his her or their agent or servant nor shall any officer agent servant or employee of any person firm or corporation manufacture sell ship consign for sale expose for sale or have in possession with intent to sell oleomargarine butterine or any similar substance article product or compound made wholly or partly out of any fats oils or oleaginous substances or compound thereof not produced from pure unadulterated milk or cream from the same without the admixture or addition of any fat foreign to the said milk or cream and which shall be in imitation of yellow butter produced from pure unadulterated milk or cream of the same with or without coloring matter unless such person firm or corporation shall have first obtained a license and paid a license fee as hereinafter provided [nor unless the said article product or compound so manufactured shipped consigned offered for sale exposed for sale or had in possession with intent to sell shall be made and kept free from all coloration or ingredients causing it to look like butter of any shade of yellow as hereinafter described] nor unless the same shall be kept and presented in a separate and distinct form and in such manner as will advise the purchaser and consumer of its real character nor unless such person firm or corporation shall in all other respects comply with and observe the provisions of this act For the purpose of this act oleomargarine butterine or similar substance shall be deemed to look like be in resemblance of or imitation of butter of a shade of yellow when it has a tint or shade containing more than one and six-tenths degree of yellow or of yellow and red collectively but with an excess of yellow over red as measured in the terms of the Lovibond tintometer scale or its equivalent

#### Section 3 License and Fee [Prohibition Against Sale of Colored Oleomargarine]

Every person firm or corporation and every agent of such person firm or corporation desiring to manufacture sell or offer or expose for sale or have in possession with intent to sell oleomargarine butterine or any similar substance [not made or colored so as to look like yellow butter] shall make application for a license so to do in such form as shall be prescribed by the department which application in addition to other matters which may be required to be stated therein by the department shall contain an accurate description of the place where the proposed business is intended to be carried on and the name and style under which it is proposed to conduct the said business If the said application is satisfactory to the department it shall issue to the applicant or applicants a license authorizing him her or them to engage in the manufacture or sale of oleomargarine or butterine or any similar substance [which shall not contain any coloration or ingredient that causes it] [to resemble yellow butter] for which said license the applicant or applicants shall first pay if a manufacturer if a wholesaler if a retailer if a proprietor of a hotel restaurant or dining-room and if the proprietor of a boarding-house the annual sum of two dollars and the said license fee which received by the department shall be immediately paid into the State Treasury Such licenses shall not authorize the manufacture sale exposing for sale or having in possession with intent to sell oleomargarine butterine or any similar substance at any other place than that designed in the application and license and the said license shall [not] authorize the manufacture use sale exposing for sale or having in possession with intent to sell [any] oleomargarine butterine or any similar substance either uncolored or made or colored so as to



look like yellow butter [as herein] except as hereinafter provided

All licenses under this act shall expire on the thirty-first day of December of each year Such license may be transferred by the department upon the application in writing of the person firm or corporation to which the same has been granted Provided That the transferee shall comply with the regulations made by the department in regard to the said transfer and shall thereafter comply with the provisions of this act

Section 4 Display of Licenses Placards and Menu Cards  
After obtaining the license required by this act the person firm or corporation obtaining the same shall before beginning any business under the said license hang up and display in a conspicuous place on the walls of the room or store in which the oleomargarine butterine or other similar substance is manufactured sold or exposed for sale the license so obtained as aforesaid Every proprietor of a hotel restaurant dining-room or boarding-house shall also have placed upon every counter or table at which food meals or refreshments are served to customers a place or menu card plainly printed stating that uncolored oleomargarine is used and served to customers

Section 3 Said act is hereby amended by adding immediately after Section 4 two new sections to read as follows

Section 4.1 Unlawful to Serve Colored Oleomargarine Etc in Public Eating Places It shall be unlawful for any hotel restaurant public dining room or public boarding house to serve to customers or to have on the premises any oleomargarine butterine or other similar substance made or colored so as to look like yellow butter as provided by this act

Section 4.2 Sale of Colored Oleomargarine Etc It shall be unlawful for any person to sell or offer for sale colored oleomargarine colored butterine or when colored other similar substance unless (a) such oleomargarine butterine or other similar substance is packaged (b) the net weight of the contents of any package sold by a retail dealer is one pound or less (c) there appears on the label of the package (1) the word "oleomargarine" or "butterine" in type or lettering at least as large as any other type or lettering on such label and (2) a full and accurate statement of all the ingredients contained in the contents of such package (d) each part of the contents of the package is contained in a wrapper which bears the word "oleomargarine" or "butterine" in type or lettering not smaller than 20-point type

Section 4 Section 6 7 and 8 of said act are hereby amended to read as follows

#### Section 6 Records

Every licensed manufacturer of oleomargarine butterine or other similar product [not in imitation of yellow butter] and every licensed wholesale dealer therein shall keep a book in which shall be entered accurately every sale and shipment the quantity the person to whom sold and shipped and the place to which shipped which book shall be kept at the place of business for which the license is issued and which shall always be open to the examination of the department Every licensed retail dealer in oleomargarine butterine or similar substance [not in imitation of yellow butter] shall keep an accurate account in a book open to the examination of the department in which shall be entered the date of the receipt of all purchases of oleomargarine butterine or similar substance made by such retail dealer stating therein where when and from whom purchased and the quantity and the said books so to be kept by manufacturers wholesale and retail dealers shall be in such form as the department shall direct Each licensed wholesale dealer in oleomargarine butterine or other similar product [not in imitation of yellow butter] shall deliver to the department on or before the fifteenth of each month a list of sales of oleomargarine for the preceding month showing the name and address including the county of each purchaser and the quantity of such sale

Section 7 Penalty for Violation of Act [Recovery Appeal Disposition of Fines]

Every person firm or corporation and every officer

agent servant and employee of such person firm or corporation who shall manufacture sell or offer or expose for sale or serve to customers or have in possession [with intent to sell] oleomargarine butterine or any similar substance in violation of any of the provisions of this act or who shall sell oleomargarine butterine or any similar substance as or for butter or shall fail to keep a book in accordance with the last preceding section or who shall in any other respect violate any of the provisions of this act [shall for every such offense forfeit and pay the sum of one hundred dollars which shall be recoverable with the cost as debts of like amount are by law recoverable and justices of the peace and aldermen throughout this Commonwealth shall have jurisdiction to hear and determine all actions for recovery of said penalties with the right to either party to appeal to the court of common pleas as provided in existing laws in suits for penalties and all penalties imposed and recovered under the provision of this act shall be paid to the department and by it immediately paid into the State Treasury] or any rule regulation or order made pursuant to this act shall for the first or second offense upon conviction thereof in a summary proceeding be sentenced to pay a fine of not less than sixty dollars nor more than one hundred dollars and costs of prosecution and in default of payment of such fine and costs shall be sentenced to undergo imprisonment in the County jail for not more than thirty day and for a third or subsequent offense shall be guilty of a misdemeanor and shall upon conviction thereof be sentenced to pay a fine of not less than five hundred dollars nor more than one thousand dollars or to undergo imprisonment not exceeding one year or both in the discretion of the court

#### Section 8 [Violation of act Penalty]

In addition to the above penalty every person firm or corporation and every officer agent servant or employee of such person firm or corporation who violates any of the provisions of this act shall also be guilty of a misdemeanor [and upon conviction thereof shall be punished for the first offense by a fine of not less than one hundred dollars nor more than five hundred dollars or by imprisonment in the county jail for not more than three months or both at the discretion of the court and upon conviction of any subsequent offense shall be punished by a fine of not less than five hundred dollars nor more than one thousand dollars and by imprisonment in the county jail for not less than six months nor more than twelve months] proceedings by Attorney General based on violation of act the Attorney General at the request of the Department of Agriculture may in the name of the Commonwealth institute proceedings in equity in the Court of Common Pleas of Dauphin County for the purpose of enjoining any person violating any of the provisions of this act from selling oleomargarine butterine or any similar substance in the Commonwealth and for such purpose jurisdiction is hereby conferred upon said court in such cases the Attorney General shall not be required to give bond

Section 5 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Bane,  
Barr,  
Barrett,  
Blass,  
Byrne,  
Crowe,

Hare,  
Holland,  
Kephart,  
Kessler,  
Lane,  
Leader,

McPherson, Jr.,  
Meade,  
Neff,  
Pechan,  
Peelor,  
Propert,

Stiefel,  
Taylor,  
Toole,  
Wade,  
Wagner,  
Walker,



Diehm,  
DiSilvestro,  
Fleming,  
Freed,  
Haluska,

Letzler,  
Mahany,  
McCreesh,  
McGinnis,  
McMenamin,

Rosenfeld,  
Ruth,  
Scarlett,  
Silvert,  
Snowden,  
Stevenson,

Watkins,  
Watson,  
Wolfe,  
Yosko,  
Wood,  
Presiding Officer:

#### NAYS—4

Berger, Chapman, Mallery, Robinson.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 826, as follows:

An Act to further amend the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees defining the use and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits from taxation and judicial process and providing penalties" by redefining the term "final salary" and further providing the manner of computing employees' annuities

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause seventeen (17) of section one (1) of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees defining the use and purposes thereof and the manner of payments therefrom and providing for the guaranty of the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as last amended by the act approved the twelfth day of July one thousand nine hundred thirty-five (P. L. 698) is hereby further amended to read as follows

#### Definitions

Section 1 Bt it enacted etc that the following words and phrases as used in this act unless a different meaning is plainly required by the context shall have the following meaning

\* \* \* \* \*

(17) "Final salary" shall mean (I) in the case of a contributor who became a beneficiary before the effective date of this act whether or not such beneficiary subsequently is restored to school service the average annual salary earnable by [a] the contributor as an employee for the ten years of service immediately preceding retirement except in the case of contributors who were employed during the year which began July first one thousand nine hundred and thirty-two and ended June thirtieth one thousand nine hundred and thirty-three who have elected to contribute on the basis of salary receivable during said year in which case such salary shall be included in the computation of "final salary" for the number of years that contributions have been made on the basis of such salary and (II) in the case of a contributor who first becomes a beneficiary after the effective date of this act and in the case of contributors who become beneficiaries between the first day of may

one thousand nine hundred fifty-one and the effective date of this act the average annual salary earnable by the contributor as an employee for either the five or the ten years of service immediately preceding retirement whichever is the greater amount

Section 2 Paragraph six (6) of section eight (8) of said act as last amended by the act approved the twenty-fifth day of April one thousand nine hundred forty-nine (P. L. 752) is hereby amended to read as follows

School Employees' Retirement Fund and Accounts

#### Section 8

\* \* \* \* \*

6 There shall be credited by the retirement board to a ledger account to be known as the employees' annuity savings account the amounts of the accumulated deductions from the salaries of contributors made under such rules and regulations as the retirement board shall prescribe as follows

From the salary of each employee who is a contributor there shall be deducted and paid into the fund created by this act through the Department of Revenue such per centum of his or her earnable salary as shall be computed to be sufficient with regular interest to procure for him or her on superannuation retirement [of] at age [of] sixty-two an employees' annuity equal to one one-hundred-sixtieth (1/60) of his or her final salary calculated on the basis of the annual salary earnable by a contributor as an employee for the ten years of service after the thirtieth day of June one thousand nine hundred nineteen or to procure for him or her on superannuation retirement at age sixty-two or at the end of thirty-five years of credited service in this Commonwealth whichever is the earlier an employee's annuity equal to one one-hundred-fortieth (1/40) of his or her final salary calculated on the basis of the annual salary earnable by a contributor as an employee for the ten years of service immediately preceding retirement for each year of service after the thirtieth day of June one thousand nine hundred nineteen In the case of each contributor entering or re-entering the retirement system on and after the first day of July one thousand nine hundred fifty and also in the case of each contributor originally carrying membership in the one one-hundred-sixtieth (1/60) class who prior to the first day of July one thousand nine hundred fifty has elected and filed with the retirement board such election to transfer to the one one-hundred-fortieth (1/40) class and who contributes after the first day of July one thousand nine hundred fifty the per centum of his or her salary computed to be sufficient for new entrants of the one one-hundred-fortieth (1/40) class as of age attained at nearest birth-day of such transferred contributor at the date of transfer Provided That in the case of employees who were employed during the year which began July first one thousand nine hundred and thirty-two and ended June thirtieth one thousand nine hundred and thirty-three who have elected to contribute on the basis of salary receivable during said year such percentage shall be computed on the basis of said salary And provided That in any case if the deduction so computed shall exceed five per centum of his or her earnable salary and the employee shall be elect there shall be deducted five per centum of his or her earnable salary Provided however That these privileges are not available to contributors in the one one-hundred-fortieth (1/40) class And further provided That a beneficiary in the one one-hundred-sixtieth (1/60) class restored to school service shall not be permitted to transfer to the one-hundred-fortieth (1/40) class nor shall a beneficiary restored to school service be required to contribute at a per centum rate of his or her earnable salary which is greater than the per centum thereof which he or she was required to contribute prior to his or her retirement The rate per centum of said deduction from salary shall be based on such mortality and other tables as the retirement board shall adopt together with regular interest and shall be computed to remain constant during the prospective school service of the contributor



Section 3 All acts or parts of acts inconsistent herewith are repealed

Section 4 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Hare,	McPherson, Jr.,	Stevenson,
Barr,	Holland,	Meade,	Stiefel,
Barrett,	Kephart,	Neff,	Taylor,
Berger,	Kessler,	Pechan,	Toole,
Blass,	Lane,	Peelor,	Wade,
Byrne,	Leader,	Probert,	Wagner,
Chapman,	Letzler,	Robinson,	Walker,
Crowe,	Mahany,	Rosenfeld,	Watkins,
DiSilvestro,	Mallery,	Ruth,	Watson,
Diehm,	McCreesh,	Scarlett,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yosko,
Freed,	McMenamin,	Snowden,	Wood,
Haluska,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 878, as follows:

An Act to amend the act approved the thirteenth day of June one thousand nine hundred eleven (P. L. 903) entitled "An act to prevent frauds against carriers of passengers for hire within this Commonwealth and prescribing penalties for the breach of the provisions hereof" by changing penalties and defining magistrate The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections one and two of the act approved the thirteenth day of June one thousand nine hundred eleven (P. L. 903) entitled "An act to prevent frauds against carriers of passengers for hire within this Commonwealth and prescribing penalties for the breach of the provisions hereof" are hereby amended to read as follows

Section 1 Be it enacted &c That from and after the passage of this act every person being a passenger for hire who shall upon demand by the conductor agent or person authorized to make such demand refuse payment of the lawful fare due and payable for his conveyance upon any steamboat or steam railroad car or upon any electric or street railroad car or upon any public conveyance whatsoever used for carrying passengers for hire within this Commonwealth or who shall fraudulently and knowingly fail to make or by artifice avoid the payment of such lawful fare shall [be guilty of a misdemeanor and upon conviction shall be fined] upon summary conviction before a magistrate be sentenced to pay a fine of not more than five dollars (\$5.00) or imprisoned not more than ten (10) days or either or both at the discretion of the [court] magistrate

Section 2 Every person being a passenger for hire to which has been issued a [transfer] non-transferable ticket [giving or purporting to give to such passenger the right to transfer to and] valid in full or part payment

of fare for passage upon any other public conveyance operated upon the same or any other line or route or any person into whose possession any such [transfer] ticket may come who shall sell barter give away or otherwise transfer the same and every person who shall offer for passage any such [transfer] ticket which was not issued to any person so offering it shall [be guilty of a misdemeanor and upon conviction shall be fined] upon summary conviction before a magistrate be sentenced to pay a fine of not more than five dollars (\$5.00) or imprisoned not more than ten (10) days or either or both at the discretion of the [court] magistrate

Section 2 Said act is hereby amended by adding thereto after section two a new section to read as follows

Section 3 The term "magistrate" as used in this act includes a justice of the peace alderman magistrate or any other officer having by law the powers of a committing magistrate

Section 4 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Hare,	McPherson, Jr.,	Stevenson,
Barr,	Holland,	Meade,	Stiefel,
Barrett,	Kephart,	Neff,	Taylor,
Berger,	Kessler,	Pechan,	Toole,
Blass,	Lane,	Peelor,	Wade,
Byrne,	Leader,	Probert,	Wagner,
Chapman,	Letzler,	Robinson,	Walker,
Crowe,	Mahany,	Rosenfeld,	Watkins,
Diehm,	Mallery,	Ruth,	Watson,
DiSilvestro,	McCreesh,	Scarlett,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yosko,
Freed,	McMenamin,	Snowden,	Wood,
Haluska,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 984, as follows:

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further providing for exceptions to compulsory attendance

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clauses (3) and (4) of Section 1330 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" are hereby amended to read as follows

Section 1330 Exceptions to Compulsory Attendance The provisions of this act requiring regular attendance shall not apply to any child who

\* \* \* \* \*



(3) Has attained the age of fifteen (15) years and is engaged in farm work on a farm owned or operated by his parents or domestic service in [a private] the home of his parents on a permit issued by the school board or the designated school official of the school district of the child's residence [in accordance with regulations which the Superintendent of Public Instruction is hereby authorized by prescribe]

(4) Has attained the age of fourteen (14) years and is engaged in farm work on a farm owned or operated by his parents or domestic service in [a private] the home [on a permit issued as provided in clause (3) of this section] of his parents and who has satisfactorily completed either in public or private schools the equivalent of the highest grade of the elementary school organization prevailing in the public schools of the district in which he resides [if the issuance of such a permit has first been recommended by the county or district superintendent of schools having supervision of the schools of the district where such child resides or by the principal of the private school where such child is enrolled and the reason therefore has been approved by the Superintendent of Public Instruction]

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—42

Barrett,	Kephart,	Pechan,	Taylor,
Berger,	Kessler,	Peelor,	Toole,
Blass,	Lane,	Probert,	Wade,
Byrne,	Leader,	Robinson,	Walker,
Chapman,	Letzler,	Rosenfeld,	Watkins,
Crowe,	Mallery,	Ruth,	Watson,
Diehm,	McCreesh,	Scarlett,	Wolfe,
DiSilvestro,	McGinnis,	Silvert,	Yosko,
Fleming,	McPherson, Jr.	Snowden,	Wood,
Freed,	Meade,	Stevenson,	Presiding Officer
Holland,	Neff,	Stiefel,	

#### NAYS—7

Bane,	Haluska,	Mahany,	Wagner,
Barr,	Hare,	McMenamin,	

A majority of all Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1057, as follows:

An Act to add Section 6.1 to the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1216) entitled "An act to define real estate brokers and real estate salesmen and providing for the licensing regulation and supervision of resident and nonresident real estate brokers and real estate salesmen and their business" by authorizing the issuance of limited real estate brokers' and salesmen's licenses exclusively within the limited field or branch of the real estate business applying to cemetery lots plots and mausoleum spaces or openings and conferring powers and imposing duties upon the Department of Public Instruction and the State Real Estate Commission with respect to examination for and the issuance of such licenses

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1216) entitled "An act to define real estate brokers and real estate salesmen and providing for the licensing regulation and supervision of resident and nonresident real estate brokers and real estate salesmen and their business" is hereby amended by adding after Section 6 a new section to read as follows

Section 6.1 (a) The department is hereby authorized and empowered to issue limited real estate brokers' and salesmen's licenses to any person copartnership association or corporation desiring to engage in or carry on the business or act in the capacity of a real estate broker or a real estate salesman within the Commonwealth exclusively within the limited field or branch of such business which applies to cemetery lots plots and mausoleum spaces or openings and for such purpose the commission shall conduct limited examinations as are in the judgment of the commission necessary to ascertain whether the applicant for such limited licensure has a proper knowledge of that field For the purpose of preparing and conducting examinations for said limited licensure the commission shall consult with an advisory group of at least three persons of established reputation and ability who are actively engaged in that field or branch and who shall be compensated for their services at the rate of not more than ten dollars (\$10.00) per day in addition to their expenses in attending the commission

(b) Applicants for said limited licensure shall first submit to and pass an examination prepared by the commission in consultation with an advisory group as herein provided such examinations to be conducted at such times in such special field and subject to such conditions as the commission by rules and regulations shall prescribe

(c) Limited licenses issued by the department under the provisions of this section shall clearly state on the face thereof the field to which such limited license is applicable and the holder of any such limited license shall not engage in or carry on the business or act in the capacity of a real estate broker or real estate salesman except in the limited field for which he holds the license

(d) Except as herein otherwise provided all the provisions of this act shall apply to applicants for and persons holding limited licenses issued by the department under the provisions of this section

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Bane,	Hare,	McPherson, Jr.	Stevenson,
Barr,	Holland,	Meade,	Stiefel,
Barrett,	Kephart,	Neff,	Taylor,
Berger,	Kessler,	Pechan,	Toole,
Blass,	Lane,	Peelor,	Wade,
Byrne,	Leader,	Probert,	Wagner,
Chapman,	Letzler,	Robinson,	Walker,
Crowe,	Mahany,	Rosenfeld,	Watkins,
Diehm,	Mallery,	Ruth,	Watson,
DiSilvestro,	McCreesh,	Scarlett,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yosko,
Freed,	McMenamin,	Snowden,	Wood,
Haluska,			Presiding Officer

#### NAYS—0

A majority of all Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.



Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1068, as follows:

An Act to further amend Section 2405 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" by permitting delivery of unserviceable property to Superintendent of Public Instruction without charge for assignment to school districts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 2405 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" as last amended by the act approved the twenty-first day of June one thousand nine hundred thirty-seven (P. L. 1865) is hereby further amended to read as follows

Section 2405 Sale of Unserviceable Property The Department of Property and Supplies shall have the power and its duty shall be to receive from the several administrative departments and independent administrative and departmental administrative boards and commissions unserviceable personal property of this Commonwealth to issue a receipt therefor and make a complete record thereof [and] When there is turned over to the department unserviceable furniture or equipment which is broken or out-worn and which is of a type which is adapted to public school use it may in the discretion of the Secretary of Property and Supplies be delivered to the Superintendent of Public Instruction without charge for assignment to any school district or if no other department board or commission is able to make use of the same presently then as soon as convenient to sell the same either at public auction or private sale in the city of Harrisburg or elsewhere as may be deemed advisable Except in the case of perishable property such sales shall if the department deems it feasible in view of the value of the property involved be advertised in not exceeding five newspapers of the Commonwealth once a week for

three weeks such advertisements to state the time place and conditions of any such sale but if after such advertising the department is unable to obtain a bid for the property it may be demolished or destroyed Provided That when the unserviceable property is located outside the city of Harrisburg the Department of Property and Supplies in its discretion may authorize the department board or commission having possession of the same without advertising to obtain at least two bids in the locality where the property is located Such bids shall be referred to the Department of Property and Supplies and if it believes that the property will not realize a higher net sale price if transported to the Capitol for sale the department may authorize the department board or commission having possession of the same to sell the property locally to the highest bidder to take a proper receipt therefor and to transmit the proceeds to the Department of Property and Supplies to be by it paid into the State Treasury through the Department of Revenue board or commission shall deliver to the Department And provided further That whenever any department of Property and Supplies any unserviceable personal property and at the same time requisition the said department to furnish new property of a similar character to replace the unserviceable property delivered as aforesaid or request said department as purchasing agency to purchase new property of a similar character the Department of Property and Supplies shall endeavor to exchange the unserviceable property for or on account of the purchase price of the new property about to be purchased but such unserviceable property shall not be delivered for or on account of the purchase price of any property at a lower valuation than the price which such unserviceable property would bring if sold in the open market for cash and to the extent that advertising any such unserviceable property for sale may be necessary to establish its market value the Department of Property and Supplies is authorized and directed to advertise as hereinabove provided The Department of Property and Supplies shall obtain from the person partnership or corporation to which any personal property is delivered in exchange under the authority of this section a receipt therefore describing such personal property and specifying the value at which it was taken in exchange and such receipt shall be delivered to the Auditor General attached to the requisition for the payment of the balance of the purchase price due for the new property purchased The proceeds of sales of personal property hereunder shall be transmitted by the Department of Property and Supplies to the Department of Revenue which shall transmit it to the Treasury Department to be credited to the fund out of which the property sold was originally purchased

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Bane,	Hare,	McMenamin,	Stevenson,
Barr,	Holland,	Meade,	Stiefel,
Barrett,	Kephart,	Neff,	Taylor,
Berger,	Kessler,	Pechan,	Toole,
Blass,	Lane,	Peelor,	Wade,
Byrne,	Leader,	Probert,	Wagner,
Chapman,	Letzler,	Robinson,	Walker,
Crowe,	Mahanay,	Rosenfeld,	Watkins,
Diehm,	Mallery,	Ruth,	Watson,
DiSilvestro,	McCreesh,	Scarlett,	Wolfe,
Fleming,	McGinnis,	Silver,	Yosko,
Freed,	McPherson, Jr.	Snowden,	Wood,
Haluska,			Presiding Officer

#### NAYS—0



A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1108, as follows:

An Act to repeal the act approved the sixth day of June one thousand nine hundred thirteen (P. L. 452) entitled "An act to amend an act 'Providing for the appointment of a board of visitation for institutions societies and associations caring for dependent neglected or delinquent children' approved the twenty-sixth day of February Anno Domini one thousand nine hundred and three and making it the duty of the board of visitation to visit all institutions within the county which receive their inmates from more than one county and are in whole or in part supported and managed by the Commonwealth and all institutions which are wholly supported and managed by any county city borough or township of the poor district of the Commonwealth and providing for the making of nominations of appointment on the boards of visitation"

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the sixth day of June one thousand nine hundred thirteen (P. L. 452) entitled "An act to amend an act 'Providing for the appointment of a board of visitation for institutions societies and associations caring for dependent neglected or delinquent children' approved the twenty-sixth day of February Anno Domini one thousand nine hundred and three and making it the duty of the board of visitation to visit all institutions within the county which receive their inmates from more than one county and are in whole or in part supported and managed by the Commonwealth and all institutions which are wholly supported and managed by any county city borough or township of the poor district of the Commonwealth and providing for the making of nominations of appointment on the boards of visitation" is hereby repealed absolutely

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Bane,	Hare,	McPherson, Jr.	Stevenson,
Barr,	Holland,	Meade,	Stiefel,
Barrett,	Kephart,	Neff,	Taylor,
Berger,	Kessler,	Pechan,	Toole,
Blass,	Lane,	Peelor,	Wade,
Byrne,	Leader,	Propert,	Wagner,
Chapman,	Letzler,	Robinson,	Walker,
Crowe,	Mahany,	Rosenfeld,	Watkins,
Diehm,	Mallery,	Ruth,	Watson,
DiSilvestro,	McCreesh,	Scarlett,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yosko,
Freed,	McMenamin,	Snowden,	Wood,
Haluska,			Presiding Officer

#### NAYS—0

A majority of all Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The senate proceeded to the third reading and consideration of House Bill No. 1123, as follows:

An Act to provide for the registration the protection of trade-marks and to secure the rights property and interests therein providing for the assignment cancellation and revocation thereof and imposing penalties for violations conferring powers and imposing duties upon the Secretary of the Commonwealth in the administration thereof and to repeal all acts inconsistent therewith  
The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

#### Section 1 Definitions

(a) The term "trade-mark" as used herein means any word name symbol or device or any combination thereof adopted and used by a person to identify goods produced manufactured or sold by him and to distinguish them from goods produced manufactured or sold by others

(b) The term "person" as used herein means any individual firm co-partnership corporation association or other organization

(c) The term "applicant" as used herein means any person filing an application for registration of a trade-mark under this act or his legal representatives successors or assigns

(d) The term "registrant" as used herein means any person heretofore registering a trade-mark under this Act or his legal representatives successors or assigns

(e) For the purposes of this act a trade-mark shall be deemed to be "adopted and used" in this Commonwealth when it is placed in any manner on the goods or their containers or on the tags or labels affixed thereto and such goods are sold or otherwise distributed in this Commonwealth

#### Section 2 Registrability

A trade-mark by which the goods of any applicant for registration may be distinguished from the goods of others shall not be registered which

(a) consists of or comprises immoral deceptive or scandalous matter or

(b) consists of or comprises the flag or coat of arms or other insignia of the United States the Commonwealth of Pennsylvania or of any other state or municipality or of any foreign nation or any simulation thereof or

(c) consists of or comprises the name signature or portrait of any living individual except with his written consent or

(d) consists merely of the name of any individual co-partnership corporation or association unless such name be written printed impressed or woven in some particular or distinctive manner or

(e) consists of or comprises any trade-mark which  
1 when applied to the goods of the applicant is merely descriptive or deceptively misdescriptive of them or

2 when applied to the goods of the applicant is primarily geographically descriptive misdescriptive of them or

(f) consists of or comprises a trade-mark which so resembles any trade-mark registered in this Commonwealth and not abandoned as to be likely when applied to the goods of the applicant to cause confusion or mistake or to receive the public concerning the origin or manufacture of such goods unless it shall be proved to the satisfaction of the Secretary of the Commonwealth that the person co-partnership or corporation last applying for the registry of such trade-mark is entitled thereto and the owner thereof by right of prior adoption and use in which case the date of the adoption shall determine the ownership and shall be proved by affidavits of persons conversant with such dates In case the Secretary of the Commonwealth becomes satisfied after a hearing held in his discretion that the person co-partnership or corporation last apply for registry is entitled by priority of adoption and use in the Commonwealth of Pennsylvania to register such trade-mark he shall revoke the first registry thereof and upon application and the payment of the fee register the same in the name of said applicant



Section 3 Powers of the Secretary of the Commonwealth  
The Secretary of the Commonwealth is authorized to promulgate rules and regulations and prescribe forms for the filing of trade-marks under the provisions of this act and to have the power and authority reasonably necessary to enable him to administer this act efficiently and to perform the duties imposed upon him by its provisions

#### Section 4 Application For Registration

Subject to the limitations set forth in this act any person who has adopted and used a trade-mark in this Commonwealth may file in the office of the Secretary of the Commonwealth on a form to be furnished by the Secretary of the Commonwealth an application for registration of that trade-mark setting forth under oath the following information

1 The name of the person co-partnership or corporation applying for such registration his or its residence location or place of business and if a corporation the state of incorporation

2 The general class of merchandise with which the mark is used and the particular articles comprised therein to which it has been appropriated and used

3 The date when the trade-mark was first used anywhere and the date when it was first used in this State by the applicant or his predecessor in title

4 A statement that the applicant is the owner of the trademark and that no other person has the right to use such trade-mark in this State either in the identical form thereof or in any such near resemblance thereto as might be calculated to deceive or to be mistaken therefore The application shall be signed and sworn to by any officer of the corporation or association or by a member of the copartnership applying The application shall be accompanied with two specimens or facsimiles of such trade-mark and check or money order for the filing fee of \$15.00 payable to the Secretary of the Commonwealth

#### Section 5 Certificate of Registration

Upon compliance by the applicant with the requirements of this act the Secretary of the Commonwealth shall cause a certificate of registration to be issued and delivered to him The certificate of registration shall be issued under the signature of the Secretary of the Commonwealth and the seal of the State and shall set forth the name and address of the applicant the name or description of the trade-mark and the general class of goods to which appropriated and the date on which the application was filed

Any certificate of registration issued by the Secretary of the Commonwealth under the provisions hereof or a copy thereof duly certified by him shall be admissible in evidence as competent and sufficient proof of the registration of such trade-mark in any action or judicial proceedings in any court of this Commonwealth

#### Section 6 Duration and Renewal

Registration of a trade-mark hereunder shall be effective for a term of ten years from the date of registration and upon application filed within six months prior to the expiration of such term on a form to be furnished by the Secretary of the Commonwealth the registration may be renewed for a like term A renewal fee of \$15.00 payable to the Secretary of the Commonwealth shall accompany the application for renewal of the registration

A trade-mark registration may be renewed for successive periods of ten years in like manner

Any registration in force on the date on which this act shall become effective shall expire ten years from the date of the registration or of the last renewal thereof or one year after the effective date of this act whichever is later and may be renewed by filing an application with the Secretary of the Commonwealth on a form furnished by him and paying the aforementioned renewal fee thereof within six months prior to the expiration of the registration

#### Section 7 Assignment

Any trade-mark and its registration hereunder shall be assignable with the good will of the business in which the trade-mark is used or with that part of the good will of the business connected with the use of and

symbolized by the trade-mark Assignment shall be by instrument in writing duly executed and may be recorded with the Secretary of the Commonwealth upon the payment of a fee of \$10.00 payable to the Secretary of the Commonwealth who upon recording of the assignment shall issue in the name of the assignee a new certificate for the remainder of the term of the registration or of the last renewal thereof An assignment of any registration under this act shall be void as against any subsequent purchaser for valuable consideration and without notice unless it is recorded with the Secretary of the Commonwealth within three months after the date or prior to such subsequent purchase

#### Section 8 Records

The Secretary of the Commonwealth shall keep for public examination a record of all trade-marks registered or renewed under this act

#### Section 9 Cancellation

The Secretary of the Commonwealth shall cancel from the register

(1) after five years from the effective date of this Act all registrations under prior acts which are more than ten years old and not renewed in accordance with this act

(2) any registration concerning which the Secretary of the Commonwealth shall receive a voluntary request for cancellation thereof from the registrant or the assignee of record

(3) all registrations granted under this act and not renewed in accordance with the provisions hereof

(4) any registration concerning which a court of competent jurisdiction shall find

(a) that the registered trade-mark has been abandoned

(b) that the registrant is not the owner of the trade-mark

(c) that the registration was granted improperly

(d) that the registration was obtained fraudulently

(e) that the registered trade-mark is so similar as to be likely to cause confusion or mistake or to deceive or that it is similar to a trade-mark registered by another person in the United States Patent Office prior to the date of the filing of the application for registration by the registrant hereunder and not abandoned provided however that should the registrant prove that he is the owner of a concurrent registration of his trade-mark in the United States Patent Office covering an area including this State the registration hereunder shall not be canceled

(5) when a court of competent jurisdiction shall order cancellation of a registration on any ground

(6) Any registration in the following circumstances

(a) Where an applicant by affidavits and other good and sufficient evidence shall prove to the satisfaction of the secretary that he is entitled to any trade-mark heretofore registered in this office by virtue of prior adoption and use

(b) In the case of a corporation having filed articles of dissolution or a decree of dissolution any person may at any time at least three years thereafter present a petition under proper affidavit to the Secretary of the Commonwealth setting forth such fact

(c) In the case of a person co-partnership or corporation not having filed articles of dissolution or a decree of dissolution but having discontinued or gone out of the business to which such registration is pertinent

(d) When a registered trade-mark has been abandoned or discontinued for a period of at least five years subsequent to registration and such abandonment and non-user still persists

In all circumstances enumerated in section (6) subsections (a) to (d) inclusive any person may present his petition for cancellation in writing and supported by proper affidavit to the Secretary of the Commonwealth accompanied with a fee of \$25.00

The petition shall set forth the pertinent facts relative thereto and shall contain proof of service of notice of such petition on the person co-partnership or corporation in whose name the said registration is recorded and



asking that such registration be cancelled The secretary shall fix a time to hear the parties concerned in the matter and shall send by registered mail a notice thereof to the person copartnership or corporation in whose name such registration is recorded If after hearing the secretary is satisfied of the truth of the facts alleged in the petition in accordance with the provisions of this section he shall cancel the said registration

**Section 10 Classification**

The following general classes of goods are established for the purpose of administering this act The Secretary of the Commonwealth is authorized in his discretion to amend by rule or regulation the classification hereinafter established but not in any way to limit or extend the applicants or registrants rights An application for registration of a trade-mark shall be limited to a single general class of merchandise Provided however That nothing in this act shall be construed as limiting the registration of a trade-mark to one general class

The said classes are as follows

- 1 Raw or partly prepared materials
- 2 Receptacles
- 3 Baggage animal equipments portfolios and pocket-books
- 4 Abrasives and polishing materials
- 5 Adhesives
- 6 Chemicals and chemical compositions
- 7 Cordage
- 8 Smokers' articles not including tobacco products
- 9 Explosives firearms equipments and projectiles
- 10 Fertilizers
- 11 Inks and inking materials
- 12 Construction materials
- 13 Hardware and plumbing and steam-fitting supplies
- 14 Metals and metal castings and forgings
- 15 Oils and greases
- 16 Paints and painters' materials
- 17 Tobacco products
- 18 Medicines and pharmaceutical preparations
- 19 Vehicles
- 20 Linoleum and oiled cloth
- 21 Electrical apparatus machines and supplies
- 22 Games toys and sporting goods
- 23 Cutlery machinery and tools and parts thereof
- 24 Laundry appliances and machines
- 25 Locks and safes
- 26 Measuring and scientific appliances
- 27 Horological instruments
- 28 Jewelry and precious-metal ware
- 29 Brooms brushes and dusters
- 30 Crockery earthenware and porcelain
- 31 Filters and refrigerators
- 32 Furniture and upholstery
- 33 Glassware
- 34 Heating lighting and ventilating apparatus
- 35 Belting hose machinery packing and nonmetallic tires
- 36 Musical instruments and supplies
- 37 Paper and stationery
- 38 Prints and publications
- 39 Clothing
- 40 Fancy goods furnishings and notions
- 41 Canes parasols and umbrellas
- 42 Knitted netted and textile fabrics and substitutes therefor
- 43 Thread and yarn
- 44 Dental medical and surgical appliances
- 45 Soft drinks and carbonated waters
- 46 Foods and ingredients of foods
- 47 Wines
- 48 Malt beverages and liquors
- 49 Distilled alcoholic liquors
- 50 Merchandise not otherwise classified
- 51 Cosmetics and toilet preparations
- 52 Detergents and soaps

**Section 11 (a) Fraudulent Registration**

Any person who shall for himself or on behalf of any other person procure the filing or registration of any

trade-mark in the office of the Secretary of the Commonwealth under the provisions hereof by knowingly making any false or fraudulent representation or declaration verbally or in writing or by any other fraudulent means shall be liable to pay all damages sustained in consequence of such filing or registration to be recovered by or on behalf of the party injured thereby in any court of competent jurisdiction

**(b) Disclaimer**

The Secretary of the Commonwealth shall require unregistrable matter to be disclaimed but such disclaimer shall not prejudice or affect the applicants common law rights then existing or thereafter arising in such disclaimed matter

**Section 12 Infringement**

Subject to the provisions of section 14 hereof any person who shall

(a) Use without the consent of the registrant any reproduction counterfeit copy or colorable imitation of a trade-mark registered under this act in connection with the sale offering for sale or advertising of any goods on or in connection with such use as likely to cause confusion or mistake or to deceive as to the source of origin of such goods or

(b) reproduce counterfeit copy or colorably imitate any such trade-mark and apply such reproduction counterfeit copy or colorable imitation to labels signs prints packages wrappers receptacles or advertisements intended to be used upon or in connection with the sale or other distribution in this state of such goods shall be subject to a penalty of \$100 to be sued for in any court having jurisdiction of an action by fine or penalty by a person co-partnership or corporation aggrieved thereby and in addition to the penalty provided for in this section may award to the plaintiff such damages resulting from such wrongful and unlawful acts as may be proved and shall require the defendant to pay to the plaintiff the profits derived by such unlawful acts

The provisions of this section shall not apply to any advertising agency publisher of newspapers magazines or other advertising media accepting authorization for the reproduction or copy of any such trade-mark innocently and in good faith in the usual course of business

**Section 13 Remedies**

Any owner of a trade-mark registered under this act may proceed by suit to enjoin the manufacture use display or sale of any counterfeits or imitations thereof and any court of competent jurisdiction may grant injunctions to restrain such manufacture use display or sale as may be by the said court deemed just and reasonable and may require the defendants to pay to such owner all profits derived from and/or all damages suffered by reason of such wrongful manufacture use display or sale and such court may also order that any such counterfeits or imitations in the possession or under the control of any defendant in such case be delivered to an officer of the court or to the complainant to be destroyed but no owner of such a trade-mark shall have such right of injunction against an advertising agency publisher or newspapers magazine or other advertising media accepting authorization for the reproduction or copy of any such trade-mark innocently and in good faith in the usual course of business

The enumeration of any right or remedy herein shall not affect a registrant's right to prosecute under any penal law of this state

**Section 14 Common Law Rights**

Nothing herein shall adversely affect the rights or the enforcement of rights in trade-marks acquired in good faith at any time at common law

**Section 15 Severability**

If any provision hereof or the application of such provision to any person or circumstance is held invalid the remainder of this act shall not be affected thereby

**Section 16 Time of Taking Effect**

This act shall be in force and take effect immediately after enactment but shall not affect any suit proceeding or appeal then pending



## Section 17 Repeal of Prior Acts

The act approved the twentieth day of June one thousand nine hundred one (P. L. 582) entitled "An act to provide for the registration of labels trade-marks trade-names stamps designs devices shopmarks terms brands designations descriptions or forms of advertisement and protect and secure the rights property and interest therein of the persons copartnerships or corporations adopting and filing the same and providing penalties for the violations of the act" and its amendments are hereby repealed

All other acts relating to trade-marks and parts of any other acts inconsistent herewith are hereby repealed on the effective date of this act Provided That as to any suit proceeding or appeal pending at the time this act shall take effect such repeal shall not be deemed to be effective until final determination of said pending suit proceeding or appeal

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bane,	Hare,	McPherson, Jr.,	Stevenson,
Barr,	Holland,	Meade,	Stiefel,
Barrett,	Kephart,	Neff,	Taylor,
Berger,	Kessler,	Pechan,	Toole,
Blass,	Lane,	Peelor,	Wade,
Byrne,	Leader,	Propert,	Wagner,
Chapman	Letzler,	Robinson	Walker,
Crowe,	Mahany,	Rosenfeld,	Watkins,
Diehn,	Mallery,	Ruth,	Watson,
DiSilvestro,	McCreesh,	Scarlett,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yosko,
Freed,	McMenamin,	Snowden,	Wood,
Haluska,			Presiding Officer

## NAYS—

A majority of all Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1133, as follows:

An Act to further amend sections five seven eleven and twenty-one and to add section twenty-one point one to the act approved the sixth day of August one thousand nine hundred forty-one (P. L. 861) entitled "An act to create a uniform and exclusive system for the administration of parole in this Commonwealth establishing the 'Pennsylvania Board of Parole' conferring and defining its jurisdiction duties powers and functions including the supervision of persons placed upon probation in certain designated cases providing for the method of appointment of its members regulating the appointment removal and discharge of its officers clerks and employees dividing the Commonwealth into administrative districts for purposes of parole fixing the salaries of members of the board and of certain other officers and employees thereof making violations of certain provisions of this act misdemeanors providing penalties therefor and for other cognate purposes and making an appropriation" by increasing the salaries of the chairman and the other members of the board increasing the ceiling on salaries of the secretary of the board and of dis-

trict supervisors making the amount of such salaries subject to the determination of the board in conformity with the rules of the Executive Board and by further defining the jurisdiction duties powers and functions of the Pennsylvania Board of Parole

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section five of the act approved the sixth day of August one thousand nine hundred forty-one (P. L. 861) entitled "An act to create a uniform and exclusive system for the administration of parole in this Commonwealth establishing the 'Pennsylvania Board of Parole' conferring and defining its jurisdiction duties powers and functions including the supervision of persons placed upon probation in certain designated cases providing for the method of appointment of its members regulating the appointment removal and discharge of its officers clerks and employees dividing the Commonwealth into administrative districts for purposes of parole fixing the salaries of members of the board and of certain other officers and employees thereof making violations of certain provisions of this act misdemeanors providing penalties therefor and for other cognate purposes and making an appropriation" as last amended by the act approved the third day of July one thousand nine hundred forty-seven (P. L. 1248) is hereby further amended to read as follows

Section 5 The chairman of the board shall receive a salary of [eleven] twelve thousand five hundred dollars [(\$11,000)] (\$12,500) per annum and each of the other members of the board shall receive a salary of [ten] eleven thousand five hundred dollars [(\$10,000)] (\$11,500) per annum

Section 2 Section seven of said act as last amended by the act approved the twenty-seventh day of May one thousand nine hundred forty-three (P. L. 767) is hereby further amended to read as follows

Section 7 As soon as may be convenient after their appointment the members of the Board of Parole shall meet and organize They shall appoint a secretary who shall not be a member of the board who shall hold office at their pleasure who shall have such powers and perform such duties not inconsistent with any law of this Commonwealth as the board shall prescribe and who shall receive such compensation as the board shall determine in conformity with the rules of the executive board not exceeding [five] six thousand dollars [\$5000] (\$6000) per annum In the absence or incapacity of the secretary to act the [board] Board of Parole may designate such other person as it may choose to perform temporarily the duties of secretary

Section 3 Section eleven of the said act as last amended by the act approved the third day of July one thousand nine hundred forty-seven (P. L. 1248) is hereby amended to read as follows

Section 11 Each district parole office shall be in charge of a district supervisor who shall be appointed by the board with the approval of the Governor and who shall receive such annual salary [for those where the district includes either a county of the first class or a county of the second class not exceeding [six] seven thousand dollars [(\$6000)] (\$7000) and for those in other districts not exceeding [four] five thousand five hundred dollars [(\$4500)] (\$5500) as the board shall determine in conformity with the rules of the executive board Said district supervisor shall be the executive head of the district office to which he shall be appointed and shall have the control management and direction of all employees of the [board] Board of Parole assigned to said district subject to the supervision of the board

Section 4 Section twenty-one of the said act as last amended by the act approved the twenty-seventh day of May one thousand nine hundred forty-three (P. L. 767) is hereby further amended to read as follows

Section 21 The board is hereby authorized to release on parole any convict confined in any penal institution of this Commonwealth as to whom power to parole is herein granted to said board except convicts condemned to death or serving life imprisonment whenever in its opinion the best interests of the convict justify or require his being



paroled and it does not appear that the interests of the Commonwealth will be injured thereby [If at the time a person is paroled he has been imprisoned for a period in excess of the minimum term of imprisonment to which he shall have been sentenced the period of parole may be extended by the board up to but not beyond the maximum term imposed] The power to parole herein granted to the Board of Parole may not be exercised in the board's discretion at any time before but only after the expiration of the minimum term of imprisonment fixed by the court in its sentence or by the Pardon Board in a sentence which has been reduced by commutation Provided however That if the Board of Parole refuse to parole the prisoner at the expiration of any minimum term fixed by the Pardon Board it shall within ten days after the date when the minimum term expired transmit to the Pardon Board a written statement of the reasons for refusal to parole the prisoner at the expiration of the minimum term fixed by the Pardon Board Thereafter the Pardon Board may either accept the action of the Board of Parole or order the immediate release of the prisoner on parole under the supervision of the Board of Parole Said board shall have the power during the period for which a person shall have been sentenced to recommit one paroled for violation of the terms and conditions of his parole and from time to time to reparole and recommit in the same manner and with the same procedure as in the case of an original parole or recommitment if in the judgment of the said board there is a reasonable probability that the convict will be benefited by again according him liberty and it does not appear that the interests of the Commonwealth will be injured thereby

Section 5 The said act is hereby amended by adding thereto after section twenty-one a new section to read as follows

Section 21.1 (a) Convicted Violators Any parolee under the jurisdiction of the Pennsylvania Board of Parole released from any penal institution of the Commonwealth who during the period of parole or while delinquent on parole commits any crime punishable by imprisonment for which he is convicted or found guilty by a judge or jury or to which he pleads guilty or nolle contendere at anytime thereafter in a court of record may at the discretion of the board be recommitted as a parole violator to the penal institution from which he was paroled or to any other institution to which legally transferred If his recommitment is so ordered he shall be reentered to serve the remainder of the term whih said parolee would have been compelled to serve had he not been paroled and he shall be given no credit for the time at librtly on parol The board may in its discretion reparole whenever in its opinion the best interests of the prisoner justify or require his release on parole and it does not appear that the interests of the Commonwealth will be injured thereby If a new sentence is imposed upon him to be served in the same institution from which paroled then the service of the balance of said term originally imposed shall precede the commencement of the new term imposed for the latter crime If a new sentence is imposed upon him to be served in any institution other than the one from which paroled then the service of the new term for the latter crime shall precede the commencement of the balance of the term originally imposed The period of time for which the parole violator is required to serve shall be computed from and begin on the date that he is taken into custody to be returned to the institution as a parole violator

(b) Technical Violaors Any parolee under the jurisdiction of the Pennsylvania Board of Parole released from any penal institution in the Commonwealth who during the period of parole violates the terms and conditions of his parole other than by the commission of a new crime of which he is convicted or found guilty by a judge or jury or to which he pleads guilty or nolle contendere in a court of record may be recommitted after hearing before the board to the institution from which he was paroled or to any other institution to which legally transferred as a parole violator If he is so recommitted he shall be given credit for the time served on parole in good standing but with no credit for delinquent time and

may be reentered to serve the remainder of his original sentence or sentences Said remainder shall be computed by the board from the time his delinquent conduct occurred for the unexpired period of the maximum sentence imposed by the court without credit for the period the parolee was delinquent on parole and he shall be required to serve such remainder so computed from the date he is taken into custody on the warrant of the board Such prisoner shall be subject to reparole by the board whenever in its opinion the best interests of the prisoner justify or require his being reparable and it does not appear that the interests of the Commonwealth will be injured thereby

Section 6 All acts or parts of acts inconsistent herewith are hereby repealed

Section 7 This act shall to the extent permitted by the Constitution become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Bane,	Hare,	McPherson, Jr.	Stevenson,
Barr,	Holland,	Meade,	Stiefel,
Barrett,	Kephart,	Neff,	Taylor,
Berger,	Kessler,	Pechan,	Toole,
Blass,	Lane,	Peelor,	Wade,
Byrne,	Leader,	Propert,	Wagner,
Chapman,	Letzler,	Robinson,	Walker,
Crowe,	Mahanay,	Rosenfeld,	Watkins,
Diehm,	Mallery,	Ruth,	Watson,
DiSilvestro,	McCreesh,	Scarlett,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yosko,
Freed,	McMenamin,	Snowden,	Wood,
Haluska,			Presiding Officer

#### NAYS—0

A majority of all Senators having voted "aye" the question was determined in the affirmative.

[Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1309, as follows:

An Act to amend sections one and two as amended sections four five six seven and eight and sections nine and ten as amended of the act approved the twenty-eighth day of June one thousand nine hundred and twenty-three (P. L. 888) entitled "An act to safeguard human life and health throughout the Commonwealth by providing for the reporting quarantining and control of diseases declared communicable by this act or by regulation of the Department of Health providing for the prevention of infection therefrom and prescribing penalties" by changing the method of approval of communicable disease regulations by the advisory health board and by adding counties which have established a county department of health or joint-county department of health to the political subdivisions required or empowered to perform certain duties relating to the reporting quarantining and control of diseases declared communicable by law or regulation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections one and two of the act approved the twenty-eighth day of June one thousand nine hundred



and twenty-three (P. L. 888) entitled "An act to safeguard human life and health throughout the Commonwealth by providing for the reporting quarantining and control of diseases declared communicable by this act or by regulation of the Department of Health providing for the prevention of infection therefrom and prescribing penalties" as last amended by the act approved the twentieth day of May one thousand nine hundred thirty-seven (P. L. 751) are hereby further amended to read as follows

Section 1 Be it enacted &c That the Department of Health may when it deems it necessary to safeguard human life and health declare certain diseases to be communicable or to be communicable and quarantinable but only in the following manner that is to say

The Secretary of Health shall call a meeting of the advisory health board five days' written notice of which shall be sent to each member of the board The notice shall state the time and place of meeting and the fact that a proposed regulation will be presented declaring a certain disease or diseases setting it or them forth by name to be communicable The notice shall also state such of the diseases as should in the opinion of the Secretary of Health be quarantinable or reportable or both and the quarantine period therefor

Upon the [affirmative vote of four members] approval of the advisory health board [personally present] any disease or diseases set forth in the proposed regulation is or are hereby declared communicable with the same force and effect as if expressly enumerated in this act Any such disease is hereby further declared quarantinable or reportable or both as may be provided in the regulation with the force and effect hereinbefore referred to

The regulation may be amended at such meeting so as to eliminate some or any of the diseases set forth in the notice but no disease shall be declared communicable which is not contained in the notice

Every physician practicing in any portion of this Commonwealth who shall treat or examine any person suffering from or affected with any disease declared by regulation to be communicable and reportable shall if said case shall be located in a political subdivision under the jurisdiction of a county department of health or joint-county department of health or in a township of the first class a borough or a city not under the jurisdiction of a county department of health or joint-county department of health forthwith make a report in writing to said county department of health or joint-county department of health or to the health authorities of said township city or borough and if said case shall be located in a [township of the second class or a] city borough or township [of the first class] not having a board of health or body acting as such and not under the jurisdiction of a county department of health or joint-county department of health to the health officer appointed by the Department of Health for such district upon blanks for that purpose in which report he shall over his or her own signature state the name of the disease and the name of the person suffering therefrom together with the street and house number of the premises in which said person may be located or otherwise sufficiently designate the same the date of the onset of the disease the name of the householder in whose family the disease may have occurred together with such information relating to said case as may be required by said health authorities and the Department of Health

Section 2 Upon receipt by the health authorities of any township of the first class borough [or] city or county which has established a county department of health or which is within the jurisdiction of a joint-county department of health or by the health officer of the Department of Health of a report of the existence of a case of any disease declared communicable and quarantinable by regulation as hereinbefore provided the said health authorities or health officer or medical representative of the Department of Health as the case may be shall quarantine or cause to be quarantined in the manner prescribed by the rules or regulations of the Department of Health or of the local health authorities the premises in which such disease exists and any person or persons who

has or have been exposed thereto or any person or persons who in the opinion of the attending physician health authorities or a medical representative of the Department of Health is or are reasonably suspected of having such disease by quarantining such person or persons either upon the premises in which the disease exists or in a place designated in this State for the isolation control and treatment of communicable disease in the manner prescribed by the rules and regulations both of the said health authorities and the Department of Health and shall post or cause to be posted in a conspicuous place or places upon the premises in which the said disease may be located a placard or placards upon which shall be printed in conspicuous letters the name of the disease from which the person or persons in said house or premises is or are suffering with the warning that said premises are under quarantine that no person or persons other than the attending physician and trained nurse shall enter or leave the said premises except by permission of the health authorities and setting forth the penalties prescribed by this act for violations of quarantine Provided That in the case of a person or persons suspected of suffering from disease or diseases of the generative organs no quarantine shall be established or caused to be established by health officers or representatives of the Department of Health until it is reasonably certain from personal examination or laboratory tests or from evidence which has been furnished to the Department of Health or to any board bureau or department of health that the person or persons is or are suffering from diseases of the generative organs but this proviso shall not prevent the quarantine of persons known to be prostitutes and reasonably suspected of suffering from diseases of the generative organs and of being a menace to the health of the community Provided further That variola or varioloid shall be placarded as "smallpox" and that diphtheritic croup membranous croup and putrid sore throat shall be placarded as "diphtheria" that scarlatina and scarlet rash shall be placarded as "scarlet fever" and that paratyphoid fever shall be placarded as "typhoid fever" Provided further That in addition to the placarding and health authorities may for the purpose of enforcing quarantine regulations place a guard or guards over the said house or houses or premises

Section 2 Sections four five six seven and eight of the said act are hereby amended to read as follows

Section 4 The Department of Health with the consent and approval of the advisory health board shall determine the duration of the quarantine to be imposed for each of the diseases mentioned in section two of this act and for such other as may at any time be declared reportable and quarantinable in accordance with its provisions the period of isolation of those suffering from the communicable diseases and the duration of the quarantine or degree of restraint to be placed upon those who have been exposed to a communicable disease and shall make such further regulations looking to the prevention and the spread of the communicable diseases as may be deemed necessary for the protection of the public health

The call for a meeting of the advisory board to formulate quarantine regulations shall be in writing to each member of the said board The notice shall antedate the meeting by at least five days and it shall contain a copy of the proposed regulations Upon the [affirmative vote of four members] approval of the advisory health board [personally present] the proposed regulations when properly promulgated as now or hereafter provided by law shall become effective with the same force as if expressly set forth in this act

Section 5 The registry of all public private parochial Sunday and other schools shall exhibit the names and residences of all children and persons excluded therefrom or readmitted thereto agreeably to the provisions of the regulations of the Department of Health and local health authorities or any act of Assembly and said register shall be open at all times to the inspection of the city borough [or] township authorities or to the authorities of counties which have established a county department of health or



joint-county department of health and the Department of Health and their respective officers and agents

Section 6 Blanks whereon to make the reports and certificates required by this act or the regulations of the Department of Health shall be supplied in cities boroughs [and] townships of the first class and counties which have established a county department of health or joint-county department of health by the health authorities thereof respectively [and in townships of the second class] and in cities boroughs and townships [of the first class] not having boards of health or bodies acting as such and not under the jurisdiction of a county department of health or joint-county department of health by the Department of Health

Section 7 It shall be the duty of the health authorities of cities boroughs [and] townships of the first class [respectively] or counties which have established a county department of health or joint-county department of health to furnish to persons in charge of public private parochial Sunday or other schools a daily notice containing the name location and disease of all persons suffering from any quarantinable disease upon receipt by them of reports of such cases from physicians as required by section 1 of this act and such notice shall be daily furnished to such persons in charge of such schools in [townships of the second class and in] cities boroughs and townships [of the first class] not having boards of health or bodies acting as such and not under the jurisdiction of a county department of health or joint-county department of health by the health officer for the Department of Health

Section 8 The health authorities of the several townships boroughs [and] cities [of this Commonwealth] or counties which have established a county department of health or joint-county department of health may and they are hereby authorized and empowered to establish additional rules and regulations regarding the isolation and quarantine of persons who may be suffering from any of the diseases comprehended by section one of this act and for the destruction or disinfection of bedding clothing or other infected article and for the disinfection of houses and premises and for the carrying out of the provisions of this act and the regulations of the Department of Health as they may in good faith declare the public safety and health demand which rules and regulations they may from time to time alter or amend but in no instance shall such rules abridge in any way the provisions of this act or the regulations of the Department of Health

Section 3 Section nine of the said act as last amended by the act approved the twentieth day of May one thousand nine hundred and thirty-seven (P. L. 751) is hereby further amended to read as follows

Section 9 The county department of health or joint-county department of health or the secretary of the board of health or health officer where council fails to appoint a board of health of the several cities boroughs and townships of the first class [,] which are not under the jurisdiction of a county department of health or joint-county department of health shall at the end of each week and for the fraction of a week occurring at the end of each month report to the Department of Health upon blanks supplied for that purpose a list of all cases of communicable diseases comprehended by section one of this act which have been reported to them during said period which report shall contain the name of each person suffering therefrom respectively and his or her age sex color and nativity together with the name of the disease and the date of the onset thereof and such additional data as the Department of Health may by rules and regulations require and in the event of no reports of any of said diseases having been received by the aforesaid health authorities respectively during any said period that fact shall be reported to the Department of Health

Section 4 Section ten of the said act as last amended by the act approved the twenty-fourth day of March one thousand nine hundred and twenty-seven (P. L. 60) is hereby further amended to read as follows

Section 10 Any person who shall remove deface cover

up or destroy or cause to be removed defaced covered up or destroyed any placard relating to any of the diseases declared to be quarantinable shall for every such offense upon conviction thereof in a summary proceeding before any magistrate or justice of the peace of the county wherein such offense was committed be sentenced to pay a fine of not more than one hundred (\$100) dollars to be paid to the use of said county and costs of prosecution or to be imprisoned in the county jail for a period of not less than ten days or more than thirty days or both at the discretion of the court Any person other than the attending physician or trained nurse who shall enter or leave any quarantined premises without having secured permission from the health authorities or who shall violate any of the quarantine restrictions imposed by the rules and regulations of the health authorities of any city borough or township of the first class or the rules and regulations of a county department of health or joint-county department of health or the rules and regulations of the Department of Health or who shall interfere with a health officer or any other duly qualified agent of the Department of Health or of any local board or department of health in the discharge of his official duties in the placarding quarantining disinfecting or releasing from quarantine of any premises or in the investigation of any alleged case of quarantinable disease shall for every such offense upon conviction thereof in a summary proceeding before any magistrate or justice of the peace of the county wherein said offense was committed be sentenced to pay a fine of not more than one hundred (\$100) dollars to be paid to the use of the said county and costs of prosecution or to be imprisoned in the county jail for a period of not less than ten or more than thirty days or both at the discretion of the court

Any physician undertaker teacher of a public school principal of a school superintendent of a Sunday school sexton janitor parent or guardian or any other person or persons who shall fail neglect or refuse to comply with or who shall violate any of the provisions of this act or any regulation of the Department of Health or the local health authorities shall for every such offense upon conviction thereof in a summary proceeding before any magistrate or justice of the peace of the county wherein said offense was committed be sentenced to pay a fine of not more than one hundred (\$100) dollars to be paid to the use of said county and costs of prosecution or to be imprisoned in the county jail for a period of not less than ten or more than thirty days or both at the discretion of the court

Section 5 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Hare,	McPherson, Jr.	Stevenson.
Barr,	Holland,	Meade,	Stiefel,
Barrett,	Kephart,	Neff,	Taylor,
Berger,	Kessler,	Pechan,	Toole,
Blass,	Lane,	Peelor,	Wade,
Byrne,	Leader,	Probert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahanay,	Rosenfeld,	Watson,
Diehm,	Mallery,	Ruth,	Wolfe,
DiSilvestro,	McCreesh,	Scarlett,	Yosko,
Fleming,	McGinnis,	Silvert,	Wood,
Freed,	McMenamin,	Snowden,	Presiding Officer
Haluska,			

NAYS—1

Wagner.



A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1310, as follows:

An Act to improve local health administration throughout the Commonwealth by authorizing the creation establishment and administration of single-county or joint-county Departments of Health in all counties except counties of the first class exempting certain municipalities from the jurisdiction of single-county or joint-county Departments of Health permitting the dissolution of departments or boards of health in certain municipalities authorizing state grants to counties which establish departments of health and to certain municipalities if they meet prescribed requirements conferring powers and duties upon the State Department of Health in connection with the creation establishment and administration of single-county or joint-county departments of health and administration of the health laws in parts of certain municipalities not subject to the jurisdiction of single-county or joint-county departments of Health and the administration of state grants and repealing an act which confers health powers upon counties of the first class

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The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Short Title of Act The short title of this act is the "Local Health Administration Law"

Section 2 Legislative Findings and Purposes The General Assembly of this Commonwealth has determined and hereby declares as a matter of legislative finding that

(a) The protection and promotion of the health of the people in the furtherance of human well-being industrial and agricultural productivity and the national security is one of the highest duties of the Commonwealth

(b) This cardinal duty can be performed only when adequate local public health services are available to all the people of the Commonwealth when these services are maintained at a high level of professional and technical performance and when they are administered according to units of population sufficiently large to enable full time modern health services to be provided on the most economical basis by local communities working in partnership with the Commonwealth

(c) These aims can best be achieved by empowering counties to establish county departments of health and by authorizing state grants to county departments of health and to certain municipalities to enable them to reach or maintain a high level of performance of health services

Section 3 Definitions The following terms whenever used in this act have the meanings indicated in this section except where the context indicates a clearly different meaning

(a) "County" Any county of the second third fourth fifth sixth seventh and eighth class

(b) "County board of health" or "board of health" The board of any single-county department of health or the board of any joint-county department of health created under this act

(c) "County department of health" Any single-county department of health or any joint-county department of health created under this act A county department of health shall consist of a board of health a health director and a staff of employees

(d) "County health director" or "health director" The health director of any single-county department of health or joint-county department of health created under this act

(e) "Created" A single-county department of health shall be considered to be created upon the enactment of a resolution by the county commissioners of the county or upon the certification of a favorable vote on the question of creation at a referendum conducted in the county in accordance with section 5 of this act

A joint-county department of health shall be considered to be created upon the enactment of a resolution by the county commissioners of each participating county or upon the certification of a favorable vote on the question of creation at a referendum conducted in each participating county or upon the enactment of a resolution by the county commissioners of one or more of the participating counties and the certification of a favorable vote on the question of creation at a referendum conducted in the other participating counties in accordance with section 5 of this act

(f) "Established" A county department of health shall be considered to be established thirty (30) days after the county commissioners or in the case of a joint-county department of health the joint-county health commission have given written notice to all the cities boroughs incorporated towns and townships within the territorial



limits of the county or counties which have created the county department of health that the State Secretary of Health has found in accordance with section 9 of this act that the county department of health is ready to exercise its powers and duties

(g) "Joint-county health commission" The combined boards of county commissioners of the several counties participating in a joint-county department of health

(h) "Municipality" Any city borough incorporated town and township of the first class

(i) "Population" This term means the number of residents according to the most recent decennial census figures certified by the United States Department of Commerce that are available on the first of December of the year preceding the calendar year in which such figures are applied in accordance with sections 4 20 and 25 of this act except that when the State Secretary of Health finds that such figures do not accurately represent true population because of migration or changes in birth and death rates he shall designate which estimates of population available from an agency of the Commonwealth or Federal Government are more accurate and in such case the term "population" means the number of residents according to the most recent of the designated estimates available on the first of December of the year preceding the calendar year in which such figures are applied in accordance with sections 4 20 and 25 of this act No finding and designation of estimates made by the State Secretary of Health under this subsection shall be effective unless he gives notice of such finding and designation to all county departments of health and to municipalities eligible for State grants under section 15 of this act before the first of January of the year in which the estimates are to be applied during the calendar year one thousand nine hundred and fifty-one the most recent decennial census figures certified by the United States Department of Commerce shall be used

Section 4 County Health Administration Plan Within ninety (90) days after the effective date of this act the State Secretary of Health with the advice of the Advisory Health Board shall draw up a county health administration plan setting forth which counties may create single-county departments of health and which combinations of counties may join in the creation of joint-county departments of health under this act The plan may be revised at any time

Before drawing up the plan the State Secretary of Health shall make an investigation to determine which counties and which combinations of counties will be able to effect the purposes described in section 2 of this act by the creation of county departments of health He shall consider location area population the incidence of communicable or other diseases transportation and communication facilities the financial ability of each county to support or to contribute to the support of a full time county department of health and all other factors relevant to the adaptability of each county or combination of counties to an efficient and economical unit of administration The county health administration plan shall not provide for any combination of counties which may join in the creation of a joint-county department of health unless each of the counties is adjacent to at least one of the other counties The State Secretary of Health shall send copies of the county health administration plan and of any revisions of the plan to the county commissioners of every county

Section 5 Creation of County Departments of Health

(a) In all counties except counties of the first class single-county departments of health or joint-county departments of health may be created by resolution or by referendum or by a combination of these methods as provided in this section In the creation of joint-county departments of health each of the participating counties shall be adjacent to at least one of the other participating counties

Whether a county department of health is created by resolution or by referendum or by a combination of these methods the county commissioners shall before enacting a resolution or before submitting the question at an election request a certificate of approval from the State Secretary

of Health who shall issue such a certificate forthwith if the proposed county department of health conforms to the county health administration plan as last revised If the proposed county department of health does not conform to the county health administration plan as last revised the State Secretary of Health shall make a special investigation in accordance with the criteria stated in section 4 of this act and on the basis of the special investigation he shall approve or disapprove the creation of the proposed county department of health He shall send a certificate of approval or written notice of disapproval to the county commissioners within thirty (30) days after he has received the request for a certificate of approval

(b) The county commissioners of any county may by resolution create a single-county department of health The county commissioners of two or more counties may by a separate resolution in each county create a joint-county department of health In either case the approval of the State Secretary of Health shall be first obtained as provided in subsection (a) of this section

(c) Any county may by referendum create a single-county department of health Two or more counties may by a separate referendum in each county create a joint-county department of health The referendum procedure in each county shall be as follows

A petition requesting the creation of a single-county department of health or joint-county department of health shall be signed by qualified electors of the county equal in number to at least one per cent (1%) of the highest total vote cast for any county office at the last municipal election The petition shall be in the form required for nomination petitions by the election laws of the Commonwealth except that the said petition shall be circulated for not more than six (6) months prior to the last filing day which shall be ninety (90) days before the general or municipal election at which it is desired to submit the question The petition shall be filed with the county board of elections and the validity of the petition and any objections thereto shall be determined in accordance with the election laws of the Commonwealth

After the validity of the petitions in all the counties affected has been determined the county commissioners shall request a certificate of approval from the State Secretary of Health If the approval of the State Secretary of Health is obtained as provided in subsection (a) of this section the county commissioners shall cause the question to be submitted at the next general or municipal election whichever is sooner so long as such election is to occur at least thirty (30) days after the receipt of a certificate of approval The question shall be submitted on the ballot or on voting machines in the manner provided by the election laws of the Commonwealth and shall be in substantially the following forms

- (1) For the creation of a single-county department of health Shall .....County create a county department of health  
Yes .....  
No .....
- (2) For the creation of a joint-county department of health Shall ..... County join with .....County (Counties, in the creation of a joint-county department of health  
Yes .....  
No .....

The election on this question shall be governed in all respects by the election laws of the Commonwealth insofar as they are applicable For the creation of a single-county department of health or joint-county department of health a majority of all votes cast in each county upon the question must be in favor thereof

Nothing in this subsection shall preclude the county commissioners at any time from creating a single-county department of health or from joining in the creation of a joint-county department of health by resolution in accordance with subsections (b) and (d) of this section

(d) Two or more counties may create a joint-county de-



partment of health by a combination of the methods provided in subsections (b) and (c) of this section that is one or more of such counties may join in the creation of a joint-county department of health by resolution and the remaining counties may join in the creation of a joint-county department of health by referendum in accordance with the provisions of subsection (c) of this section

(e) Immediately upon the creation of a single-county department of health or joint-county department of health the county commissioners shall give written notice of such creation to the State Secretary of Health. In the case of a joint-county department of health the notice may be given by the county commissioners of any participating county

Section 6 Joint-County Health Commission for Joint-County Departments of Health The combined boards of county commissioners of the several counties participating in a joint-county department of health shall constitute the joint-county health commission for such joint-county department of health. As soon as possible after the creation of the joint-county department of health and on the second Monday in January of each year thereafter and at such other times as may be necessary the said joint-county health commission shall meet for the purpose of exercising the powers and duties conferred upon it. The joint-county health commission shall from time to time elect from its members a chairman

No action shall be taken by the joint-county health commission without the concurrence of a majority of the county commissioners of each participating county except that the election of the chairman of the joint-county health commission shall be by the vote of a majority of all the members of the joint-county health commission

Section 7 Appointment and Organization of County Board of Health In each county department of health there shall be a board of health

In a single-county department of health the appointment qualifications and terms of office of members of the board shall be as follows: The county commissioners shall appoint five resident citizens two of whom shall be physicians licensed to practice in Pennsylvania. The term of office of each member so appointed shall be four years measured from the second Monday in January of the year in which he takes office or until his successor has been appointed except that in the initial appointment two of the members shall be appointed for a term of two years. Each of the original members of the board shall take office the day of his appointment but his term of office shall be measured from the second Monday in January next following his appointment. In case any vacancy occurs for whatever reason the county commissioners shall appoint a resident citizen of the county to serve for the unexpired term

In a joint-county department of health the appointment qualifications and terms of office of members of the board shall be as follows: The joint-county health commission shall appoint the members in number one more than twice the number of counties participating in the joint-county department of health. Of the members so appointed a number equal to the number of participating counties shall be physicians licensed to practice in Pennsylvania. All the members so appointed shall be resident citizens of the participating counties and at all times there shall be at least one resident of each county on the board. The term of office of each member shall be four years measured from the second Monday in January of the year in which he takes office or until his successor has been appointed except that in the initial appointment a number of members equal to the number of participating counties shall be appointed for a term of two years. Each of the original members of the board shall take office the day of his appointment but his term of office shall be measured from the second Monday in January next following his appointment. In case any vacancy occurs for whatever reason the joint-county health commission shall appoint a resident citizen of one of the participating counties to serve for the unexpired term

Immediately after appointment of all the members the board of health shall meet for the purpose of organizing

A chairman shall be elected at the organizational meeting for a term of one year measured from the second Monday in January next following his election and thereafter a chairman shall be elected annually. The health director shall be the secretary of the board but he shall not be a member thereof

The board shall hold regular meetings at least once every three months and special meetings on request of the health director the chairman of the board or on a written request signed by a majority of the members of the board and filed with the secretary. A majority of the members of the board shall constitute a quorum for the transaction of business

The members of the board shall serve without compensation except that each member shall be allowed his actual necessary traveling and incidental expenses incurred in attending meetings

Section 8 Appointment of County Health Director The board of health shall appoint a health director for the county department of health. The Health Director shall be a doctor of medicine licensed or eligible for license to practice in Pennsylvania. No appointment shall be final until the State Secretary of Health certifies that the appointee meets the qualifications prescribed by the State Department of Health

Section 9 Establishment of County Departments of Health As soon as possible after the creation of a county department of health by any of the methods provided in section 5 of this act the county commissioners or in the case of a joint-county department of health the joint-county health commission shall appoint a board of health in accordance with section 7 of this act and the board of health shall appoint a health director in accordance with section 8 of this act. Thereafter the county commissioners or the joint-county health commission the board of health and the health director shall as expeditiously as possible take all steps necessary to prepare the department for the exercise of its powers and duties

The State Secretary of Health shall determine when each county department of health created under this act is ready to exercise its powers and duties. The State Secretary of Health shall find that a county department of health is ready to exercise its powers and duties only when (1) local funds have been appropriated (2) the organization of the county department of health has been completed (3) personnel have been employed in accordance with the regulations of the State Department of Health (4) required facilities and equipment have been obtained and (5) necessary rules and regulations have been prepared by the board of health to the extent that the county department of health will be able to achieve the purposes of this act. Upon making such a finding the State Secretary of Health shall immediately transmit a certificate of his finding to the county commissioners or in the case of a joint-county department of health to the joint-county health commission

Within five days after receipt of such certificate the county commissioners or the joint-county health commission as the case may be shall give written notice of the finding of the State Secretary of Health to the executives or executive bodies of all the cities boroughs incorporated towns and townships within the territorial limits of the county or counties which have created the county department of health. All notices shall be given on the same day. Thirty (30) days after such notice has been given to the county department of health shall be considered to be established and shall begin the exercise of its powers and duties

Section 10 Powers and Duties of County Departments of Health After it has been established the county department of health

(a) shall execute the powers and duties vested in it or in local health authorities generally by the laws of the Commonwealth and the rules and regulations of the State Department of Health and other departments boards or commissions of the State government

(b) shall have the power to employ personnel to assist



the board of health and the health director. The recruitment selection tenure removal and working conditions of all personnel shall conform to the standards of personnel administration prescribed by the State Department of Health except that the State Department of Health shall exercise no authority with respect to the selection compensation and removal of any individual employed in accordance with such standards other than the approval of the qualifications of the county health director by the State Secretary of Health as provided in section 8 of this act

(c) shall prevent or remove conditions which constitute a menace to public health

(d) may cooperate with the departments or boards of health of municipalities exempt from its jurisdiction in accordance with section 15 of this act

(e) may cooperate with the authorities of county hospitals and tuberculosis sanatoria and with the authorities of all other public or private hospitals and similar institutions

(f) shall make and enforce such rules and regulations subject to the approval of the county commissioners or in the case of a joint-county department of health the joint-county health commission and institute such programs not inconsistent with law as may be necessary for the promotion and preservation of the public health

#### Section 11 Powers and Duties of the County Board of Health

(a) The board of health shall appoint the health director in accordance with section 8 of this act

(b) The board of health shall advise the health director on such matters as he may bring before it

(c) The board of health shall exercise the rule-making power conferred upon the county department of health by the formulation of rules and regulations for the prevention of disease for the prevention and removal of conditions which constitute a menace to health and for the promotion and preservation of the public health generally Rules and regulations formulated by the board of health shall be submitted to the county commissioners or in the case of a joint-county department of health to the joint-county health commission for approval or rejection Within ten (10) days after the receipt of the rules and regulations the county commissioners or the joint-county health commission as the case may be shall give written notice to the secretary of the board of their approval or rejection

If approved the rules and regulations shall be certified by the secretary of the board of health and shall be recorded in a book which shall be kept at the principal office of the county department of health and shall be at all reasonable times open to public inspection Within ten (10) days after any rule or regulation is approved it shall be published in at least one and not more than two newspapers of general circulation in each county Instead of publishing the rule or regulation in full an abstract thereof or the title thereof as the county commissioners or joint-county health commission may determine with reference in any case to its place of record shall be a sufficient publication No rule or regulation shall become effective sooner than the tenth day after it is approved except that regulations which are declared by the board of health to be emergency measures shall become effective immediately upon approval of the county commissioners or the joint-county health commission

Section 12 Powers and Duties of the County Health Director (a) The health director shall be the administrator of the county department of health He shall devote his entire time to his duties and shall not engage in any other occupation or business

(b) The health director shall exercise the power to employ personnel conferred upon the county department of health In exercising this power the health director shall give preference to professional and technical personnel employed by municipal departments or boards of health at the time such department or boards were dissolved in accordance with section 15 of this act and to professional and technical personnel employed by the State Department of Health whose positions in the county or counties served by the county department of health may have been

terminated as a result of the establishment of the county department of health if such personnel meet the qualifications prescribed by the State Department of Health

(c) The health director and his authorized subordinates may enter and inspect at reasonable times and in a reasonable manner any places or conditions whatsoever within the jurisdiction of the county department of health for the purpose of enforcing the health laws rules and regulations of the Commonwealth and the county department of health and for the purpose of examining for and abating nuisances detrimental to the public health

(d) Whenever the health director finds a nuisance detrimental to the public health he shall cause such nuisance to be abated Except in an emergency the health director shall give notice in writing to the owner or his agent or to the occupier of the premises where the nuisance or cause of the nuisance is located or to the person known or suspected to have caused the nuisance The notice shall contain a statement of the conditions constituting the nuisance and an order to abate the nuisance within a specified time The time specified shall be reasonable In case the order of abatement is not obeyed the health director shall abate the nuisance The cost of abatement shall be recoverable from the owner of the premises where the nuisance or cause of the nuisance was located or from any other person who may have caused the nuisance in the same manner as debts of like character are now collected by or in the manner provided by law for the collection of municipal claims Any legal action necessary to recover the cost of abatement shall be instituted by the county commissioners of the county in which the nuisance was located In the case of a joint-county department of health moneys so recovered shall be paid into the fund of the joint-county department of health except that the portion which represents the costs of legal action shall be paid into the treasury of the county which instituted such legal action In lieu of or in addition to the above procedure the county commissioners may upon the advice of the health director seek relief from a nuisance or threatened nuisance detrimental to the public health by instituting proceedings in a court of equity

Section 13 Jurisdiction of county departments of Health the jurisdiction of an established county department of Health in the county or counties which have established it shall extend to all townships of the second class to all municipalities which do not have departments or boards of health at the time of the establishment of the county department of health to all municipalities or parts of municipalities in which the local administration of health laws at the time of the establishment of the county department of health is being performed by the state department of health for any reason whatsoever to all municipalities which dissolve their departments or boards of health in accordance with section 15 of this act and to certain parts of municipalities as provided in sections 15 and 16 of this act

Section 14 Municipalities exempt from jurisdiction of county departments of health any municipality having a department or board of health at the time of the establishment of a county department of health in the county in which the municipality is located or in a county in which part of the municipality is located shall be exempt from the jurisdiction of the county department of health except that any municipality in which the local administration of health laws at the time of the establishment of the county department of health is being performed by the state department of health for any reason whatsoever shall not be exempt from the jurisdiction of the county department of health

Section 15 Procedure by which exempt municipalities may become subject to jurisdiction of county department of health eligible for state grants

(a) Any exempt municipality which lies wholly within a county which has established or joined in establishing a county department of health may by an ordinance enacted at any time decide to become subject to the jurisdiction of the county department of health at the time of its establishment or at any time thereafter upon the enactment



of such ordinance the municipality shall dissolve its department or board of health and cease to exercise the powers vested by law in such department or board except that the dissolution of the department or board of health of the municipality shall not remove from the municipality the power granted to it by law to erect purchase or lease and administer hospitals either separately or jointly with another political subdivision

(b) Any exempt municipality which lies partly within a county which has established or joined in establishing a county department of health and partly within a county which has not established or joined in establishing a county department of health may by an ordinance enacted at any time provide that the part of the municipality which lies within the county which has established or joined in establishing a county department of health shall become subject to the jurisdiction of such department the department or board of health of the municipality shall continue to exercise the powers and duties vested in it in that part of the municipality which lies in the county which has not established or joined in establishing a county department of health the enactment of the ordinance placing part of the municipality within the jurisdiction of a county department of health shall not remove from the municipality the power granted to it by law to erect purchase or lease and administer hospitals in any part of the municipality either separately or jointly with another political subdivision

(c) Whenever all the counties in which an exempt municipality lies have established or joined in establishing county departments of health the municipality may by an ordinance enacted at any time decide to become subject to the jurisdiction of each respective county department of health upon the enactment of such ordinance the municipality shall dissolve its department or board of health and cease to exercise the powers vested by law in such department or board except that the dissolution of the department or board of health of the municipality shall not remove from the municipality the power granted to it by law to erect purchase or lease and administer hospitals either separately or jointly with another political subdivision

(d) In the event that an exempt municipality does not decide to become subject to the jurisdiction of a county department of health or in the event that an exempt municipality retains its department or board of health in accordance with subsection (b) of this section or in the event that the county or counties in which a municipality having a department or board of health is located have not established or joined in establishing a county department of health the municipality may receive State grants as provided in Section 25 of this act

**Section 16 Municipalities Not Exempt From Jurisdiction of County Departments of Health Which Lie Within More Than One County** Any municipality not exempt from the jurisdiction of a county department of health in accordance with Section 14 of this act which lies partly within a county which has established or joined in establishing a county department of health and partly within a county which has not established or joined in establishing a county department of health shall be treated as follows That part of the municipality which lies within the county which has established or joined in establishing a county department of health shall be subject to the jurisdiction of such department in the remaining part of the municipality the State Department of Health shall as its own expense take over or continue the local administration of health laws

Whenever all the counties in which such municipality lies have established or joined in establishing county departments of health each part of the municipality shall be subject to the jurisdiction of the respective county department of health

**Section 17 County Appropriations for County Departments of Health** The county commissioners of any county which has created or joined in creating a county department of health shall make such annual or supplemental

appropriations as may be necessary for the operation of the county department of health

**Section 18 Financial Administration of Single-County Departments of Health** The financial administration of a single-county department of health including the fixing of the compensation of the health director and the fixing of the number and compensation of all other employees of the county department of health shall be governed by the laws which may now or hereafter apply to the county generally

**Section 19 Treasurer for Joint-County Departments of Health** Each joint-county health commission shall appoint a treasurer who shall have charge of the financial administration of the joint-department of health in accordance with section 20 of this act The health director shall not be appointed treasurer The treasurer may employ personnel to assist him in the performance of his duties The Treasurer and his assistants shall not be employees of the joint-county department of health but shall be responsible directly to the joint-county health commission except that for the purpose of participation in any retirement system the treasurer and his assistants shall be considered employees of the joint-county department of health

**Section 20 Financial Administration of Joint-County Departments of Health** The financial administration of a joint-county department of health shall be as follows

(a) At the meeting held after the creation of a joint-county department of health the joint-county health commission shall decide upon an initial budget for the operation of the joint-county department of health for the remainder of the calendar year

At the meeting held on the second Monday of January of the following year and of each year thereafter the joint-county health commission shall decide upon the annual budget for the operation of the joint-county department of health for the year

All budgets shall include in addition to all other expenses provision for the compensation of the treasurer and his assistants the health director and other employees of the joint-county department of health The compensation of the treasurer and health director and the number and compensation of assistants to the treasurer and employees of the joint-county department of health shall be fixed by the joint-county health commission

(b) Each participating county shall appropriate to the local funds required to operate the joint-county department of health a contribution which shall be ascertained as follows

(1) From the total amount required by the initial or annual budget for the operation of the joint-county department of health shall be deducted the amount estimated to be received from State grants gifts and any other income as well as any unspent cash balance that may be available from the preceding year The remainder shall constitute the local funds necessary to operate the joint-county department of health

(2) Each participating county's contribution shall be an amount which bears the same proportion to the local funds as such county's population bears to the total population of all the counties participating in the joint-county department of health The population of any municipality or part of a municipality which has not become subject to the jurisdiction of the joint-county department of health in accordance with section 15 of this act shall not be counted in determining the population of any county nor in determining the total population of all the counties participating in the joint-county department of health

(c) The joint-county health commission may at any time determine that additional local funds are required if such additional local funds are necessary for a lawful purpose The contribution of each participating county to such additional local funds shall be ascertained in the manner provided in subsection (2) of subsection (b) of this section

(d) All moneys intended for the operation of the joint-county department of health shall when paid to the treasurer for the joint-county department of health constitute the fund of the joint-county department of health The



fund shall belong to the participating counties in common and shall be deposited on behalf of the joint-county department of health in the names of the participating counties

The depository or depositories of such fund which may be any bank banking institution or trust company located in this Commonwealth shall be selected by the joint-county health commission. The depository or depositories which have been selected shall furnish a bond in a sum fixed by the joint-county health commission to secure payment of the deposits and any interests. The bond furnished by the depository or depositories shall be secured by a surety company or individual sureties or by a deposit in escrow of securities approved by the joint-county health commission.

No member of the joint-county health commission who has complied with the provisions of this subsection shall be chargeable with losses of funds caused by the failure or negligence of such depository or depositories.

(e) The treasurer for the joint-county department of health shall receive all moneys due or accruing to the fund of the joint-county department of health. He shall pay moneys out of the fund of the joint-county department of health upon warrants drawn by the health director and countersigned by the chairman of the joint-county health commission. He shall keep a true account of all moneys received and disbursed which account shall be at all times open to inspection by any member of the joint-county health commission or by the controllers or auditors of the counties participating in the joint-county department of health. The treasurer shall furnish to the joint-county health commission a statement of receipts and disbursements and the balance on hand every three months or oftener if required. The records of the treasurer shall be audited annually by a certified public accountant selected by the joint-county health commission. Copies of such audit shall be furnished to the joint-county health commission and to each of the counties participating in the joint-county department of health.

(f) The treasurer and his assistants and the health director and other employees of the joint-county department of health shall give such bond conditioned for the faithful discharge of their duties and for the faithful accounting and payment according to law of all moneys received as may be required by the joint-county health commission. The bonds shall be taken in the name of the participating counties and shall be for the use of each participating county and of the Commonwealth as the interest of each shall appear. The premium of the bonds shall be paid out of the fund of the joint-county department of health. The joint-county health commission shall have custody of the bonds.

**Section 21 Disposition of Fees Imposed by County Departments of Health.** Any fee for a permit or license or any other fee which county departments of health are now or hereafter required or authorized to impose by any law of the Commonwealth shall be paid into the treasury of the county in which the business or person required to pay the fee is located or resides unless otherwise provided in such law.

**Section 22 Property and Contracts for County Departments of Health.** The county commissioners or in the case of a joint-county department of health the joint-county health commission may acquire real and personal property for the exercise of the powers and duties of the county department of health and may make contracts incident to the operation of the county department of health.

In the case of a single-county department of health the acquisition holding and transfer of property and the making of contracts incident to the operation of the county department of health shall be governed by the laws which may now or hereafter apply to the county generally.

In the case of a joint-county department of health property for the use of the joint-county department of health shall be acquired and held by the participating counties in common.

Contracts incident to the operation of the joint-county department of health shall be made on behalf of the par-

ticipating counties by the joint-county health commission. All the participating counties shall be parties to such contracts. The making of contracts shall be governed by the laws which may now or hereafter apply to each of the participating counties. When advertising for bids is required by the laws applicable to any participating county the procedure for advertising within such county shall be followed as prescribed by such laws. Bids may be received and accepted by the county commissioners of the participating counties meeting as the joint-county health commission.

**Section 23 Utilization by County Departments of Health of Property and Services of Other Organizations.** Any county department of health may through the county commissioners or in the case of a joint-county department of health through the joint-county health commission accept gifts or grants of money property or services from any source public or private. The county department of health may comply with conditions rules or regulations attached by the Federal Government to grants of money property or services when compliance is not inconsistent with the laws of the Commonwealth or the rules and regulations of the State Department of Health or other departments boards or commissions of the State government.

The county department of health may utilize the facilities and personnel of government agencies or non-profit private organizations which offer them. When such facilities and personnel are not offered gratuitously the county commissioners or the joint-county health commission as the case may be by a contract made in advance agree to pay reasonable compensation for the utilization of such facilities and personnel in the performance of the county department of health's functions. Contracts for the payment of compensation to non-profit organizations for the utilization of their facilities and personnel shall be contracts for professional services and advertising and bidding shall not be required as in the case of other contracts entered into by counties.

**Section 24 Actions Against Counties Participating in a Joint-County Department of Health.** Where any cause of action upon a contract or otherwise arises against two or more counties by reason of their participation in the operation of a joint-county department of health the venue of a suit in which all the participating counties are joined as defendants shall lie in any of such counties. The sheriff of the county in which the suit is instituted shall deputize the sheriffs of the other participating counties against which the suit is brought to make service upon such other counties.

When any county participating in a joint-county department of health pays all or part of any judgments and costs recovered against it singly or jointly with any other counties by reason of its or their participation in the operation of a joint-county department of health such county shall be reimbursed out of the fund of the joint-county department of health.

**Section 25 State Grants to County Departments of Health and to certain municipalities.** County departments of health created under this act and municipalities eligible for state grants under the provisions of section 15 of this act shall receive state grants in accordance with the procedure outlined in subsections (a) (b) and (c) of this section if sufficient funds have been appropriated to pay the full amount of the grants to which county departments of health and certain municipalities may be entitled under subsections (a) (b) and (c) of this section.

In the event that sufficient funds to pay the full amount of the grants to which county departments of health and certain municipalities may be entitled under subsections (a) (b) and (c) of this section have not been appropriated the State Secretary of Health with the advice of the Advisory Health Board shall distribute such funds as are available among county departments of health and municipalities eligible for state grants under section 15 of this act on an equitable basis without reference to the procedure outlined in subsections (a) (b) and (c) of this section except that no county department of health or municipality shall receive a grant which exceeds seventy-



five cents (75c) per year for every person within the jurisdiction of the county department of health or the department or board of health of the municipality

This section shall not be construed to preclude the State Department of Health from making special grants to county departments of health or to municipalities for emergencies or for other special purposes

(a) Initial Grants Every county department of health created under this act shall receive an initial grant as provided in this section if sufficient funds have been appropriated to pay the full amount of such grant

The county commissioners or in the case of a joint-county department of health the joint-county health commission shall submit to the State Secretary of Health on forms prescribed by him an initial estimate of expenditures to cover the operation of the county department of health from the date of its establishment to the end of the calendar year in which it is established The initial estimate of expenditures shall state the names of the exempt municipalities which have not decided to become subject to the jurisdiction of the county department of health in accordance with section 15 of this act The estimate shall be submitted within thirty (30) days prior to the date of establishment

The State Secretary of Health shall examine each initial estimate of expenditures and shall deduct therefrom all items which do not represent expenditures within the lawful scope of the powers of the particular county department of health Upon the total amount of the remaining expenditures the State Secretary of Health shall compute the initial grant The initial grant shall equal fifty per cent (50%) of the total of the remaining expenditures but no initial grant shall exceed the product obtained by multiplying the population of the area within the jurisdiction of the county department of health times the number of months covered by the initial estimate of expenditures times six and one-quarter cents ( $6\frac{1}{4}c$ ) For the purpose of computation any fraction of a month shall be counted as one month

Thirty (30) days after he has received the initial estimate of expenditures the State Secretary of Health shall draw a requisition upon the State Auditor General in favor of the particular county department of health for the amount of the initial grant

In the event that a municipality or part of a municipality becomes subject to the jurisdiction of a county department of health in accordance with section 15 of this act after the date of establishment but prior to the first day of October of the same year the county commissioners or in the case of a joint-county department of health the joint-county health commission may submit to the state secretary of health on forms prescribed by him an estimate of additional expenditures to cover the operation of the county department of health for the balance of the calendar year the estimate shall state the name of the municipality and the date on which it became subject to the jurisdiction of the county department of health the state secretary of health shall examine the estimate of additional expenditures and shall deduct therefrom all items which do not represent expenditures within the lawful scope of the powers of the particular county department of health upon the total amount of the remaining expenditures of the state secretary of health shall compute the additional grant the additional grant shall equal fifty percent (50%) of the total of the remaining expenditures but no additional grant shall exceed the product obtained by multiplying the population of the municipality or the part of a municipality times the number of months remaining in the calendar year from the date the municipality or the part of a municipality became subject to the jurisdiction of the county department of health times six and one-quarter ( $6\frac{1}{4}c$ ) for the purpose of computation any fraction of a month shall be counted as one month fifteen (15) days after he has received the estimate of additional expenditures the state secretary of health shall draw a requisition upon the state auditor general in favor of the particular county department of health for the amount of the additional grant

(b) Annual Grants Every county department of health created under this act and every municipality eligible for state grants under section 15 of this act shall receive annual grants from the State as provided in this section if sufficient funds have been appropriated to pay the full amount of such grants No county department of health shall begin to receive annual grants until the calendar year following the one in which it was established No municipality shall begin to receive annual grants until the calendar year following the one in which this act takes effect

After the beginning of each calendar year the county commissioners or in the case of a joint-county department of health the joint-county health commission or the executive or executive body of any municipality eligible for State grants under section 15 of this act shall submit to the State Secretary of Health at such time as he shall require and on forms prescribed by him an annual estimate of expenditures of the county department of health or the department or Board of health of the municipality in the case of a county department of health the annual estimate of expenditures shall state the names of the exempt municipalities which have not decided to become subject to its jurisdiction in accordance with section 15 of this act

The State Secretary of Health shall examine each annual estimate of expenditures and shall deduct therefrom all items which do not represent expenditures within the lawful scope of the powers of the particular county department of health or the department or board of health of the municipality Upon the total amount of the remaining expenditures the State Secretary of Health shall compute the annual grant The annual grant shall equal fifty per cent (50%) of the total of the remaining expenditures but no annual grant shall exceed the product obtained by multiplying the population of the area within the jurisdiction of the county department of health or within the jurisdiction of the department or board of health of the municipality times seventy-fives (75c)

The annual grant shall be paid in four quarterly installments but the moneys received in any quarter may be used any time during the year The first installment shall be for the quarter beginning January first and ending March thirty-first the second installment shall be for the quarter beginning April first and ending June thirtieth the third installment shall be for the quarter beginning July first and ending September thirtieth and the fourth installment shall be for the quarter beginning October first and ending December thirty-first Each installment shall be paid only if it is approved by the State Secretary of Health shall approve the payment of any quarterly installment of an annual grant to a county department of health or to a municipality eligible under section 15 of this act only if he finds

(1) that such county department of health or municipality is complying with any and all regulations of the State Department of Health prescribing minimum public health activities minimum standards of performance of health services and standards of personnel administration on a merit basis and

(2) that such county department of health or municipality is accomplishing the purposes described in section 2 of this act

If the State Secretary of Health approves the payment of the first quarterly installment of an annual grant to a county department of health or to a municipality eligible under section 15 of this act he shall draw a requisition for such installment upon the State Auditor General in favor of the county department of health or municipality within fifteen (15) days after he has received the annual estimate of expenditures If the State Secretary of Health approves the payment of any subsequent quarterly installment of an annual grant to a county department of health or to a municipality eligible under section 15 of this act he shall draw a requisition for such installment upon the State Auditor General in favor of the county department of health or municipality at least fifteen (15) days before



the first day of the quarter for which the payment is to be made

In the event that a municipality or part of a municipality becomes subject to the jurisdiction of a county department of health in accordance with section 15 of this act prior to the first day of September the county commissioners or in the case of a joint-county department of Health the joint-county health commission may submit to the State Secretary of Health on forms prescribed by him an estimate of additional expenditures to cover the operation of the county department of health for the balance of the calendar year the estimate shall state the name of the municipality and the date on which it became subject to the jurisdiction of the county department of health the estimate shall be submitted at least thirty (30) days before the first day of any quarter following the one in which the municipality or the part of a municipality became subject to the jurisdiction of the county department of health the State Secretary of Health shall examine the estimate of additional expenditures and shall deduct therefrom all items which do not represent expenditures within the lawful scope of the powers of the particular county department of health upon the total amount of the remaining expenditures the State Secretary of Health shall compute the additional grant the additional grant shall equal fifty percent (50%) of the remaining expenditures but no additional grant shall exceed the product obtained by multiplying the population of the municipality or the part of a municipality times the number of months remaining in the calendar year from the date the municipality or the part of a municipality became subject to the jurisdiction of the county department of health times six and one-quarter cents ( $6\frac{1}{4}\text{c}$ ) for the purpose of computation any fraction of a month shall be counted as one month the additional grant shall be added to and become part of the balance of the annual grant remaining to be paid

(c) Adjustment of Initial and Annual Grants After the end of every calendar year in which a county department of health or a municipality received an initial grant or all or part of an annual grant there shall be an adjustment of such initial or annual grant on the basis of the actual expenditures of the county department of health or the department or board of health of the municipality during the year Any additional grants to which a county department of health or a municipality may be entitled under the provisions of this subsection shall be paid if sufficient funds have been appropriated to pay the full amount of such grants Within fifteen (15) days after the end of the calendar year the county commissioners or in the case of a joint-county department of health the joint-county health commission or the executive or executive body of the municipality shall submit to the State Secretary of Health on forms prescribed by him a sworn itemized statement of all the expenditures made by the county department of health or the department or board of health of the municipality during the previous year The statement shall show the dates on which the expenditures were made and shall indicate which of the expenditures were made out of any special grants received from the State or out of any grants received directly from the Federal Government In the case of a county department of health the statement shall indicate the name of any municipality which became subject to its jurisdiction in accordance with section 15 of this act and the date on which the municipality became subject to its jurisdiction

The State Secretary of Health shall examine each statement and shall deduct therefrom all the expenditures made during any quarter or quarters of the calendar year for which no installments of an annual grant were paid to the county department of health or municipality because of its failure to comply with the requirements of subsection (b) of this section He shall then deduct from the remaining expenditures (1) those items paid for out of any special grants received from the State (2) those items paid for out of any grants received directly from the Federal Government and (3) those items which do

not represent expenditures made within the lawful scope of the powers of the county department of health or the department or board of health of the municipality Upon the total amount of the remaining expenditures the State Secretary of Health shall compute the adjusted initial or annual grant

The adjusted initial grant shall equal either (1) fifty per cent (50%) of the total of the remaining expenditures or (2) the product obtained by multiplying the population of the area within the jurisdiction of the county department of health at the time of its establishment times the number of months for which the initial grant was paid as determined in subsection (a) of this section times six and one-quarter cents ( $6\frac{1}{4}\text{c}$ ) whichever figure is the lower in the event that a municipality or part of a municipality became subject to the jurisdiction of the county department of health during the year in accordance with section 15 of this act there shall be added to the amount arrived at by applying the formula set out in clause (2) of this paragraph the product obtained by multiplying the population of the municipality or the part of a municipality times the number of months it was subject to the jurisdiction of the county department of health times six and one-quarter cents ( $6\frac{1}{4}\text{c}$ ) For the purpose of computation any fraction of a month shall be counted as one month

In the case of a county department of health the adjusted annual grant shall equal either (1) fifty per cent (50%) of the total of the remaining expenditures or (2) the product obtained by multiplying the population of the area within the jurisdiction of the county department of health at the beginning of the calendar year times the number of quarters from which installments of the annual grant were paid times eighteen and three-quarters cents ( $18\frac{3}{4}\text{c}$ ) whichever figure is the lower in the event that a municipality or part of a municipality became subject to the jurisdiction of the county department of health during the year in accordance with section 15 of this act there shall be added to the amount arrived at by applying the formula set out in clause (2) of this paragraph the product obtained by multiplying the population of the municipality or the part of a municipality times the number of months during which it was subject to the jurisdiction of the county department of health times six and one-quarter cents ( $6\frac{1}{4}\text{c}$ ) except that any month which fell in a quarter for which no installment of the annual grant was paid to the county department of health shall not be counted for the purpose of computation any fraction of a month shall be counted as one month

In the case of a municipality the adjusted annual grant shall equal either (1) fifty percent (50%) of the total of the remaining expenditures or (2) the product obtained by multiplying the population of the area within the jurisdiction of the department or board of health of the municipality times the number of months during which it was not subject to the jurisdiction of a county department of health times six and one-quarter cents ( $6\frac{1}{4}\text{c}$ ) whichever figure is the lower in applying the formula set out in clause (2) of this paragraph any month which fell in a quarter for which no installment of the annual grant was paid to the municipality shall not be counted for the purpose of computation any fraction of a month shall be counted as one month

If the adjusted initial or annual grant exceeds the initial or annual grant actually received by a county department of health or a municipality the State Secretary of Health shall within fifteen (15) days after receipt of the statement of expenditures draw a requisition upon the State Auditor General in favor of such county department of health or municipality for the amount by which the adjusted initial or annual grant exceeds the initial or annual grant actually received

If the adjusted initial or annual grant is less than the initial or annual grant actually received by a county department of health or a municipality the State Secretary of Health shall charge the amount by which the initial or annual grant actually received exceeds the adjusted initial or annual grant against one or more in-



stallments of the next annual grant If any subsequent installment of the annual grant is not paid to the particular county department of health or municipality because of the failure of the county department of health or municipality to comply with the requirements of subsection (b) of this section or because the municipality has decided to become subject to the jurisdiction of a county department of health in accordance with section 15 of this act the State Secretary of Health may require a refund of such amount to the State

Section 26 Administration of County Departments of Health by State Secretary of Health The State Secretary of Health shall take charge of and direct the operation of a county department of health if he finds

(1) that the county department of health is failing to comply with any regulations of the State Department of Health prescribing minimum public health activities minimum standards of performance of health services or standards of personnel administration and

(2) that as a result such county department of health is failing to accomplish the purposes described in section 2 of this act and furthermore

(3) that conditions exist which constitute a menace to the health of the people

The State Secretary of Health shall not take charge of a county department of health under this section until he has given reasonable notice to the county commissioners of the county or in the case of a joint-county department of health to the joint-county health commission

Any reasonable expenses incident to the administration of a county department of health under this section which are not borne directly by the county or counties which the county department of health serves and which expenses are therefore incurred by the State Secretary of Health shall be paid to the State by such county or counties If the county department of health serves more than one county each participating county shall contribute to the payment of the expenses incurred by the State Secretary of Health in the same proportion as it is required to contribute to the operation of the county department of health by subdivision (2) of subsection (b) of section 20 of this act If the expenses incurred by the State Secretary of Health remain unpaid three (3) months after he has rendered to the county or counties affected an itemized statement of his expenses and has demanded payment he may with the approval of the Governor institute a proper action of assumpsit in the name of the Commonwealth and on its behalf for the recovery from such county or counties of such of his expenses as a jury finds reasonable

The State Secretary of Health shall relinquish the administration of the county department of health only when he is satisfied that it will in the future be administered in compliance with the regulations of the State Department of Health and in a manner which will effect the purposes of county departments of health as described in section 2 of this act

Section 27 Penalties Any person who violates any of the provisions of this act or any rule or regulation of the county department of health or who interferes with a health director or any other agent of a county department of health in the discharge of his official duties shall for every such offense upon conviction thereof in a summary proceeding before any alderman or justice of the peace of the county wherein said offense was committed be sentenced to pay a fine of not more than one hundred dollars (\$100.00) to be paid to the use of said county together with costs or to be imprisoned in the county jail for a period of not more than thirty (30) days or both at the discretion of the court All prosecutions shall be brought in the name of the county wherein the alleged offense is committed

Fines and penalties recovered under this section shall be in addition to any costs recovered for the abatement of nuisances under section 12 (d) of this act

Section 28 Severability If any provision of this act or the application of any provision to particular circum-

stances is held invalid the remainder of the act or the application of such provision to other circumstances shall not be affected

Section 29 Repeals The following act is hereby expressly repealed as indicated

The act approved the seventeenth day of March one thousand nine hundred and twenty-five (P. L. 34) entitled "An act authorizing counties to engage in health work and to appropriate moneys for such purposes" which was formerly repealed except as it related to counties of the first class absolutely

All other acts and parts of acts are repealed insofar as they are inconsistent with this act But this act does not repeal any acts which confer health powers or duties upon counties generally or upon any class of counties or upon the health authorities of such counties except as such acts are expressly and specifically repealed by this act nor does this act repeal any act which confers health powers or duties upon school districts nor any act relating to the public health the enforcement of which is vested in the State Department of Health or other departments boards or commissions of the State government

Section 30 Effective Date of Act The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—48

Bane,	Hare,	McPherson, Jr.	Stevenson,
Barr,	Holland,	Meade,	Stiefel,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Taylor,
Blass,	Lane,	Peelor,	Wade,
Byrne,	Leader,	Probert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahany,	Rosenfeld,	Watson,
Diehm,	Mallery,	Ruth,	Wolfe,
DiSilvestro,	McCreesh,	Scarlett,	Yosko,
Fleming,	McGinnis,	Silvert,	Wood,
Freed,	McMenamin,	Snowden,	Presiding Officer
Haluska,			

#### NAYS—1

Wagner,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1346, as follows:

An Act to amend the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing



penalties" by clarifying certain provisions thereof and correcting grammatical and typographical errors therein. The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection 7 of section 4 of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as amended by the act approved the fourteenth day of May one thousand nine hundred twenty-nine (P. L. 1738) is hereby further amended to read as follows

#### Section 4

\* \* \* \* \*

7 In the years nineteen hundred twenty-one and nineteen hundred twenty-four and in every fifth year thereafter that actuary of the retirement board shall make an actuarial investigation into the mortality and service experience of the contributors and beneficiaries as defined in this act and shall make a valuation of the various accounts created by this act and on the basis of such investigation and valuation the retirement board shall

(a) Adopt for the retirement system one or more mortality tables and such other tables as shall be deemed necessary

(b) Certify the rates of deduction from salary necessary to pay the annuities authorized under the provisions of this act and

(c) Certify the rates of contribution expressed as a percentage of salary of new entrants at various ages which shall be made by the Commonwealth to the Public School Employees' Retirement Fund and credited to the contingent reserve account

Section 2 Subsection 5 of Section 7 of said act as last amended by the act approved the twelfth day of July one thousand nine hundred thirty-five (P. L. 698) is hereby further amended to read as follows

[Five] 5 Each employer shall cause to be deducted on each [and every] payroll of a contributor for each [and every] payroll period subsequent to June thirtieth nineteen hundred thirty-five such per centum as shall be certified to said employer by the retirement board as proper in accordance with the provisions of this act. The percentage so deducted shall be computed either (1) on the total amount of salary earnable by the contributor in the payroll period for which the deductions are made or (2) in the case of contributors who were employed during the year which began July first one thousand nine hundred and thirty-two and ended June thirtieth one thousand nine hundred and thirty-three if such contributors so elect on the total amount of salary which was earnable by such contributor during such year. Each such contributor shall notify in writing his employer on or before September first one thousand nine hundred and thirty-five upon which salary he or she elects to contribute

In determining the amount earnable by a contributor in a payroll period the retirement board may consider the rate of salary payable to such contributor on the first day of each regular payroll period as continuing throughout such payroll period and it may omit salary deductions for any period less than a full payroll period in cases where the employee was not a contributor on the first day of the regular payroll period and to facilitate the making of the deductions it may modify the deduction required of any contributor by such amount as shall not exceed one-tenth of one per centum of the salary upon the basis of which the deduction is to be made. The deductions provided herein shall be made notwithstanding that minimum salaries provided for by the laws ordinances resolutions or other acts of the Commonwealth or of any other employer shall be reduced thereby. Each employer shall certify to

the treasurer of said employer on each [and every] payroll a statement as voucher for the amount so deducted and shall send a duplicate of such statement to the secretary of the retirement board

Section 3 Subsection 1 of Section 8 of said act as last amended by the act approved the fourth day of May one thousand nine hundred thirty-three (P. L. 265) is hereby further amended to read as follows

#### Section 8

1 The fund and accounts hereby created are the Public School Employees' Retirement Fund the Contingent Reserve Account State Annuity Reserve Account State Annuity Reserve Account Number Two the Employees' Annuity Savings Account the Employees' Annuity Reserve Account and the Administration Expense Account

Section 4 Subsection 2 of Section 8 of said act as amended by the act approved the fourteenth day of May one thousand nine hundred twenty-nine (P. L. 1738) is hereby further amended to read as follows

#### Section 8

\* \* \* \* \*

2 The Public School Employees' Retirement Fund on and after the first day of July one thousand nine hundred twenty-nine shall consist of all moneys in the several separate funds in the State Treasury set apart to be used under the direction of the Public School Employees' Retirement Board for the retirement of members of the school employees' retirement association which on the aforesaid date shall be consolidated into one special fund to be known as the "Public School Employees' Retirement Fund" and thereafter the Treasury Department shall credit to the "Public School Employees' Retirement Fund" all moneys received by it from the Department of Revenue arising from contributions by the Commonwealth and members of the retirement association as hereinafter provided and all interest earned by the investments or moneys of said fund. Upon the consolidation of the separate funds as aforesaid there shall be established and maintained by the retirement board for actuarial purposes the several hereinafter named ledger accounts equivalent to and which shall stand in lieu of the several separate funds hereby abolished and all credits to each abolished fund shall be credited by the retirement board to the ledger account hereby created to stand in place of said fund

Section 5 Subsection 8 of Section 8 of said act as last amended by the act approved the twenty-fifth day of April one thousand nine hundred forty-nine (P. L. 752) is hereby further amended to read as follows

#### Section 8

\* \* \* \* \*

8 No contributor shall be required to continue to contribute to the Public School Employees' Retirement Fund after he or she shall have become eligible for superannuation retirement all contributions made thereafter to said Fund shall be voluntary. Provided however That this clause shall not apply to contributors in the one one-hundred-fortieth (1/40) class

Section 6 Section 9 of said act as amended by the act approved the fourteenth day of May one thousand nine hundred twenty-nine (P. L. 1738) is hereby further amended to read as follows

Section 9 The Commonwealth of Pennsylvania shall be reimbursed to the extent of one-half of the amount paid by the Commonwealth into the fund created by this act to the credit of the contingent reserve account and the State annuity reserve account number two on account of employees of each [other] employer by payments into its treasury made directly by such employer or indirectly from moneys otherwise belonging to such employer. To facilitate the payments of amounts due from the treasurer of any employer to the treasurer of the Commonwealth on account of the retirement system and to permit the exchange of credits between the treasurer of the Commonwealth and the treasurer of any employer the State Superintendent of Public Instruction and the State Treasurer are hereby authorized and empowered to cause to be deducted and paid into or retained in the State Treasury from the amount of moneys due to any employer on account of any appropriation for schools or other purposes the amount due to the



State Treasury from such employer in accordance with the provisions of this act Corresponding amounts which would be otherwise transferred to the treasury of the Commonwealth from the treasurer of such employer may be credited to the accounts of the employer to which the moneys withheld by the Commonwealth were payable

Section 7 Subsection 1 of Section 12 of said act as amended by the acts approved the fifteenth day of May one thousand nine hundred forty-five (P. L. 521) and the twenty-second day of May one thousand nine hundred forty-five (P. L. 827) is hereby further amended to read as follows

Section 12 (1) Should a contributor by resignation or dismissal or in any other way than by death or retirement separate from the school service or should such contributor legally withdraw from the retirement system he or she shall be paid on demand from the fund created by this act (a) The full amount of the accumulated deductions standing to his or her individual credit in the annuity savings account as of the date of such separation from school service or in lieu thereof should he or she so elect (b) an annuity or a deferred annuity which shall be the actuarial equivalent of said accumulation deductions His or her membership in the retirement [associations] association shall thereupon cease

Section 8 Clause 2 of Section 14 of said act as last amended by the act approved the twenty-sixth day of May one thousand nine hundred forty-nine (P. L. 1818) is hereby further amended to read as follows

Section 14 Retirement for superannuation shall be as follows

\* \* \* \* \*

2 [Each and every] Every contributor who has attained or shall attain the age of seventy years shall be retired by the retirement board for superannuation forthwith or at the end of the school term in which said age of seventy years is attained

Section 9 Options 1 and 2 of Section 15 of said act as last amended by the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 864) is hereby further amended to read as follows

Section 15 At or before the time of his or her superannuation retirement any contributor may elect by written election duly executed and filed with the retirement board to receive his or her benefits in a superannuation retirement allowance payable throughout life or he or she may on superannuation retirement elect to receive the actuarial equivalent at that time of his or her employee's annuity his or her State annuity or his or her superannuation retirement allowance in a lesser employee's annuity or a lesser State annuity or a lesser superannuation retirement allowance payable throughout life with the provisions that

Option 1 If he or she die before he or she has received in payments the present value of his or her employee's annuity his or her State annuity or his or her superannuation retirement allowance as it was at the time of his or her superannuation retirement the balance shall be paid to his or her legal representatives or to such person as he or she shall nominate by written designation duly acknowledged and filed with the retirement board

Option 2 Upon his or her death his or her employee's annuity his or her State annuity or his or her superannuation retirement allowance shall be continued throughout the life of and paid to such person as he or she shall nominate by written designation duly acknowledged and filed with the retirement board at the time of his or her superannuation retirement

Section 10 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bane,	Hare,	McPherson, Jr.,	Stevenson,
Barr,	Holland,	Meade,	Stiefel,
Barrett,	Kephart,	Neff,	Taylor,
Berger,	Kessler,	Pechman,	Toole,
Blase,	Lane,	Peeler,	Wade,
Byrne,	Leader,	Probert,	Wagner,
Chapman,	Letzler,	Robinson,	Walker,
Crowe,	Mahany,	Rosenfeldt,	Watkins,
Diehm,	Mallery,	Ruth,	Watson,
DiSilvestro,	McCreesh,	Scarlett,	Wolfe,
Fleming,	McGinnis,	Silver,	Yosko,
Freed,	McMenamin,	Snowden,	Wood,
Haluska,			Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1347, as follows:

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by making corrections and conforming certain provisions to existing practice

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (1) of Section 103 Section 635 subsection (a) of Section 921 and Section 1001 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" are hereby amended to read as follows

Section 103 Excluded Provisions This act does not include any provisions of and shall not be construed to repeal

(1) The Public School Employees Retirement Law approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043)

\* \* \* \* \*

Section 635 Limit on Temporary Debt for Current Expenses and Debt Service The total amount of temporary indebtedness incurred for current expenses and debt service shall at no time exceed an amount equal to the State appropriations not received but payable during the fiscal year and the tax levied upon property taxable for school purposes within such school district [for school purposes] and remaining uncollected and unpledged for the current year All such loans shall be paid out of the receipts available or pledged for the repayment thereof when and as the funds are received The total amount of the temporary indebtedness for such purpose remaining unpaid at the close of the fiscal year shall become an obligation upon the following year's budget and be included therein

Section 921 Election Vacancies Qualifications Removals (a) In every county having a county superintendent of public schools there shall be a county board of school directors consisting of five (5) members who shall be elected at the annual convention of the school directors of the county next preceding the expiration of their respective terms of office by majority vote of the school directors of the districts under the supervision of the county superintendent attending such annual convention They shall serve for terms of six years from the first day of July following their election or until their successors are chosen The terms of the members shall be staggered so that two members shall be elected in the year one thousand nine



hundred fifty-two two in th year one thousand nine hundred fifty-four and one in the year one thousand nine hundred fifty-six and thereafter two members or one member as is required to fill the expiring terms All vacancies occurring by reason of death resignation removal from the county or otherwise shall be filled by a majority vote of the remaining members of the county board of school directors The person elected to fill such vacancy shall hold his office until the next annual convention at which a successor shall be elected for the [balance] remainder of the unexpired term

Section 1001 Purpose For the superintendence and supervision of the public schools of this Commonwealth there shall be elected or appointed in the manner herein provided county superintendents district superintendents associate superintendents assistant superintendents and supervisors of special education

Section 2 Section 1121 of said act as amended by the act approved the ninth day of May one thousand nine hundred forty-nine (P. L. 939) is hereby further amended to read as follows

Section 1121 Contracts Execution Form In all school districts all contracts with professional employes shall be in writing in duplicate and shall be executed on behalf of the board of school directors by the president and secretary and signed by the professional employe

Each board of school directors in all school districts shall hereafter enter into contracts in writing with each professional employe who has satisfactorily completed two (2) years of service in any school district of this Commonwealth Said contracts shall contain only the following

"It is agreed by and between ..... Professional Employe and the Board of Directors (or Board of Public Education) of the school district of ..... Pennsylvania that said professional employe shall under the authority of the said board and its successors and subject to the supervision and authority of the properly authorized superintendent of schools or supervising principal serve as a professional employe in the said school district for a term of ..... months for an annual compensation of \$..... payable monthly or semi-monthly during the school term or year less the contribution required by law to be paid to the [Teachers'] Public School Employes' Retirement Fund and less other proper deductions for loss of time

"This contract is subject to the provisions of the 'Public School Code of 1949' and the amendments thereto

"And it is further agreed by the parties hereto that none of the provisions of this act may be waived either orally or in writing and that this contract shall continue in force year after year with the right of the board of school directors (or board of public education) to increase the compensation over the compensation herein stated from time to time as may be provided under the provisions and proper operation of the established salary schedule if any for the school district subject to the provisions of law without invalidating any other provision of this contract unless terminated by the professional employe by written resignation presented sixty (60) days before resignation becomes effective or by the board of school directors (or board of public education) by official written notice presented to the professional employe Provided That the said notice shall designate the cause for the termination and shall state that an opportunity to be heard shall be granted if the said professional employe within ten (10) days after receipt of the termination notice presents a written request for such hearing"

Section 3 Section 1327 of said act as amended by the act approved the fourteenth day of April one thousand nine hundred forty-nine (P. L. 454) is hereby further amended to read as follows

Section 1327 Compulsory School Attendance Every child of compulsory school age having a legal residence in this Commonwealth as provided in this article and every migratory child of compulsory school age is required to attend a day school in which the subjects and activities prescribed by the State Council of Education are taught

in the English language Every parent guardian or other person having control or charge of any child or children of compulsory school age is required to send such child or children to a day school in which the subjects and activities prescribed by the State Council of Education are taught in the English language Such child or children shall attend such school continuously through the entire term during which the public [elementary] schools in their respective districts shall be in session or in cases of migratory children during the time the schools are in session in the districts in which such children are temporarily domiciled The financial responsibility for the education of such migratory children shall remain with the school district in which such migratory children are temporarily domiciled The certificate of any principal or teacher of a private school or of any institution for the education of children in which the subjects and activities prescribed by the State Council of Education are taught in the English language setting forth that the work of said school is in compliance with the provisions of this act shall be sufficient and satisfactory evidence thereof Regular daily instruction in the English language for the time herein required by a properly qualified private tutor shall be considered as complying with the provisions of this section if such instruction is satisfactory to the proper county or district superintendent of schools

Section 4 Subsection (a) of Section 1518 of said act as amended by the act approved the ninth day of May one thousand nine hundred forty-nine (P. L. 956) is hereby further amended to read as follows

Section 1518 Text Books and Instruction on Fire Dangers and Prevention Drills (a) It shall be the duty of the Superintendent of Public Instruction in consultation with the Pennsylvania State Police to prepare books of instruction for use of teachers of students of all grades in the public and private schools [of students of all grades] with regard to the dangers of fire and the prevention of fire waste Such books of instruction shall be published at the expense of the State under the direction of the Superintendent of Public Instruction and shall be distributed in sufficient quantities for the use of the teachers in schools as herein provided The curriculum of all schools shall include some regular and continuous study of such subjects during the entire school year

Section 5 Clause (5) of Section 1801 and Section 2131 of said act are hereby amended to read as follows

Section 1801 Definitions The following words and phrases as used in this article shall unless a different meaning is plainly required by the context have the following meanings

\* \* \* \* \*

(5) "Vocational distributive occupational education" shall mean those forms of vocational education designed for those workers engaged in or preparing for employment as distributors to consumers retailers jobbers wholesalers and others of the products of farm and industry including also managers operating or conducting a commercial service or personal service business or selling the services of such a business

Section 2131 Publication of Annual Financial Statements The annual financial statement or any part thereof furnished by the school controller in any district of the first class to the board of public education [may] shall be published by the board of public education in two newspapers designated by the board once a week for three successive weeks beginning the first week after the same has been furnished to it

Section 6 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:



## YEAS—49

Bane,	Hare,	McPherson, Jr.	Stevenson.
Barr,	Holland,	Meade,	Stiefel,
Barrett,	Kephart,	Neff,	Taylor,
Berger,	Kessler,	Pechan,	Toole,
Blass,	Lane,	Peelor,	Wade,
Byrne,	Leader,	Propert,	Wagner.
Chapman,	Letzler,	Robinson,	Walker,
Crowe,	Mahanay,	Rosenfeld,	Watkins,
Diehm,	Mallery,	Ruth,	Watson,
DiSilvestro,	McCreesh,	Scarlett,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yosko,
Freed,	McMenamin,	Snowden,	Wood,
Haluska,			Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1370, as follows:

An Act to further amend Section 2004 of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by limiting to forty-eight hours the work week of police officers except in emergencies

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 2004 of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" as reenacted and amended by the act approved the twenty-eighth day of June one thousand nine hundred fifty-one (Act No. 164) is hereby further amended to read as follows

Section 2004 Hours of Service Exceptions Vacations No city shall employ or require any police officer to remain on duty for more than eight hours in any twenty-four consecutive hours [or] nor more than [fifty-six] forty-eight hours in any one week unless in emergency cases for the suppression of riots or tumults or the prevention of the public peace [Provided That for the duration of any war in which the United States is engaged and six months thereafter the hours of service may exceed the number hereinbefore provided as the maximum number of hours of service and in such cases council shall provide for the payment of extra compensation for any hours of service in excess of such maximum hours of service at the same rate as paid for regular service] Nothing contained herein shall prevent any such city from requiring any such police officer to remain on duty or to work sixteen hours in any twenty-four consecutive hours not more than one day each week if required by a change in working hours or a change in shifts cities shall permit every member of the police department to have at least twenty-four consecutive hours of rest in every calendar week except in emergency cases for the suppression of riots or tumults or the preservation of the public peace in times of war riot conflagration or public celebrations and to have an annual vacation of not less than fourteen days without diminution of the salary or compensation fixed by ordinance

Section 2 The provisions of this act shall become effective the first day of January one thousand nine hundred fifty-two

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bane,	Hare,	McPherson, Jr.	Stevenson.
Barr,	Holland,	Meade,	Stiefel,
Barrett,	Kephart,	Neff,	Taylor,
Berger,	Kessler,	Pechan,	Toole,
Blass,	Lane,	Peelor,	Wade,
Byrne,	Leader,	Propert,	Wagner,
Chapman,	Letzler,	Robinson,	Walker,
Crowe,	Mahanay,	Rosenfeld,	Watkins,
Diehm,	Mallery,	Ruth,	Watson,
DiSilvestro,	McCreesh,	Scarlett,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yosko,
Freed,	McMenamin,	Snowden,	Wood,
Haluska,			Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1379, as follows:

An Act to authorize the revival of judgments entered in favor of the Commonwealth of Pennsylvania by filing a suggestion of nonpayment

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Whenever a claim of the Commonwealth of Pennsylvania has been reduced to judgment and the claim has not been paid then in any such case a suggestion of nonpayment may be filed in the county where the judgment was originally entered with the prothonotary of said county at any time within five years of the date of entry of the original judgment After notice to all proper parties by registered mail to their last known address or advertisement inserted in a newspaper in the county where the property is located and no objection being filed within fifteen days after such service thereof when indexed upon the judgment index the suggestion of nonpayment filed as herein provided shall revive the original judgment for a period of five years from the date of filing such suggestion of nonpayment with the same force and effect as though a writ of scire facias had been issued served on all proper parties including real owners or terre-tenants and duly prosecuted to judgment and any judgment so revived shall remain a valid lien upon any real estate upon which it was a lien at the time the suggestion of nonpayment was filed and indexed upon the judgment index for a further period of five years and may again be revived in like manner

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:



YEAS—49			
Bane,	Hare,	McPherson, Jr.,	Stevenson,
Barr,	Holland,	Meade,	Stiefel,
Barrett,	Kephart,	Neff,	Taylor,
Berger,	Kessler,	Pechan,	Toole,
Blass,	Lane,	Peelor,	Wade,
Byrne,	Leader,	Probert,	Wagner,
Chapman,	Letzler,	Robinson,	Walker,
Crowe,	Mahany,	Rosenfeld,	Watkins,
Diehm,	Mallery,	Ruth,	Watson,
DiSilvestro,	McCreesh,	Scarlett,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yosko,
Freed,	McMenamin,	Snowden,	Wood,
Haluska,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1380, as follows:

An Act to further amend the title and section four of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2045) entitled as amended "An act relating to the support of indigent persons providing for the support of such persons by certain relatives and for the recovery of public moneys expended for care and assistance from the property and estates of such persons providing for guardians of the person and property of such persons providing for the arrest and seizure and sale of the property of deserters and providing procedure" by further defining the liability of property for expenses incurred for support maintenance assistance and burial

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2045) entitled as amended "An act relating to the support of indigent persons providing for the support of such persons by certain relatives and for the recovery of public moneys expended for care and assistance from the property and estates of such persons providing for guardians of the person and property of such persons providing for the arrest and seizure and sale of the property of deserters and providing procedure" is hereby further amended to read as follows

An Act

Relating to the support of indigent persons providing for the support of such persons by certain relatives and for the recovery of public moneys expended for care and assistance from the property and estates of [such] certain persons providing for guardians of the person and property of such persons providing for the arrest and seizure and sale of the property of deserters and providing procedure

Section 2 Section four of said act clause (a) of which was amended by the act approved the ninth day of June one thousand nine hundred thirty-nine (P. L. 310) is hereby further amended to read as follows

Section 4 Property of [Indigent] Persons Liable for Expenses Incurred for Support and Assistance (a) The real and personal property of any [indigent] person shall be liable for the expenses of his support maintenance assistance and burial and for the expenses of the support maintenance assistance and burial of the spouse and minor children of such property owner incurred by any public body or public agency if such property was owned during the time such expenses were incurred or if [the right to ownership of such property existed or was acquired during the time such expenses were incurred] a right or

cause of action existed during the time such expenses were incurred from which the ownership of such property resulted Any public body or public agency may sue the owner of such property for moneys so expended and any judgment obtained shall be a lien upon the said real estate of such [indigent] person and be collected as other judgments except as to the real and personal property comprising the home and furnishings of such [indigent] person which home shall be subject to the lien of such judgment but shall not be subject to execution on such judgment during the lifetime of the [indigent] person surviving spouse or dependent children

(b) Any claim for the expenses of support maintenance assistance and burial of [an indigent] a person and for the support maintenance assistance and burial of his spouse and minor children held by any public body or public agency shall have the same force and effect against the real and personal estate of a deceased [indigent] person as other debts of a decedent and shall be ascertained and recovered in the same manner

Section 3 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49			
Bane,	Hare,	McPherson, Jr.	Stevenson,
Barr,	Holland,	Meade,	Stiefel,
Barrett,	Kephart,	Neff,	Taylor,
Berger,	Kessler,	Pechan,	Toole,
Blass,	Lane,	Peelor,	Wade,
Byrne,	Leader,	Probert,	Wagner,
Chapman,	Letzler,	Robinson,	Walker,
Crowe,	Mahanay,	Rosenfeld,	Watkins,
Diehm,	Mallery,	Ruth,	Watson,
DiSilvestro,	McCreesh,	Scarlett,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yosko,
Freed,	McMenamin,	Snowden,	Wood,
Haluska,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1432, as follows:

An Act to further amend Section 1 of the act approved the eleventh day of July one thousand nine hundred twenty-three (P. L. 1032) entitled "An act providing for the abatement of nuisances caused by the improper grading or defective paving or encroaching fences in alleys in cities of the first class for the establishment of lines and grades for and the grading paving or repaving of said alleys and the grading hereafter laid out and for apportioning the cost and for the filing of liens therefor" by giving property owners a longer period of time in which to abate nuisances

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1 of the act approved the eleventh day of July one thousand nine hundred twenty-three (P. L. 1032) entitled "An act providing for the abatement of nuisances caused by the improper grading or defective paving or encroaching fences in alleys in cities of the first class for the establishment of lines and grades for and the grading paving or repaving of said alleys and the grading



of private alleys hereafter laid out and for apportioning the cost and for the filing of liens therefor" as last amended by the act approved the seventeenth day of May one thousand nine hundred thirty-nine (P. L. 151) is hereby further amended to read as follows

Section 1 Be it enacted &c That in cities of the first class when the board of health shall declare any private alley or driveway and/or retaining wall appurtenant thereto to be a nuisance by reason of improper grading or defective paving of said alley or driveway and/or retaining wall appurtenant thereto and shall so certify to the Department of Public Works the said Department of Public Works is hereby empowered to abate said nuisance upon the neglect or refusal of the registered owners of the property abutting on or having the use or actually using such alley or driveway and/or retaining wall appurtenant thereto to abate said nuisances within [ten] sixty days after service of notice by the said Department of Public Works upon the said registered owners so to do as hereinafter provided

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Bane,	Hare,	McPherson, Jr.	Stevenson,
Barr,	Holland,	Meade,	Stiefel,
Barrett,	Kephart,	Neff,	Taylor,
Berger,	Kessler,	Pechan,	Toole,
Blass,	Lane,	Peelor,	Wade,
Byrne,	Leader,	Propert,	Wagner,
Chapman,	Letzler,	Robinson,	Walker,
Crowe,	Mahany,	Rosenfeld,	Watkins,
Diehm,	Mallery,	Ruth,	Watson,
DiSilvestro,	McCreesh,	Scarlett,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yosko,
Freed,	McMenamin,	Snowden,	Wood,
Haluska,			Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1449, as follows:

An Act to amend the act approved the twelfth day of June one thousand nine hundred fifty-one (Act Number 141) entitled "An act relating to mental health including mental illness mental defect epilepsy and inebriety amending revising consolidating and changing the laws relating thereto" by further defining "qualified physician" and "medical examiner"

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (13) of Section 102 of the act approved the twelfth day of June one thousand nine hundred fifty-one (Act Number 141) entitled "An act relating to mental health including mental illness mental defects epilepsy and inebriety and amending revising consolidating and changing the laws relating thereto" is hereby amended to read as follows

Section 102 Definitions As used in this act unless the context clearly indicates otherwise the following words and phrases shall have the following meanings

(13) "Qualified physician" shall mean a physician who has been (1) a resident of Pennsylvania for at least three

years (2) licensed in Pennsylvania to practice medicine [in Pennsylvania] and surgery within the scope of the act approved the third day of June one thousand nine hundred eleven (P. L. 639) as amended or osteopathy or osteopathic surgery within the scope of the act approved the nineteenth day of March one thousand nine hundred nine (P. L. 46) as amended and (3) in the actual practice of medicine or osteopathy for at least three years or has had at least one year's experience as a medical or an osteopathic physician in an institution

Section 2 Clauses (3) and (4) of subsection (a) of Section 312 of said act are hereby amended to read as follows

Section 312 Contents of Physician's Certificate Penalty for False Statement

(a) In every qualified physician's certificate required by this act for the admission or commitment of a patient the physician issuing the same shall state

\* \* \* \* \*

(3) That he has been licensed to practice medicine or osteopathy in this State

(4) That he has been in the actual practice of medicine or osteopathy for at least three years or has had at least one year's experience as a medical or an osteopathic physician in an institution

Section 3 Clause 7 of Section 801 of said act is hereby amended to read as follows

Section 801 Rights of Patient

Every patient in any institution shall have the right

\* \* \* \* \*

(7) To be visited and examined at all reasonable hours by any medical or osteopathic practitioner designated by him or by any member of his family or "near friend" with the sanction of a court of the county in which he resided prior to his commitment to such institution With the consent of the patient and of the superintendent the medical or osteopathic practitioner may attend the patient for all maladies other than mental illness in the same manner as if the patient were in his own home

Section 4 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—48

Bane,	Hare,	McPherson, Jr.	Stevenson,
Barr,	Holland,	Meade,	Stiefel,
Barrett,	Kephart,	Neff,	Taylor,
Berger,	Kessler,	Pechan,	Toole,
Blass,	Lane,	Peelor,	Wade,
Byrne,	Leader,	Propert,	Wagner,
Crowe,	Letzler,	Robinson,	Walker,
Diehm,	Mahanay,	Rosenfeld,	Watkins,
DiSilvestro,	Mallery,	Ruth,	Watson,
Fleming,	McCreesh,	Scarlett,	Wolfe,
Freed,	McGinnis,	Silvert,	Yosko,
Haluska,	McMenamin,	Snowden,	Wood,
			Presiding Officer

#### NAYS—1

Chapman,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1463, as follows::



An Act to repeal the act approved the twenty-sixth day of February one thousand nine hundred three (P. L. 8) entitled "An act providing for the appointment of boards of visitation for institutions societies and associations caring for dependent neglected and delinquent children" The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the twenty-sixth day of February one thousand nine hundred three (P. L. 8) entitled "An act providing for the appointment of boards of visitation for institutions societies and associations caring for dependent neglected and delinquent children" and all of its amendments and supplements are hereby repealed absolutely

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Bane,	Hare,	McPherson, Jr.	Stevenson,
Barr,	Holland,	Meade,	Stiefel,
Barrett,	Kephart,	Neff,	Taylor,
Berger,	Kessler,	Pechan,	Toole,
Blass,	Lane,	Peelor,	Wade,
Byrne,	Leader,	Propert,	Wagner,
Chapman,	Letzler,	Robinson,	Walker,
Crowe,	Mahanay,	Rosenfeld,	Watkins,
Diehm,	Mallery,	Ruth,	Watson,
DiSilvestro,	McCreesh,	Scarlett,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yosko,
Freed,	McMenamin,	Snowden,	Wood,
Haluska,			Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1470, as follows:

An Act to repeal the act approved the thirteenth day of April one thousand eight hundred sixty-eight (P. L. 1017) entitled "An act to provide for the collection of state county poor and military taxes in the county of Bedford" so far as it relates to Bedford County

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the thirteenth day of April one thousand eight hundred sixty-eight (P. L. 1017) entitled "An act to provide for the collection of state county poor and military taxes in the county of Bedford" is hereby repealed in so far as it relates to Bedford County

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Bane,	Hare,	McPherson, Jr.	Stevenson,
Barr,	Holland,	Meade,	Stiefel,
Barrett,	Kephart,	Neff,	Taylor,
Berger,	Kessler,	Pechan,	Toole,

Blass,  
Byrne,  
Chapman,  
Crowe,  
Diehm,  
DiSilvestro,  
Fleming,  
Freed,  
Haluska,

Lane,  
Leader,  
Letzler,  
Mahanay,  
Mallery,  
McCreesh,  
McGinnis,  
McMenamin,

Peelor,  
Propert,  
Robinson,  
Rosenfeld,  
Ruth,  
Scarlett,  
Silvert,  
Snowden,

Wade,  
Wagner,  
Walker,  
Watkins,  
Watson,  
Wolfe,  
Yosko,  
Wood,  
Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1476, as follows:

An Act to further amend Article III of the act approved the seventh day of March one thousand nine hundred one (P. L. 20) entitled "An act for the government of cities of the second class" by fixing maximum hours of service for patrolman and providing for compensation for extra services in emergencies

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Article III of the act approved the seventh day of March one thousand nine hundred one (P. L. 20) entitled "An act for the government of cities of the second class" as last amended by the act approved the fourteenth day of May one thousand nine hundred thirty-seven (P. L. 625) and as reenacted and amended in part by the act approved the fifteenth day of June one thousand nine hundred thirty-seven (P. L. 1761) is hereby further amended to read as follows

#### Article III

##### Department of Public Safety

Section 1 The Department of Public Safety shall be under the charge of one director who shall be the head thereof The care management administration and supervision of the police affairs and all matters relating to the public health to the fire and police force fire alarm telegram erection of fire-escapes and the inspection of buildings and boilers markets and food sold therein and the construction protection and repair of buildings erected for police and fire purposes shall be in charge of this department

No person shall be employed in this department as a policeman or fireman who is not a citizen of the United States or who has been convicted of crime unless pardoned or who cannot read and write understandingly in the English language or who shall not have resided within the State at least one year preceding his appointment

No patrolman shall be required to be on duty for more than eight out of any twenty-four consecutive hours nor for more than forty-eight hours in any calendar week except in emergency cases for the suppression of riots or tumults or the preservation of the public peace in times of riot conflagration or public celebrations and in such cases council shall provide for the payment of extra compensation or time off at the same rate as paid for regular service The existing salary or compensation of any patrolman shall not be diminished of the reduced numbers of hours of duty prescribed by this amendment

The department shall make suitable regulations under which the officers and members of the fire telegraph and police force shall be required to wear an appropriate uniform It shall be a misdemeanor punishable by a fine not exceeding five hundred (\$500) dollars and imprisonment not exceeding six (6) months or either or both in the discretion of the court for any person to falsely personate by uniform insignia or otherwise any officer or member of the department

The city councils may provide by ordinance a fund for



the care maintenance and relief of aged retired disabled or injured policemen or firemen and the families of such as may be injured or killed in the service

No policeman appointed under this act shall be dismissed without his written consent except by the decision of a court either of trial or inquiry duly determined and certified in writing to the mayor which court shall be composed of not less than three and not more than five persons belonging to the police force equal or superior in official position therein to the accused. Such decision shall only be determined by trial of charges with plain specifications made by or lodged with the director of the department of public safety of which trial the accused shall have due notice and at which he shall have the right to be present in person. The persons composing such court shall be appointed and sworn by the director of the department of public safety to perform their duties impartially and without fear or favor and the person of highest rank in such court shall have the same authority to issue and enforce process to secure the attendance of witnesses and to administer oaths to witnesses as is possessed by any justice of the peace of this Commonwealth.

Such charges may be of disability for service in which case the court shall be one of inquiry whose decision may be for the honorable discharge from the service of the person concerned or of neglect or violation of law or duty inefficiency intemperance disobedience of orders or unbecoming official or personal conduct in which cases the court shall be one of trial and its decision may authorize the director of the department of public safety to impose fines and pecuniary penalties to be stopped from pay or to suspend from pay or duty or both for a period fixed by them not exceeding one year or to dismiss from the service. The right of appeal of the decision of the trial board shall be made within five days to the civil service board.

It shall be lawful for the director of the department of public safety at his discretion to suspend from duty before trial any person charged as aforesaid until such trial can be had with or without pay as such court shall afterward determine but no trial shall be delayed for more than one month after charge has been made.

The finding of the court of trial or inquiry as aforesaid shall be of no effect until approved by the [city recorder] mayor.

The laws in relation to health buildings and building inspection remain unaffected by any of the provisions thereof and the board of health and the building inspectors shall remain as heretofore and shall be attached to the Department of Public Safety.

Section 2 The provisions of this act shall become effective the first day of January one thousand nine hundred fifty-two.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bane,	Hare,	McPherson, Jr.,	Stevenson,
Barr,	Holland,	Meade,	Stiefel,
Barrett,	Kephart,	Neff,	Taylor,
Berger,	Kessler,	Pechan,	Toole,
Blass,	Lane,	Peelor,	Wade,
Byrne,	Leader,	Probert,	Wagner,
Chapman,	Letzler,	Robinson,	Walker,
Crowe,	Mahany,	Rosenfeld,	Watkins,
Diehm,	Mallery,	Ruth,	Watson,
DiSilvestro,	McCreesh,	Scarlett,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yosko,
Freed,	McMenamin,	Snowden,	Wood,
Haluska,			Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1504, as follows:

An Act to amend the act approved the twenty-sixth day of May one thousand nine hundred forty-nine (P. L. 1828) entitled "An act concerning the investment powers and duties of guardians committees trustees and other fiduciaries except personal representatives and prescribing the nature and kind of investments which may be made and retained by such fiduciaries" by declaring the obligations of Redevelopment Authorities issued pursuant to the law of Pennsylvania to be legal investments for fiduciaries.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 5 of the act approved the twenty-sixth day of May one thousand nine hundred forty-nine (P. L. 1828) entitled "An act concerning the investment powers and duties of guardians committees trustees and other fiduciaries except personal representatives and prescribing the nature and kind of investments which may be made and retained by such fiduciaries" is hereby amended by adding at the end thereof a new clause to read as follows

Section 5 Obligations of Pennsylvania Governmental Organizations Obligations of the following Pennsylvania governmental organizations shall be authorized investments

\* \* \* \* \*

(9) Redevelopment Authorities Obligations of any Redevelopment Authority issued pursuant to the laws of the Commonwealth relating to the creation or operation of Redevelopment Authorities

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bane,	Hare,	McPherson, Jr.	Stevenson,
Barr,	Holland,	Meade,	Stiefel,
Barrett,	Kephart,	Neff,	Taylor,
Berger,	Kessler,	Pechan,	Toole,
Blass,	Lane,	Peelor,	Wade,
Byrne,	Leader,	Probert,	Wagner,
Chapman,	Letzler,	Robinson,	Walker,
Crowe,	Mahany,	Rosenfeld,	Watkins,
Diehm,	Mallery,	Ruth,	Watson,
DiSilvestro,	McCreesh,	Scarlett,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yosko,
Freed,	McMenamin,	Snowden,	Wood,
Haluska,			Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1512, as follows:

An Act relating to records of governmental departments



or agencies or private businesses institutions professions or callings authorizing the reproduction or recording thereof by any photographic photostatic microfilm micro-card miniature photographic or other similar process providing for the admissibility of such reproductions in evidence and the disposition of the original records The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 If any business institution member of a profession or calling or any department or agency of government in the regular course of business or activity has kept or recorded any memorandum writing entry print representation or combination thereof of any act transaction occurrence or event and in the regular course of business has caused any or all of the same to be recorded copied or reproduced by any photographic photostatic microfilm micro-card miniature photographic or other process which accurately reproduces or forms a durable medium for so reproducing the original the original may be destroyed in the regular course of business unless held in a custodial or fiduciary capacity or unless its preservation is required by law Such reproduction when satisfactorily identified is as admissible in evidence as the original itself in any judicial or administrative proceeding whether the original is in existence or not and an enlargement or facsimile of such reproduction is likewise admissible in evidence if the original reproduction is in existence and available for inspection under direction of court The introduction of a reproduced record enlargement or facsimile does not preclude admission of the original

Section 2 This act shall be so interpreted and construed as to effectuate its general purpose of making uniform the law of those states which enact it

Section 3 This act may be cited as the Uniform Photographic Copies of Business and Public Records as Evidence Act

Section 4 All acts or parts of acts which are inconsistent with the provisions of this act are hereby repealed

Section 5 This act shall take effect immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

On the question,  
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49			
Bane,	Hare,	McPherson, Jr.,	Stevenson,
Barr,	Holland,	Meade,	Stiefel,
Barrett,	Kephart,	Neff,	Taylor,
Berger,	Kessler,	Pechan,	Toole,
Blane,	Lane,	Peelot,	Wade,
Byrne,	Leader,	Probert,	Wagner,
Chapman,	Letzler,	Robinson,	Walker,
Crowe,	Mahany,	Rosenfeld,	Watkins,
Diehm,	Mallery,	Ruth,	Watson,
Disilvestro,	McCreesh,	Scarlett,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yosko,
Freed,	McMenamin,	Snowden,	Wood,
Haluska,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,  
The Senate proceeded to the third reading and consideration of House Bill No. 1535, as follows:

An Act to amend clauses (r) and (s) of subsection B of section four of the act approved the second day of

May one thousand nine hundred forty-five (P. L. 382) entitled "An act providing for the incorporation as bodies corporate and politic of "Authorities" for municipalities counties and townships prescribing the rights powers and duties of such Authorities heretofore or hereafter incorporated authorizing such Authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such Authorities authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof and conferring exclusive jurisdiction on certain courts over rates" by clarifying and correcting the provisions of said clauses authorizing Authorities to charge the cost of sewer construction against properties benefited improved or accommodated thereby and providing for the enforcement of such charges

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (r) and (s) of subsection B of section four of the act approved the second day of May one thousand nine hundred forty-five (P. L. 382) entitled "An act providing for the incorporation as bodies corporate and politic of "Authorities" for municipalities counties and townships prescribing the rights powers and duties of such Authorities heretofore or hereafter incorporated authorizing such Authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefore providing for the payment of such bonds and prescribing the rights of the holders thereof of conferring the right of eminent domain on such Authorities authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof and conferring exclusive jurisdiction on certain courts over rates" as amended by the act approved the twelfth day of June one thousand nine hundred forty-seven (P. L. 571) are hereby amended to read as follows

Section 4 Purposes and Powers General

\* \* \* \* \*

B Every Authority is hereby granted and shall have and may exercise all powers necessary or convenient for the carrying out of the aforesaid purposes including but without limiting the generality of the foregoing the following rights and powers

\* \* \* \* \*

(r) To charge the cost of construction of any [lateral] sewer constructed by the Authority against the properties benefited improved or accommodated thereby to the extent of such benefits Such benefits shall be assessed in the manner provided by section eleven of this act for the exercise of the right of eminent domain

(s) To charge the cost of construction of any [lateral] sewer constructed by the Authority against the properties benefited improved or accommodated thereby according to the foot front rule Such charges shall be based upon the foot frontage of the properties so benefited and shall be a lien against such properties Such charges may be assessed and collected and such liens may be enforced in the manner provided by law for the assessment and collection of charges and the enforcement of liens of the municipality in which such Authorities is located Provided That no such charge shall be assessed [have the force and effect of a lien] unless prior to construction of such sewer [system] the Authority shall have submitted the plan of construction and estimated cost to the municipality in which such project is to be undertaken and the [municipal authority] municipality shall have approved such plan and estimated cost And provided That [the cost of the construction shall no have exceeded] there shall not be charged against the properties benefited improved or accommodated thereby an aggregate amount in excess of the estimated cost as approved by the [municipal authority] municipality

Section 2 The provisions of this act shall become effective immediately upon final enactment



And said bill having been read at length the third time, and agreed to,

On the question,  
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bane,	Hare,	McPherson, Jr.	Stevenson.
Barr,	Holland,	Meade,	Stiefel,
Barrett,	Kephart,	Neff,	Taylor,
Berger,	Kessler,	Pechan,	Toole,
Blass,	Lane,	Peelor,	Wade,
Byrne,	Leader,	Propert,	Wagner,
Chapman,	Letzler,	Robinson,	Walker,
Crowe,	Mahanay,	Rosenfeld,	Watkins,
Diehm,	Mallery,	Ruth,	Watson,
DiSilvestro,	McCreesh,	Scarlett,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yosko,
Freed,	McMenamin,	Snowden,	Wood,
Haluska,			Presiding Officer

## NAYS—0

A majority of all Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1578, as follows:

An Act to further amend Section 4 of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1019) entitled "An act relating to statutory laws prescribing an enacting clause for statutes fixing the effective date and time of statutes hereafter enacted providing for notice of application for local and special legislation for the correction of errors in statutes and for the printing and publication of statutes prescribing rules for the interpretation of statutes defining certain words and phrases when used in statutes and prescribing rules for the construction and operation of amendments reenactments and repeals of statutes" by changing the effective date of laws in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 4 of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1019) entitled "An act relating to statutory laws prescribing an enacting clause for statutes fixing the effective date and time of statutes hereafter enacted providing for notice of application for local and special legislation for the correction of errors in statutes and for the printing and publication of statutes prescribing rules for the interpretation of statutes defining certain words and phrases when used in statutes and prescribing rules for the construction and operation of amendments re-enactments and repeal of statutes" as amended by the act approved the third day of June one thousand nine hundred forty-one (P. L. 82) is hereby further amended to read as follows

Section 4 Effective Date and Time of Laws All laws hereafter enacted finally at a regular session of the Legislature except laws making appropriations and except laws affecting the budget of any political subdivision shall be in full force and effect from and after the first day of September next following their final enactment unless a different date is specified in the law itself or if enacted finally after the first day of September of the year of the regular session or after the date specified in the law the same shall become effective immediately upon final enactment

Appropriations laws or laws having appropriation items enacted finally at a regular session of the Legislature shall be in full force and effect from and after the first day of June next following their final enactment unless a different date is specified in the law itself or unless any such appropriation law or law having an appropriation item is enacted finally after the first day of June in any year in which case it shall be in full force and effect immediately upon final enactment

Laws affecting the budget of any political subdivision enacted finally at a regular session of the Legislature shall be in full force and effect at the beginning of the fiscal year of the political subdivision affected following the date of the final enactment of such law unless a different date is specified in the law itself or if enacted finally after the beginning of such fiscal year or after the date specified in the law the same shall become effective immediately upon final enactment

All laws enacted finally at a special or extraordinary session of the Legislature shall be in full force and effect immediately upon final enactment unless a different date is specified in the law itself

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,  
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bane,	Hare,	McPherson, Jr.,	Stevenson.
Barr,	Holland,	Meade,	Stiefel.
Barrett,	Kephart,	Neff,	Taylor,
Berger,	Kessler,	Pechan,	Toole,
Blass,	Lane,	Peelor,	Wade,
Byrne,	Leader,	Propert,	Wagner,
Chapman,	Letzler,	Robinson,	Walker,
Crowe,	Mahanay,	Rosenfeld,	Watkins,
Diehm,	Mallery,	Ruth,	Watson,
DiSilvestro,	McCreesh,	Scarlett,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yosko,
Freed,	McMenamin,	Snowden,	Wood,
Haluska,			Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1605, as follows:

An Act authorizing allocations to the Treasury Department and the Department of the Auditor General from the appropriation to the Department of Public Assistance Act 27-A approved June thirtieth one thousand nine hundred and fifty-one for the administrative expenses in auditing and disbursing the appropriations made by said act during the month of August one thousand nine hundred fifty-one

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Out of the moneys appropriated by Section one of Act 27-A approved June thirtieth one thousand nine hundred fifty-one there is hereby allocated to the Treasury Department the sum of sixty thousand dollars (\$60,000) and to the Department of the Auditor General the sum of twenty-five thousand dollars (\$25,000) to pay the administrative expenses of said departments in auditing and



disbursing the appropriation made by said act during the month of August one thousand nine hundred fifty-one

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bane,	Hare,	McPherson, Jr.	Stevenson.
Barr,	Holland,	Meade,	Stiefel,
Barrett,	Kephart,	Neff,	Taylor,
Berger,	Kessler,	Pechan,	Toole,
Blass,	Lane,	Peelor,	Wade,
Byrne,	Leader,	Probert,	Wagner,
Chapman,	Letzler,	Robinson,	Walker,
Crowe,	Mahanay,	Rosenfeld,	Watkins,
Diehm,	Mallery,	Ruth,	Watson,
DiSilvestro,	McCreesh,	Scarlett,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yosko,
Freed,	McMenamin,	Snowden,	Wood,
Haluska,			Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1611, as follows:

An Act making an appropriation to the Department of Welfare for the purpose of administering the "Pennsylvania Hospital Survey and Construction Act of 1947"

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of eight thousand dollars (\$8,000) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Welfare for the purpose of administering the provisions of the "Pennsylvania Hospital Survey and Construction Act of 1947" for the two fiscal years beginning June first one thousand nine hundred fifty-one and in addition to said amount all moneys received from the Federal Government and from other sources for such purposes shall be credited to the appropriation made by this act

Section 2 When approved by the Governor the appropriation in the act providing moneys for the purposes herein indicated for the biennium will be reduced by the amount appropriated by this act

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bane,	Hare,	McPherson, Jr.	Stevenson.
Barr,	Holland,	Meade,	Stiefel,
Barrett,	Kephart,	Neff,	Taylor,
Berger,	Kessler,	Pechan,	Toole,
Blass,	Lane,	Peelor,	Wade,
Byrne,	Leader,	Probert,	Wagner,
Chapman,	Letzler,	Robinson,	Walker,
Crowe,	Mahanay,	Rosenfeld,	Watkins,
Diehm,	Mallery,	Ruth,	Watson,
DiSilvestro,	McCreesh,	Scarlett,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yosko,
Freed,	McMenamin,	Snowden,	Wood,
Haluska,			Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No 1612, as follows:

An Act making an appropriation for the payment of expenses incurred by the State Council of Civil Defense The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of forty-five thousand dollars (\$45,000) or as much thereof as may be necessary is hereby appropriated to the State Council of Civil Defense for the payment of salaries wages postage printing and other necessary expenses incurred for the two fiscal years beginning June first one thousand nine hundred fifty-one

Section 2 When approved by the Governor the appropriation in the act providing moneys for the purposes herein indicated for the biennium will be reduced by the amount appropriated by this act

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bane,	Hare,	McPherson, Jr.	Stevenson.
Barr,	Holland,	Meade,	Stiefel,
Barrett,	Kephart,	Neff,	Taylor,
Berger,	Kessler,	Pechan,	Toole,
Blass,	Lane,	Peelor,	Wade,
Byrne,	Leader,	Probert,	Wagner,
Chapman,	Letzler,	Robinson,	Walker,
Crowe,	Mahanay,	Rosenfeld,	Watkins,
Diehm,	Mallery,	Ruth,	Watson,
DiSilvestro,	McCreesh,	Scarlett,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yosko,
Freed,	McMenamin,	Snowden,	Wood,
Haluska,			Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1613, as follows:

An Act making an appropriation to the Department of Public Instruction including proceeds of publications sold for the purpose of revising the curricula of elementary secondary and vocational schools

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of two thousand five hundred dollars (\$2,500) or as much thereof as may be necessary is hereby appropriated to the Department of Public Instruction for the purpose of revising the elementary secondary and vocational curricula in the public schools of the Commonwealth in accordance with the provisions of Act 551 approved July seven one thousand nine hundred forty-seven (P. L. 1427) for the two fiscal years commencing June first one thousand nine hundred fifty-one



Section 2 All moneys collected from the sale of any publications issued pursuant to said act shall be paid into the General Fund and credited to the foregoing appropriation and are hereby appropriated for the same purposes in addition to the amount hereinbefore appropriated

Section 3 When approved by the Governor the appropriation in the act providing moneys for the purposes herein indicated for the biennium will be reduced by the amount appropriated by this act

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bane,	Hare,	McPherson, Jr.	Stevenson,
Barr,	Holland,	Meade,	Stiefel,
Barrett,	Kephart,	Neff,	Taylor,
Berger,	Kessler,	Pechan,	Toole,
Blass,	Lane,	Peelor,	Wade,
Byrne,	Leader,	Propert,	Wagner,
Chapman,	Letzler,	Robinson,	Walker,
Crowe,	Mahany,	Rosenfeld,	Watkins,
Diehm,	Mallery,	Ruth,	Watson,
DiSilvestro,	McCreesh,	Scarlett,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yosko,
Freed,	McMenamin,	Snowden,	Wood,
Haluska,			Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1614, as follows:

An Act making an appropriation to the State Tax Equalization Board for payment of necessary expenses

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of fifty thousand dollars (\$50,000) or as much thereof as may be necessary is hereby specifically appropriated to the State Tax Equalization Board for the payment of salaries of the members of the Board and its employes for payments to county commissioners under the provisions of Section nine of Act 447 approved June 27 1947 (P. L. 1046) and for the payment of the costs of supplies equipment and all other necessary expenses incurred in the carrying out of its work during the fiscal biennium beginning the first day of June one thousand nine hundred fifty-one

Section 2 When approved by the Governor the appropriation in the act providing moneys for the purposes herein indicated for the biennium will be reduced by the amount appropriated by this act

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bane,	Hare,	McPherson, Jr.,	Stevenson,
Barr,	Holland,	Meade,	Stiefel,
Barrett,	Kephart,	Neff,	Taylor,
Berger,	Kessler,	Pechan,	Toole,

Blass,	Lane,	Peelor,	Wade,
Byrne,	Leader,	Propert,	Wagner,
Chapman,	Letzler,	Robinson,	Walker,
Crowe,	Mahany,	Rosenfeld,	Watkins,
Diehm,	Mallery,	Ruth,	Watson,
DiSilvestro,	McCreesh,	Scarlett,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yosko,
Freed,	McMenamin,	Snowden,	Wood,
Haluska,			Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1615, as follows

An Act making an appropriation to the State Veterans' Commission for the expenses of the commission furnishing certain assistance to needy Pennsylvania veterans of any war or their dependents for participation in certain defense activities for the rehabilitation and care of veterans including the acquisition of land by purchase condemnation or gift and construction of buildings for such purpose

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one hundred thousand dollars (\$100,000) or as much thereof as may be necessary is hereby appropriated to the State Veterans' Commission for the two fiscal years beginning June first one thousand nine hundred fifty-one for the payment of traveling expenses and other authorized disbursements of the commission salaries wages and expenses of its employes for furnishing funds to provide the necessities of life for and to assist otherwise such Pennsylvania veterans of any war or the widows and infant children or dependents of such veterans as are sick disabled or indigent and who are without means for planning and providing for the rehabilitation and care of veterans and for the acquisition of land by purchase condemnation or gift and the construction of buildings with the approval of the Governor as may be deemed necessary for the rehabilitation and care of veterans

Section 2 When approved by the Governor the appropriation in the act providing moneys for the purposes herein indicated for the biennium will be reduced by the amount appropriated by this act

And said bill having been read at length the third time, and agreed to,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bane,	Hare,	McPherson, Jr.	Stevenson,
Barr,	Holland,	Meade,	Stiefel,
Barrett,	Kephart,	Neff,	Taylor,
Berger,	Kessler,	Peelor,	Toole,
Blass,	Lane,	Propert,	Wade,
Byrne,	Leader,	Pechan,	Wagner,
Chapman,	Letzler,	Robinson,	Walker,
Crowe,	Mahanay,	Rosenfeld,	Watkins,
Diehm,	Mallery,	Ruth,	Watson,
DiSilvestro,	McCreesh,	Scarlett,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yosko,
Freed,	McMenamin,	Snowden,	Wood,
Haluska,			Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.



Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1616, as follows:

An Act making an appropriation to the Department of Mines for the purpose of administering the provisions of "The Coal Mine Sealing Act of 1947"

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one hundred twenty thousand dollars (\$120,000) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Mines for the purpose of administering the provisions of "The Coal Mine Sealing Act of 1947" for the two fiscal years beginning June first one thousand nine hundred fifty-one

Section 2 When approved by the Governor the appropriation in the act providing moneys for the purposes herein indicated for the biennium will be reduced by the amount appropriated by this act

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Bane,	Hare,	McPherson, Jr.,	Stevenson,
Barr,	Holland,	Meade,	Stiefel,
Barrett,	Kephart,	Neff,	Taylor,
Berger,	Kessler,	Pechan,	Toole,
Blass,	Lane,	Peelor,	Wade,
Byrne,	Leader,	Propert,	Wagner,
Chapman,	Letzler,	Robinson,	Walker,
Crowe,	Mahanay,	Rosenfeld,	Watkins,
Diehm,	Mallery,	Ruth,	Watson,
DiSilvestro,	McCreesh,	Scarlett,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yosko,
Freed,	McMenamin,	Snowden,	Wood,
Haluska,			Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1617, as follows:

An Act making an appropriation for the maintenance repair and improvement of the Port of Philadelphia

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of twenty-five thousand dollars (\$25,000) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Wharves Docks and Ferries of the City of Philadelphia for the maintenance repair and improvement of the Port of Philadelphia for the two fiscal years beginning June first one thousand nine hundred fifty-one

The moneys so appropriated shall only be expended as authorized and directed by the Council of the City of Philadelphia and shall be drawn from the State Treasury upon warrants drawn by the Auditor General upon requisition by the Director of the Department of Wharves Docks and Ferries of said city

Section 2 When approved by the Governor the appro-

priation in the act providing moneys for the purposes herein indicated for the biennium will be reduced by the amount appropriated by this act

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Bane,	Hare,	McPherson, Jr.	Stevenson,
Barr,	Holland,	Meade,	Stiefel,
Barrett,	Kephart,	Neff,	Taylor,
Berger,	Kessler,	Pechan,	Toole,
Blass,	Lane,	Peelor,	Wade,
Byrne,	Leader,	Propert,	Wagner,
Chapman,	Letzler,	Robinson,	Walker,
Crowe,	Mahanay,	Rosenfeld,	Watkins,
Diehm,	Mallery,	Ruth,	Watson,
DiSilvestro,	McCreesh,	Scarlett,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yosko,
Freed,	McMenamin,	Snowden,	Wood,
Haluska,			Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1618, as follows:

An Act making an appropriation to aid certain school districts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of two thousand dollars (\$2,000) is hereby specifically appropriated to the Department of Public Instruction for the purpose of aiding financially handicapped and distressed school districts in such sums and in such manner as the Superintendent of Public Instruction shall determine and for defraying the necessary cost for the administration thereof for the two fiscal years beginning June first one thousand nine hundred fifty-one

Section 2 When approved by the Governor the appropriation in the act providing moneys for the purposes herein indicated for the biennium will be reduced by the amount appropriated by this act

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Bane,	Hare,	McPherson, Jr.	Stevenson,
Barr,	Holland,	Meade,	Stiefel,
Barrett,	Kephart,	Neff,	Taylor,
Berger,	Kessler,	Pechan,	Toole,
Blass,	Lane,	Peelor,	Wade,
Byrne,	Leader,	Propert,	Wagner,
Chapman,	Letzler,	Robinson,	Walker,
Crowe,	Mahanay,	Rosenfeld,	Watkins,
Diehm,	Mallery,	Ruth,	Watson,
DiSilvestro,	McCreesh,	Scarlett,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yosko,
Freed,	McMenamin,	Snowden,	Wood,
Haluska,			Presiding Officer



## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1619, as follows:

An Act making an appropriation to the Department of Labor and Industry to meet the obligation of the Commonwealth to pay a part of the compensation payable for certain occupational diseases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of forty thousand dollars (\$40,000) or as much thereof as may be necessary is hereby appropriated to the Department of Labor and Industry for the payment of amounts payable from time to time during the two fiscal years beginning June first one thousand nine hundred fifty-one by the Commonwealth as its share of the compensation payable to claimants for certain occupational diseases in accordance with agreements entered into or awards handed down under the provisions of the "Occupational Disease Compensation Act" approved the second day of July one thousand nine hundred thirty-seven (P. L. 2714) or "The Pennsylvania Occupational Disease Act" approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 566) as the case may be and for the payment of any such amounts whatsoever due and payable prior to May thirty-first one thousand nine hundred fifty-one

Section 2 When approved by the Governor the appropriation in the act providing moneys for the purposes herein indicated for the biennium will be reduced by the amount appropriated by this act

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bane,	Hare,	McPherson, Jr.	Stevenson,
Barr,	Holland,	Meade,	Stiefel,
Barrett,	Kephart,	Neff,	Taylor,
Berger,	Kessler,	Pechan,	Toole,
Blass,	Lane,	Peelor,	Wade,
Byrne,	Leader,	Propert,	Wagner,
Chapman,	Letzler,	Robinson,	Walker,
Crowe,	Mahanay,	Rosenfeld,	Watkins,
Diehm,	Mallery,	Ruth,	Watson,
DiSilvestro,	McCreesh,	Scarlett,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yosko,
Freed,	McMenamin,	Snowden,	Wood,
Haluska,			Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1620, as follows:

An Act making an appropriation to the Department of Labor and Industry for the payment of additional workmen's compensation in cases of second injuries

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of two thousand dollars (\$2,000) or as much thereof as may be necessary is hereby appropriated to the Department of Labor and Industry for the two fiscal years beginning the first day of June one thousand nine hundred fifty-one for the payment of additional workmen's compensation payable by the Commonwealth in cases of second injuries under the provisions of section three hundred six point one of the Workmen's Compensation Law as added by the act approved the twenty-ninth day of May one thousand nine hundred forty-five (P. L. 1186)

Section 2 When approved by the Governor the appropriation in the act providing moneys for the purposes herein indicated for the biennium will be reduced by the amount appropriated by this act

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bane,	Hare,	McPherson, Jr.	Stevenson,
Barr,	Holland,	Meade,	Stiefel,
Barrett,	Kephart,	Neff,	Taylor,
Berger,	Kessler,	Pechan,	Toole,
Blass,	Lane,	Peelor,	Wade,
Byrne,	Leader,	Propert,	Wagner,
Chapman,	Letzler,	Robinson,	Walker,
Crowe,	Mahanay,	Rosenfeld,	Watkins,
Diehm,	Mallery,	Ruth,	Watson,
DiSilvestro,	McCreesh,	Scarlett,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yosko,
Freed,	McMenamin,	Snowden,	Wood,
Haluska,			Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1621, as follows:

An Act making an appropriation to The Brandywine Battlefield Park Commission for the payment of necessary expenses

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one thousand dollars (\$1,000) or as much thereof as may be necessary is hereby specifically appropriated to The Brandywine Battlefield Park Commission for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the commission and to maintain the lands or structures acquired under the provision of Act 517 approved July 5 1947 (P. L. 1293) for the two fiscal years beginning June 1 1951

Section 2 When approved by the Governor the appropriation in the act providing moneys for the purposes herein indicated for the biennium will be reduced by the amount appropriated by this act

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:



## YEAS—49

Bane,	Hare,	McPherson, Jr.	Stevenson.
Barr,	Holland,	Meade,	Stiefel,
Barrett,	Kephart,	Neff,	Taylor,
Berger,	Kessler,	Pechan,	Toole,
Blass,	Lane,	Peelor,	Wade,
Byrne,	Leader,	Probert,	Wagner,
Chapman,	Letzler,	Robinson,	Walker,
Crowe,	Mahanay,	Rosenfeld,	Watkins,
Diehm,	Mallery,	Ruth,	Watson,
DiSilvestro,	McCreesh,	Scarlett,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yosko,
Freed,	McMenamin,	Snowden,	Wood,
Haluska,			Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

## HOUSE MESSAGES

RESOLUTION RECALLING FROM THE GOVERNOR  
HOUSE BILL NO. 548

The Clerk of the House of Representatives being introduced presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, August 15, 1951.

Resolved, (If the Senate concur), That House Bill No. 548, Printer's No. 663, entitled:

An Act to amend Subsection (c) of Section 823, and to add Section 823.1 and 823.2 to the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905) entitled "Vehicle Code," by providing that certificates of inspection shall contain a description of the vehicle including manufacturer's serial number and providing penalties for counterfeiting, theft, removal or transfer of certificates of inspection.

be recalled from the Governor for further amendments.

Ordered, That the Clerk inform the House of Representatives accordingly.

RESOLUTION RECALLING FROM THE GOVERNOR  
HOUSE BILL NO. 269

He also presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, August 15, 1951.

Resolved, (If the Senate concur), That House Bill No. 269, Printer's No. 184, entitled:

An Act to amend the act, approved the tenth day of March, one thousand nine hundred forty-five (P. L. 30), entitled "Public School Code of 1949," by providing for the establishment by the Department of Public Instruction of a standardized driver-training program in the public schools and providing for assistance to school districts in certain cases.

be recalled from the Governor for further amendments.

Ordered, That the Clerk inform the House of Representatives accordingly.

RESOLUTION RECALLING FROM THE GOVERNOR  
HOUSE BILL NO. 270

He also presented extract from the Journal of the House

of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, August 15, 1951.

Resolved, (If the Senate concur), That House Bill No. 270, Printer's No. 172, entitled:

An Act to add Section 2511.2 to the act approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 301), entitled "Public School Code of 1949," by providing for payments to school districts and vocational school districts on account of employment of highway safety education instructors.

be recalled from the Governor for further amendments.

Ordered, That the Clerk inform the House of Representatives accordingly.

RESOLUTION RECALLING FROM THE GOVERNOR  
HOUSE BILL NO. 1338

He also presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, August 15, 1951.

Resolved, (If the Senate concur), That House Bill No. 1338, Printer's No. 780, entitled:

An Act to further amend Section 713 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "Vehicle Code," by increasing the fee for learner's permits; and appropriating the increase for teaching of safe driving of motor vehicles.

be recalled from the Governor for further amendments.

Ordered, That the Clerk inform the House of Representatives accordingly.

## GENERAL COMMUNICATION

## PUBLIC UTILITY COMMISSION'S "REPORT OF ACCIDENTS INVOLVING THE FACILITIES OR OPERATIONS OF TRANSPORTATION AND SERVICE UTILITIES AND CONTRACT CARRIERS"

The CHAIR cleared his table and laid before the Senate the following communication which was read by the Clerk:

COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Harrisburg, August 1, 1951.

Honorable Lloyd H. Wood,  
Lieutenant Governor,  
Harrisburg, Pennsylvania.

Dear Mr. Wood:

On behalf of the members of the Public Utility Commission, I am handing you herewith the Commission's "Report of Accidents Involving the Facilities or Operations of Transportation and Service Utilities and Contract Carriers" for the year 1950.

Very truly yours,

J. A. WALTER, Secretary.

The PRESIDING OFFICER. The report will be noted in the Journal.

## BILLS INTRODUCED AND REFERRED

Mr. YOSKO. Mr. President, I ask unanimous consent to introduce bills at this time.



The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. YOSKO read in place and presented to the Chair Senate Bill No. 829, entitled:

An Act to amend Section 908 of the act, approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 1053), entitled "An act relating to the regulation of public utilities; defining as public utilities certain corporations, companies, associations, and persons; providing for the regulation of public utilities, including, to a limited extent, municipalities engaging in public utility business, by prescribing, defining, and limiting their duties, powers, and liabilities, and regulating the exercise, surrender, or abandonment of their powers, privileges, and franchises; defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle; conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons, associations, companies, and corporations, including, to a limited extent, municipal corporations subject to this act, and administering the provisions of this act; authorizing the commission to fix temporary rates; placing the burden of proof on public utilities to sustain their rates and certain other matters; authorizing a permissive or mandatory sliding scale method of regulating rates; providing for the supervision of financial and contractual relations between public utilities and affiliated interests, and supervision and regulation of accounts and securities or obligations issued, assumed or kept by persons, associations, companies, corporations, or municipal corporations subject to this act; conferring upon the commission power to vary, reform, or revise certain contracts; conferring upon the commission the exclusive power to regulate or order the construction alteration, relocation, protection, or abolition of crossings of facilities of public utilities, and of such facilities by or over public highways, to appropriate property for the construction or improvement of such crossings, and to award or apportion resultant costs and damages; authorizing owners of such property to sue the Commonwealth for such damages; providing for ejectment proceedings in connection with the appropriation of property for crossings; conferring upon the commission power to control and regulate budgets of public utilities; imposing upon persons, associations, companies and corporations (except municipal corporations) subject to regulation, the cost of administering this act; prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action; giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings; prescribing penalties, fines, and imprisonment for violations of the provisions of this act and regulations and orders of the commission, and the procedure for enforcing such fines and penalties; and repealing legislation supplied and superseded by or inconsistent with this act," by providing for the periodic inspection of facilities used by public utilities for the transportation of passengers.

Which was committed to the Committee on State Gov-

He also read in his place and presented to the Chair Senate Bill No. 830, entitled:

A Supplement to the act, approved the thirteenth day of June, one thousand nine hundred forty-seven (P. L. 1154), entitled "An act to prohibit the manufacture and sale of oleomargarine or butterine and other similar products when colored in imitation of yellow butter; to provide for license fees to be paid by manufacturers, wholesale and retail dealers, and by proprietors of hotels, restaurants, dining-rooms, and boarding houses; for the manufacture or sale of oleomargarine, butterine or other similar products not colored in imitation of yellow butter; to regulate the manufacture, sale and advertising of oleo-

margarine, butterine or other similar products, not colored in imitation of yellow butter; and prevent and punish fraud and deception in such manufacture, sale and advertising as an imitation butter; to prescribe penalties; and punishment for violation of this act and the means and method of procedure for its enforcement; to regulate certain powers and duties of the Department of Agriculture," by authorizing the sale of oleomargarine in bulk to institutions supported in whole or in part with public funds.

Which was committed to the Committee on Agriculture.

## SECOND READING CALENDAR

### BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 134, entitled:

An Act to amend further Section 5 of the act approved the thirteenth day of June one thousand eight hundred and thirty-six (P. L. 551) entitled "An act relating to roads highways and bridges" as amended by extending the width of a public road in the instance of multiple lane highways to increase the maximum width by the additional footage that shall be necessary in the judgment of the Secretary of Highways for center or dividing strips.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 253, entitled:

An Act to further amend clause (2) of Section 12 of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employees serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by further providing for disability retirement allowances of persons able to engage in gainful occupations.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 356, entitled:

An Act to further amend the act approved the second day of May one thousand nine hundred forty-five (P. L. 382) entitled "An act providing for the incorporation as bodies corporate and politic of "Authorities" for municipalities counties and townships prescribing the rights powers and duties of such Authorities heretofore or hereafter



incorporated authorizing such Authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such Authorities authorizing such Authorities to enter into contracts with and accept grants from the Federal Government or any agency thereof and conferring exclusive jurisdiction on certain courts over rates" by extending the provisions thereof to school districts for limited purposes changing provisions for incorporation withdrawal from and joinder in Authorities amendment of articles of incorporation boards of Authorities and citizenship of members thereof and providing for extensions of corporate transfers of existing facilities to Authorities and conveyances of projects upon termination or assumption of liabilities.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 361, entitled:

An Act to further amend section 6 of the act, approved the nineteenth day of June one thousand nine hundred eleven (P. L. 1055) entitled "An act authorizing the release on probation of certain convicts instead of imposing sentences the appointment of probation and parole officers and the payment of their salaries and expenses regulating the manner of sentencing convicts in certain cases and providing for their release on parole their conviction of crime during parole and extending the powers and duties of boards of prison inspectors of penitentiaries" by further regulating the manner of sentencing of convicts in certain cases.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 512, entitled:

An Act to amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by directing the issuance of special registration plates to war amputees and paralytics and exempting such

persons from the payment of certain fees in connection with motor vehicles.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 596, entitled:

An Act to amend Section 2 of the act approved the eighteenth day of April one thousand nine hundred twenty-three (P. L. 75) entitled "An act authorizing the courts of common pleas to change the name of persons prescribing the procedure and the effect of the decree thereon" by reducing the time in which the petition shall be heard.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 634, on second reading, entitled:

An Act to amend the act approved the first day of June one thousand nine hundred fifteen (P. L. 701) entitled "An act regulating the payment of persons in the employ of the Commonwealth" by providing for pay-days every two weeks.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

### BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 713, entitled:

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing boards of school directors to enter into contracts with and make appropriations to the county board of school directors for services further providing for the appointment and payment of a secretary and a treasurer of the county board of school directors and auditing the treasurer's accounts and providing for the assessment of school districts for special services furnished by the county board of school directors.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 745, on second reading, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of



the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments board and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by creating the Pennsylvania Library Council prescribing its powers and duties providing for a State librarian and for certification of libraries and librarians and for minimum standards for public library service

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

### BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 791, entitled:

An Act to amend Section 1 of the act approved the fifteenth day of May one thousand nine hundred thirty-nine (P. L. 134) entitled "An act relating to fireworks defining fireworks prohibiting the sale offering or exposing for sale and use of fireworks except in certain cases authorizing cities boroughs towns and townships to issue permits for fireworks displays and to regulate the same imposing duties on the Pennsylvania Motor Police sheriffs police officers and constables and providing penalties" by prohibiting the sale offering or exposing for sale and use of devices by which missiles or projectiles are discharged.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 795, entitled:

An Act vesting and confirming in cities of the second class all right title interest of the Commonwealth in certain streets lanes and alleys within such cities

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 811, on second reading, entitled:

An Act to add section 1501.1 to the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning township of the second class and amending revising and changing the law relating thereto" by empowering township super-

visors to compel connection with and use of sewer systems constructed by municipal authorities to impose penalties to enforce regulations and orders and to connect properties of owners failing or neglecting to make connection

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

### BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 816, entitled:

An Act to facilitate vehicular traffic across the Commonwealth by providing for the construction operation and maintenance of a turnpike from a connection with the Pennsylvania Turnpike System at such point west of the Susquehanna River as the Pennsylvania Turnpike Commission may decide is most feasible and practicable to a point on or near the boundary line between the Commonwealth of Pennsylvania and the State of Maryland and conferring powers and imposing duties on the Pennsylvania Turnpike Commission authorizing the issuance of turnpike revenue bonds notes or other obligations of the Commonwealth payable solely from revenues of the Commission including tolls or from such funds as may be available to the Commission for that purpose to pay the cost of such turnpike providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act providing for the collection of tolls for the payment of such bonds notes or other obligations and for the cost of maintenance operation and repair of the turnpike making such turnpike bonds notes or other obligations exempt from taxation constituting such bonds legal investments in certain instances requiring suits against the Commission to be brought in Dauphin County prescribing conditions on which such turnpike shall become free providing for grade separations grade changes relocations restorations and vacation of public roads and State highways affected by the turnpike providing for the purchasing or condemnation of land and procedure for determining damages in condemnation granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the Commission and authorizing the issuance of turnpike revenue refunding bonds

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 822, entitled:

An Act to amend clause (7) of Section 2401 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for appointment of school auditors to fill vacancies in such office in union school districts

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.



The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 823, entitled:

An Act to amend the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by providing for the payment of service increments to such employes in addition to their retirement allowances

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 976, on second reading, entitled:

An Act to amend Section 1 of the act approved the twentieth day of May one thousand nine hundred forty-nine (P. L. 1489) entitled "An act providing for a two-platoon system for firemen employed and paid by cities of the second class A and fixing the maximum hours of service in any one day or week for such platoons, with certain exceptions" by further prescribing the maximum hours of service for such employes in any one week

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1027 on second reading, entitled:

An Act to amend subsection (b) of Section 4 of the act approved the twenty-third day of May one thousand nine hundred forty-five (P. L. 903) entitled "An act authorizing cities of the third class to establish an optional retirement system for officers and employes independently of any pension system or systems existing in such cities" limiting rights to involuntary retirement and providing for the reinstatement of certain persons to the pension rolls of certain cities

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

### BILL ON SECOND READING AMENDED

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1056, entitled:

An Act to further amend clause (q) of section seven hundred thirty-one of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by providing additional penalties

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. MAHANY offered the following amendments:

Amend Sec. 1, (Sec. 731), page 2, lines 15 and 16, by inserting a bracket before the word "or" where it appears the second time in line 15, and by inserting a bracket

after the word "transport" in line 16; Amend Sec. 1, (Sec. 731), page 3, line 1, by inserting after the word "thereof" the following: "in excess of fifteen pounds"; Amend Sec. 1, (Sec. 731), page 3, line 3, by inserting after the word "thereof" the following: "in excess of fifteen pounds"; Amend Sec. 1, (Sec. 731), page 3, line 4, by inserting after the word "thereof" the following: "in excess of fifteen pounds"; Amend Sec. 1, (Sec. 731), page 3, by inserting between lines 6 and 7, the following: "V. Each raccoon or part thereof twenty-five dollars"; Amend Sec. 1, (Sec. 731), page ), line 8, by striking out all of said line.

They were agreed to.

The section was agreed to as amended.

The second section was read and agreed to.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. MAHANY offered the following amendment:

Amend Title, page 1, last line of Title, by striking out said line and inserting in lieu thereof: "changing certain penal provisions."

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

### BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that House Bill No. 1056, on second reading, go over in its order as amended.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

### BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1064, entitled:

An Act to amend Section 1132 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by conferring jurisdiction on the County Court of Allegheny County in certain cases of appeal from decisions of the Superintendent of Public Instruction

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1185, entitled:

An Act to further amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to



private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing school directors of the third class to elect an associate superintendent in lieu of a district superintendent prescribing his powers and duties and fixing his compensation

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1237, entitled:

An Act to amend section 1 of the act approved the sixth day of May one thousand nine hundred twenty-nine (P. L. 1557) entitled "An act permitting the sale of mortgaged real estate under a judgment upon the bond accompanying such mortgage to be made by the sheriff upon a writ of fieri facias without inquisition and without any other writ" by extending the provisions thereof to promissory notes accompanying mortgages

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1318, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of Clarion State Teachers College to acquire certain tracts of land for the use of Clarion State Teachers College and making an appropriation

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1351, on second reading, entitled:

An Act to further amend subsection C of Section 1 of the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 1145) entitled "An act empowering cities of the second class cities of the second class A cities of the third class boroughs towns townships of the first class school districts of the second class districts of the third class and school districts of the fourth class to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes and permitting penalties to be imposed and enforced providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court" by excluding taxes imposed on real property transfers in certain school districts in determining tax limitations

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1378, on second reading, entitled:

An Act providing for the examination licensure and registration of persons firms or corporations engaged in the business or work of plumbing or house and building drainage and prescribing certain rules regulations and requirements for the construction of plumbing house and building drainage and cesspools in cities of the second class second class A and third class and imposing fines penalties and forfeitures for violation thereof and providing for administration of this act by county departments of health or joint-county departments of health in cities of the second class second class A and third class which are within the jurisdiction of such departments of health and repealing certain laws

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

### BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1431, entitled:

An Act providing for the licensure and regulation of commercial boarding homes for the aged conferring certain powers and duties upon the Department of Welfare imposing license fees and providing penalties

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1482, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire by gift suitable ground and buildings to be used by the Department of Welfare as a State training school for female juvenile delinquents

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1484, entitled:

An Act to facilitate vehicular traffic across the Commonwealth by providing for the construction operation and maintenance of a turnpike from a connection with the Pennsylvania Turnpike System at such point east of the Susquehanna River as the Pennsylvania Turnpike Commission may decide is most feasible and practicable to a point on or near the boundary line between the Commonwealth of Pennsylvania and the State of New York between the Susquehanna and Delaware Rivers and conferring powers and imposing duties on the Pennsylvania Turnpike Commission authorizing the issuance of turnpike revenue bonds notes or other obligations of the Commonwealth payable solely from revenues of the Commission including tolls or from such funds as may be available to the Commission for that purpose to pay the



cost of such turnpike providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act providing for the collection of tolls for the payment of such bonds notes or other obligations and for the cost of maintenance operation and repair of the turnpike making such turnpike bonds notes or other obligations exempt from taxation constituting the same legal investments in certain instances requiring suits against the Commission to be brought in Dauphin County prescribing conditions on which such turnpike shall become free providing for grade separations grade changes relocations restorations and vacation of public roads and State highways affected by the turnpike providing for the purchasing or condemnation of land and procedure for determining damages in condemnation granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the Commission and authorizing the issuance of turnpike revenue refunding bonds

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1507, entitled:

An Act to further amend section seven hundred six and subsection (c) of section nine hundred three of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by increasing the fee for annual registration and the maximum gross weight allowed for certain two-wheeled semitrailers

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1508, on second reading, entitled:

An Act to amend Section 3 of the act approved the twenty-eighth day of July one thousand nine hundred forty-one (P. L. 535) entitled "An act providing for the redemption of real property purchased by political subdivisions at tax sales upon the payment of the amount charged against the same and costs by installment payments and prescribing the procedure therefor" by providing that default in the payment of any installment

when due or the payment of current taxes shall terminate the right of redemption

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1513, on second reading, entitled:

An Act to amend Section 412 of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1242) entitled "An act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto" by defining the estate of substitute rights of way for public service companies and requiring conveyance thereof

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

### BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1526, entitled:

An Act authorizing the Department of Property and Supplies to exchange certain lands located in Penn Township Snyder County Pennsylvania necessary for the better administration of the Selinsgrove State Colony for Epileptics

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1552, entitled:

An Act to amend subsection (d) of section 4 and section 9.1 of the act approved the thirty-first day of March one thousand nine hundred forty-nine (P. L. 372) entitled "An act to promote the welfare of the people of the Commonwealth creating The General State Authority as a body corporate and politic with power to construct improve equip furnish and operate projects and to lease the same and to fix fees rentals and charges for the use thereof authorizing and regulating the issuance of bonds for said Authority and providing for the payment of such bonds and the rights of the holders thereof and to enter into agreements with the Government of the United States or any Federal agency and authorizing the Department of Property and Supplies to grant assign convey or lease to the Authority lands of the Commonwealth and interests therein and to acquire lands therefor granting the right of eminent domain empowering The General State Authority to sell and convey projects and property to the Commonwealth and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act" by authorizing the leasing of wholly or partially completed projects of the General State Authority

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.



## BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1577, on second reading entitled:

An Act fixing the salary of the Director of the Legislative Reference Bureau.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

## BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1628, entitled:

An Act to amend the title and certain sections of and to add new sections to the act approved the thirtieth day of June one thousand nine hundred forty-seven (P. L. 1154) entitled "An act to prohibit the manufacture and sale of oleomargarine or butterine and other similar products when colored in imitation of yellow butter to provide for license fees to be paid by manufacturers wholesale and retail dealers and by proprietors of hotels restaurants dining-rooms and boarding-houses for the manufacture or sale of oleomargarine butterine or other similar products not colored in imitation of yellow butter to regulate the manufacture sale and advertising of oleomargarine butterine or other similar products not colored in imitation of yellow butter and prevent and punish fraud and deception in such manufacture sale and advertising as an imitation butter to prescribe penalties and punishment for violation of this act and the means and method of procedure for its enforcement to regulate certain matters of evidence in such procedure and to prescribe certain powers and duties of the Department of Agriculture" by permitting the manufacture and except in certain cases the sale of colored oleomargarine butterine and similar products.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

## FIRST READING CALENDAR

## BILL ON FIRST READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 587, entitled:

An Act providing a method for the reestablishment of townships of the first class from any city to which they have been annexed regulating the proceedings pertaining thereto and reestablishing the same as separate school districts.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

## BILL POSTPONED

Mr. WALKER. Mr. President, I move that House Bill No. 587, the bill just read, be placed on the Second Reading Postponed Calendar.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

## BILLS ON FIRST READING

Mr. WALKER. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 177, entitled:

An Act to further amend sections two hundred three and two hundred four of the act, approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 624) entitled, as amended, "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private bankers and employees' mutual banking associations; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers and employees' mutual banking associations, and of the officers, directors, trustees, shareholders, attorneys, and other employees of all such corporations, employees' mutual banking associations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts," by further restricting changes in location of principal places of business of banking institutions and by limiting the establishment and maintenance of branch banks to counties in which the principal places of business of banking institutions are located.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 620, entitled:

An Act to amend clause (b) of section 207 of the act approved the twelfth day of April one thousand nine hundred fifty-one (Act No. 21) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State Liquor Stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" by further providing for the fixing of sale prices for Pennsylvania liquor stores.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 959, entitled:



An Act to amend the act approved the twelfth day of April one thousand nine hundred fifty-one (Act No. 21) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" by further regulating and limiting the issuance of distributors' and importing distributors' licenses and further regulating sales by licensees

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1030, entitled:

An Act to further amend Section 643 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by prohibiting minors from delivering liquor or malt and brewed beverages.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1039, entitled:

An Act to amend sections 401 and 406 of the act approved the twelfth day of April one thousand nine hundred fifty-one (Act No. 21) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" by permitting certain sales of liquor for consumption off the premises

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1060, entitled:

An Act to amend the act approved the twelfth day of April one thousand nine hundred fifty-one (Act No. 21) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic

liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" by making the serving of food optional with certain licensees and changing certain requirements relating to the serving of food.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1085, entitled:

An Act to amend the act approved the twelfth day of April one thousand nine hundred fifty-one (P. L. Act No. 21) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" by making the establishment and operation of Pennsylvania liquor stores and the granting of malt and brewed beverage distributors licenses subject to local option and providing where tie vote occurs on local question the status quo obtains.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1100, entitled:

An Act to amend sections 464 and 471 of the act approved the twelfth day of April one thousand nine hundred fifty-one (Act No. 21) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" by further defining the powers of courts on appeal.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1196, entitled:



An Act to amend clause (15) of the second paragraph of Section 493 of the act approved the twelfth day of April one thousand nine hundred fifty-one (Act No. 21) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcoholic malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" by making the cashing receiving handling or negotiating of Public Assistance checks or the cashing of payroll checks by licensees of the Pennsylvania Liquor Control Board an unlawful act.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1205, entitled:

An Act defining analytical-biochemical-biological laboratory regulating the operation of the same requiring such laboratories to obtain permits and to be operated under the direct supervision of qualified persons imposing certain duties upon the Department of Health and providing penalties.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1286, entitled:

An Act authorizing the Commonwealth to negotiate temporary emergency loans to defray current and other expenses of the State government during any fiscal biennium evidenced by tax anticipation notes secured by and payable from current revenues of any current biennium levied assessed collectible and accruing during such fiscal biennium defining the powers and duties of the Governor the Auditor General and the State Treasurer in relation thereto providing for the payment of interest on and the repayment of such loans and making an appropriation.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1326, entitled:

An Act to further amend the act approved the nineteenth day of March one thousand nine hundred nine (P. L. 46) entitled "An act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic Examiner to provide for the examining and licensing of osteopaths in this State and to provide penalties for the violation of this act" by providing for the licensing without examination of persons licensed by the provinces of the Dominion of Canada in certain cases.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1356, entitled:

An Act to amend sections one eight and thirteen of the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 940) entitled "An act relating to boarding houses for children providing for the licensing and inspection thereof and the adoption of rules and regulations for the maintenance operation and conduct thereof by the Department of Welfare defining offenses and prescribing penalties" by redefining "boarding houses for children" providing for an advisory committee with which the department shall confer in adopting rules and regulations and increasing penalties

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1357, entitled:

An Act to amend the act approved the fourteenth day of April one thousand nine hundred and twenty-five (P. L. 234) entitled "An act relating to Boarding Houses for Infants providing for the licensing thereof and the adoption of rules and regulations for the maintenance operation and conduct thereof by the Department of Welfare and fixing penalties" by redefining "boarding houses for infants" eliminating license fees providing for an advisory committee with which the Department shall confer in adopting rules and regulations and increasing penalties.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1505, entitled:

An Act to amend the act approved the twelfth day of June one thousand nine hundred thirty-one (P. L. 510) entitled "An act providing for the licensure and regulation of certain private nursing homes and private hospitals conferring certain powers and duties upon the Department of Welfare and providing penalties" by further providing for the licensure and regulation of such nursing homes and hospitals.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1506, entitled:

An Act to amend the act approved the twelfth day of April one thousand nine hundred fifty-one (P. L. 90) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" by further providing for transfers of certain retail liquor and retail dispenser licenses and changing the quota provisions.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.



Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1562, entitled:

An Act to amend sections one and two of the act approved the twenty-third day of May one thousand nine hundred forty-five (P. L. 926) entitled "An act for the protection of the public health by regulating the conduct and operation of public eating and drinking places within this Commonwealth requiring their licensing imposing certain duties on the Department of Health of this Commonwealth and on the local health authorities and providing penalties" by providing for the licensing of public eating or drinking places by county departments of health or joint-county departments of health in certain political subdivisions

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1645, entitled:

An Act transferring money from the World War II Veterans' Compensation Fund to the World War II Veterans' Compensation Sinking Fund for the purpose of meeting interest and sinking fund requirements on World War II Veterans' Compensation Bonds.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

The PRESIDENT pro tempore (M. Harvey Taylor) in the Chair.

## HOUSE MESSAGES

### HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION

The Clerk of the House of Representatives being introduced, informed the Senate that the House has concurred in resolution from the Senate as follows:

### TIME OF NEXT MEETING

In the Senate, August 13, 1951.

Resolved, (if the House of Representatives concur), that when the Senate adjourned this week, it reconvene on Monday, August 20, 1951, at two o'clock P. M., Eastern Standard Time; and when the House of Representatives adjourns this week, it reconvene on Monday, August 20, 1951, at three-thirty o'clock P. M., Eastern Standard Time.

### HOUSE CONCURS IN AMENDING TO HOUSE BILL No. 1292

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1292, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "Vehicle Code," by providing for reports of sales of vehicles to nonresidents, the transportation of dangerous substances, and the inspection of dealers' premises; further regulating the administrative powers of the department, the licensing, suspension, and revocation of operators and operating privileges, and the operation and equipment of vehicles; changing certain fees, and powers and jurisdiction of peace officers, magistrates, aldermen, and justices of the peace; and prescribing additional enforcement and penal provisions.

## BILLS SIGNED

The President pro tempore (M. Harvey Taylor) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 161, entitled:

A Joint Resolution proposing an amendment to section eight, article five of the Constitution of the Commonwealth of Pennsylvania, authorizing the Court of Common Pleas of Allegheny County to detail one or more of the judges of the County Court to hold the courts of oyer and terminer and the courts of quarter sessions of the peace of said county.

House Bill No. 235, entitled:

A Joint Resolution proposing an amendment to section one article nine of the Constitution of the Commonwealth of Pennsylvania making special provision for the taxation of private forest reserves.

House Bill No. 445, entitled:

An Act to amend Section 11 of the act, approved the twenty-seventh day of June, one thousand nine hundred forty-seven (P. L. 1095) entitled "Anthracite Strip Mining Law," by clarifying the requirement for back-filling adjacent to highways.

House Bill No. 531, entitled:

An Act to further amend Section 1 of the act, approved the eighth day of June, one thousand eight hundred ninety-three (P. L. 344, No. 284), entitled "An act relating to husband and wife, enlarging her capacity to acquire and dispose of property, to sue and be sued, and to make a last will and enabling them to sue and to testify against each other in certain cases," clarifying the prohibition against a married woman's right to sell real estate without the joinder of her husband.

House Bill No. 532, entitled:

An Act to reenact Section 802 of the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 289), entitled "Nonprofit Corporation Law," relating to approval of joint plans of merger or consolidation of nonprofit corporations by the members thereof, in order to clarify effect of prior amendments.

House Bill No. 534, entitled:

An Act to further amend Section 1304 of the act approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "Public School Code of 1949," by changing the provisions relating to admission of beginners.

House Bill No. 1290, entitled:

An Act to amend section one of the act, approved the nineteenth day of May, one thousand eight hundred and ninety-seven (P. L. 77), entitled "An act granting the permission and regulating the establishment and operation of bone boiling establishments and depositories of dead animals in the Commonwealth of Pennsylvania, and providing for violations of the provisions of this act," by adding the requirement that permission to erect or operate such establishments in counties which have organized a county department of health or joint-county department of health must be obtained from the county department of health or joint-county department of health.



## House Bill No. 1292, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "Vehicle Code," by providing for reports of sales of vehicles to nonresidents, the transportation of dangerous substances, and the inspection of dealers' premises; further regulating the administrative powers of the department, the licensing, suspension, and revocation of operators and operating privileges, and the operation and equipment of vehicles; changing certain fees, and powers and jurisdiction of peace officers, magistrates, aldermen, and justices of the peace; and prescribing additional enforcement and penal provisions.

## House Bill No. 1300, entitled:

An Act to amend section one, two, three and five, as amended, of the act approved the fifth day of June, one thousand nine hundred thirteen (P. L. 443), entitled "An act for the prevention of blindness, by requiring the reporting of cases of ophthalmia neonatorum (inflammation of the eyes of infants) by physicians, midwives and others, and requiring the reporting of results of treatment of each case of said disease, and fixing a penalty for violation thereof," by adding county departments of health or joint-county departments of health to the health authorities to which cases of ophthalmia neonatorum must be reported.

## House Bill No. 1301, entitled:

An Act to further amend section fifteen of the act, approved the nineteenth day of June, one thousand nine hundred and thirty-one (P. L. 589), entitled as amended, "Barber License Law," by adding counties which have established a county department of health or joint-county department of health to the political subdivisions empowered to regulate barber shops by ordinances or regulations not inconsistent with law.

## House Bill No. 1303, entitled:

An Act to provide revenue for State purposes by imposing a property tax for a limited period of time on the net incomes derived from sources within the Commonwealth of certain corporations joint-stock associations and limited partnerships excluding certain income providing for the assessment collection settlement and re-settlement of taxes and reviews and appeal therefrom conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties

## House Bill No. 1311, entitled:

An Act to amend section four hundred forty-seven of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "General County Law," by deleting those provisions which require such counties to cooperate with the State Department of Health and boroughs and first class townships; and deleting those provisions which prescribe the appointment of health officers, the approval of appointments by the State Department of Health, and the powers and duties of appointees.

## House Bill No. 1333, entitled:

An Act to amend sections five and eighteen of the act, approved the second day of July, one thousand nine hundred and thirty-five (P. L. 589), entitled "Milk Sanitation Law," by adding counties which have established or joined in establishing county departments of health to those municipalities which may be constituted agents of the Secretary of Health for the purpose of issuance of milk permits and by adding county department of health regulations to those municipal ordinances not affected by the act.

## House Bill No. 1334, entitled:

An Act to amend section one of the act, approved the seventh day of April, one thousand nine hundred twenty-seven (P. L. 144), entitled "An act authorizing boards of health to require roving bands, or bands of nomads, commonly called gypsies, declared to be nuisances or menaces to health, to leave municipalities, and providing penalties," by adding county departments of health and joint-county departments of health as alternate health authorities which may make findings and issue orders under the act.

## House Bill No. 1348, entitled:

An Act to amend Section 1 of the act approved the eighth day of May one thousand nine hundred one (P. L. 150) entitled "An act providing for the raising of revenue for State purposes by imposing upon certain foreign corporations limited partnership and joint-stock associations a bonus of one-third of one per centum upon the capital actually employed in Pennsylvania and requiring the filing of certain reports in the office of the Auditor General" by exempting from the provisions thereof foreign nonprofit corporations

## House Bill No. 1376, entitled:

An Act to further amend subsection (f) of section four hundred forty-eight and to amend section two thousand one hundred eleven of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "Administrative Code of 1929," by reconstituting the Advisory Health Board and further prescribing its powers and duties.

## House Bill No. 1377, entitled:

An Act to amend sections two, four, five, and six of the act, approved the second day of July, one thousand eight hundred and ninety-five (P. L. 428), entitled "An act to regulate and license public lodging-houses in the different cities in this Commonwealth," by adding county departments of health and joint-county departments of health to the health authorities empowered by act to render certificates, make inspections, and adopt rules and regulations.

Whereupon,

The President pro tempore (M. Harvey Taylor) in the presence of the Senate signed the same.

## INTERROGATION

Mr. YOSKO. Mr. President, I desire to interrogate the gentleman from Bucks, Senator Watson.

The PRESIDENT pro tempore. Will the gentleman from Bucks, Mr. Watson, permit himself to be interrogated?

Mr. WATSON. Yes, Mr. President.

Mr. YOSKO. Senator Watson, what is the present status of the confirmation of Milo F. Draemel, Secretary of the Department of Forests and Waters?

Mr. WATSON. Mr. President, as far as I know, it is under the table.

Mr. YOSKO. Thank you.

## ADJOURNMENT

Mr. WALKER. Mr. President, I move that the Senate do now adjourn until Monday, August 20, 1951, at 2:00 o'clock, p. m., Eastern Standard Time.

Mr. WADE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 12:50 o'clock, p. m., Eastern Standard Time, until Monday, August 20, 1951, at 2:00 o'clock, p. m., Eastern Standard Time.



## HOUSE OF REPRESENTATIVES

WEDNESDAY, August 15, 1951

The House met at 11:00 a. m. EST.

The SPEAKER (Herbert P. Sorg) in the Chair.

## PRAYER

Reverend John Yates, guest Chaplain and Pastor of the Presbyterian Church, Harrisburg offered the following prayer:

Most merciful God grant, we pray Thee that the Members of this House may be guided and strengthened for the service which they are rendering to all the people of this Commonwealth, through Jesus Christ our Lord. Amen.

## JOURNAL APPROVED

The SPEAKER. Are there any corrections to the Journal of Tuesday, August 14, 1951? If not, and without objection, the Journal is approved.

## PERMISSION GRANTED COMMITTEES TO MEET DURING SESSION

Mr. REAGAN asked and obtained permission for the Committee on Townships to meet during the session of the House.

Mr. BOWER asked and obtained permission for the Committee on Elections and Apportionment to meet during the session of the House.

## BILLS INTRODUCED AND REFERRED

By Mr. REAGAN. HOUSE BILL No. 1671.

An Act to amend Section 902 of the act, approved the first day of June, one thousand nine hundred forty-five (P. L. 1242), entitled "An act relating to roads, streets, highways and bridges; amending, revising, consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto," by requiring the supervisors of townships of the second class to furnish the Department of Highways copies of petitions, ordinances, agreements and resolutions laying out or vacating public roads.

Referred to the Committee on Townships.

By Mr. RONALD L. THOMPSON.

HOUSE BILL No. 1672.

An Act making an appropriation to the Department of Justice for continuation of its investigation of improper conduct of governmental affairs in Allegheny County.

Referred to the Committee on Appropriations.

By Mr. NAUGLE.

HOUSE BILL No. 1673.

An Act authorizing the prothonotaries of the several courts of common pleas of this Commonwealth, with the approval of the county commissioners to provide an ad-section judgment index and fixing the fees of the prothonotaries therefor.

Referred to the Committee on Judiciary.

By Mr. WILBUR H. HAMILTON.

HOUSE BILL No. 1674.

An Act authorizing certain officers in cities of the first class and in school districts of the first class coterminus

therewith to abate penalties and interest on unpaid city and school real estate taxes under certain conditions.

Referred to the Committee on Education.

## REPORTS FROM COMMITTEES

Mrs. MARKLEY from the Committee on Motor Vehicles, reported as committed, House Bill No. 744, entitled:

An Act to amend Article VIII of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by requiring overhead exhaust outlets on diesel motor vehicles.

Mr. CLENDENING from the Committee on Motor Vehicles, reported as committed, House Bill No. 1401, entitled:

An Act to further amend subsection (a) of Section 722 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeiture, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by including the Civil Air Patrol among the organizations exempt from payment of fees for vehicles used by such organization.

## RESOLUTIONS

RECALLING HOUSE BILL No. 548 FROM THE GOVERNOR

Mr. PAUL F. JONES offered the following resolution which was twice read, considered and adopted:



In the House of Representatives, August 10, 1951.

Resolved (if the Senate concur), that House Bill No. 548, Printer's No. 663, entitled "An act to amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled 'An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds' by providing penalties for theft removal or transfer of certificates of inspection," be recalled from the Governor for further amendments.

Ordered, That the Clerk present the same to the Senate for concurrence.

#### RECALLING HOUSE BILL No. 269 FROM THE GOVERNOR

Mr. TOOMEY offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, August 15, 1951.

Resolved (if the Senate concur), that House Bill No. 269, Printer's No. 184, entitled "An act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled 'An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto' by providing for the establishment by the Department of Public Instruction of a standardized driver-training program in the public schools and providing for assistance to school districts in certain cases," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

#### RECALLING HOUSE BILL No. 270 FROM THE GOVERNOR

Mr. TOOMEY offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, August 15, 1951.

Resolved (if the Senate concur), that House Bill No. 270, Printer's No. 172, entitled "An act to add section 2511.2 to the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled 'An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto' by providing for payments to school districts and vocational school districts on account of employment of highway safety education instructors," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

#### RECALLING HOUSE BILL No. 1338 FROM THE GOVERNOR

Mr. TOOMEY offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, August 15, 1951.

Resolved (if the Senate concur), that House Bill No. 1338, Printer's No. 789, entitled "An act to further amend Section 713 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled 'An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds' by increasing the fee for learner's permits and appropriating the increase for teaching of safe driving of motor vehicles," be recalled from the Governor for proposed amendments.

Ordered, That the Clerk present the same to the Senate for concurrence.

#### SENATE MESSAGE

#### TIME OF NEXT MEETING

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, August 13, 1951.

Resolved, (if the House of Representatives concur), that when the Senate adjourns this week, it reconvene on Monday, August 20, 1951, at two o'clock p. m., Eastern Standard Time; and when the House of Representatives adjourn this week, it reconvene on Monday, August 20, 1951, at three-thirty o'clock p. m., Eastern Standard Time.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?  
It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

#### BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 240, entitled:

An Act to amend section two thousand five hundred nine of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by increasing reimbursement on account of courses for handicapped children.



And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 862, entitled:

An Act to add Section 510.1 to the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing school directors of school districts in townships of the second class to appoint special school police and defining the powers and duties of such police.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 967, entitled:

An Act to further amend the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" providing for disability leave with salary and hospital and medical expenses for employes of jails and workhouses in counties of the second class temporarily incapacitated in the performance of duties.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1350, entitled:

An Act to amend Section 2508 of the act approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for the allocation of funds to school districts for programs essential to the mobilization or demobilization of civilian manpower.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1497, entitled:

An Act to amend the act approved the twelfth day of June one thousand nine hundred fifty-one (Act No. 141) entitled "An act relating to mental health including mental illness mental defect epilepsy and inebriety and amending revising consolidating and changing the laws relating thereto" by changing and adding definitions further providing for the licensing of private institutions the functions of various State institutions the procedure relating to the admission commitment transfer escape discharge leave of absence care rights and employment of patients and in certain cases the costs incident thereto and relating to the appointment of guardians of the person removing inoperative and unnecessary provisions making editorial changes and adding and changing penalties.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1546, entitled:

An Act to amend Section 504 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further regulating the operation and maintenance of cafeterias by boards of school directors.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1553, entitled:

An Act to further amend section twenty-seven of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 748) entitled as amended "An act relating to and regulating the purchase and sale of securities providing for the registration and regulation of certain individuals and entities selling contracting to sell or dispose of attempting or offering to dispose of soliciting offers to buy or inducing holders thereof to exchange securities defined herein including securities issued by them or engaging in the business of inducing holders of securities to effect the sale thereof in order to produce funds to pay for other investments sold by them or in the business of buying securities directly from individuals who are not registered hereunder or in the business of advising others as to the value or investment qualifications of securities and the management of investment accounts and the solicitors of such investment advisers providing for the revocation and suspension of registrations conferring powers and imposing duties on the Pennsylvania Securities Commission and otherwise providing for the administration of this act providing for appeals to the Court of Common Pleas of Dauph County and to the Supreme Court of Pennsylvania conferring jurisdiction upon the several courts of common pleas to issue injunctions against violations of this act and to appoint receivers and prescribing fees and penalties" as previously reenacted and amended by increasing the fees charged by the Pennsylvania Securities Commission.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1580, entitled:

An Act to further amend subsection (a) of Section 672 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by changing the time for the levy and assessment of school taxes in certain cases.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1581, entitled:

An Act to amend the act approved the eleventh day of May one thousand nine hundred five (P. L. 518) entitled "An act making an appropriation for the erection of a home or school for indigent orphans to be called the



Thaddeus Stevens Industrial and Reform School of Pennsylvania in which school provision shall be made for giving instruction in reading writing arithmetic drawing duties of citizenship elementary manual training the elements of farming and other requisite branches" by further providing for the course of instruction and the admission of students at such institution and authorizing certain tuition charges for its use.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1588, entitled:

An Act to further amend Section 672 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by increasing the limitation on tax rates which may be levied and assessed for school purposes in districts of the second third and fourth class.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1589, entitled:

An Act to further amend Section 9 of the act approved the fifth day of July one thousand nine hundred forty-seven (P. L. 1217) entitled "An act to promote the education and educational facilities of the people of the Commonwealth of Pennsylvania creating a State Public School Building Authority as a body corporate and politic with power to construct improve and operate projects and to lease the same and to fix and collect fees rentals and charges for the use thereof authorizing school districts to enter into contracts to lease authorizing and regulating the issuance of bonds by said Authority and providing for the payment of such bonds and the rights of the holders thereof granting the right of eminent domain increasing the powers and duties of the Department of Public Instruction and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted under this act and making an appropriation to said Authority to pay expenses incident to its formation" by further providing for examination of the books and accounts of the Authority.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1599, entitled:

An Act providing for an expense allowance for members of the board of inspectors of the Berks County Prison.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1606, entitled:

An Act to further amend the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2681) entitled "An act relating to and regulating the manufacture storing and possession of explosives requiring permits for magazines and prescribing permit

fees and providing penalties" by regulating the transportation of explosives requiring permits for blasting including prosecution by the Pennsylvania State Police and otherwise extending the regulation of explosives and increasing fees

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1607, entitled:

An Act providing for the marking of liquified petroleum gas containers and prohibiting the refilling or use of such containers without authorization by the owner thereof authorizing the Department of Labor and Industry after public hearing to prescribe uniform regulations for safety in the design construction location installation and operation of equipment for storing handling transporting by tank truck or tank trailer and utilizing liquified petroleum gases for fuel purposes and for the odorization of said gases used therewith prohibiting the adoption by municipalities or other political subdivisions of ordinances or regulations in conflict with this act providing for prosecutions for violations of this act by summary proceedings and prescribing the penalty therefor

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1624, entitled:

An Act to further amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind, old age assistance and the State Emergency Relief Board" by further prescribing the powers and duties of the Department of Public Assistance and the local boards further defining "Assistance" and those persons eligible for assistance further prescribing residence requirements with respect to assistance changing the terms of county board members clarifying the provisions with respect to the payment to the United States of its share of moneys received by way of restitution prescribing additional penalties and repealing a certain act

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1637, entitled:

An Act to further amend sections two three and four of the act approved the eleventh day of June one thousand nine hundred thirty-five (P. L. 326) entitled "An act relating to counties of the first class defining deceased service persons providing for contributions by the county to the funeral expenses for such persons and their wives providing for the erection and care of markers headstones



and flags and for the compilation of war records" by removing limitation regulating contributions made by county commissioners towards funeral expenses of deceased service persons and their widows

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1639, entitled:

An Act defining and providing for the licensing and regulation of private driver education or training schools conferring powers and imposing duties on the Department of Public Instruction and imposing penalties

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1642, entitled:

An Act to further amend Sections 422, 423 and 424 of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by removing limitation regulating contributions made by county commissioners toward funeral expenses of deceased service persons and their widows

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1643, entitled:

An Act fixing the fees and mileage of the corner in counties of the sixth class

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 41, entitled:

A Supplement to the act approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "An act establishing a public school employees' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employees, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain said funds; imposing powers and duties upon the boards having the employment of public school employees; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by extending certain benefits heretofore granted to school employees entering the armed forces of the United States to certain other similarly qualified school employees.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 191, entitled:

An Act to further amend Section 671 of the act approved

the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing the change of the fiscal year by districts of the second class

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 319, entitled:

An Act to further amend Section 1 of the act approved the seventeenth day of June one thousand nine hundred thirteen (P. L. 507) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" by providing for the method of valuation of taxable shares of stock in any investment company registered as such with the Federal Securities and Exchange Commission.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 675, entitled:

An Act to further amend the act approved the sixth day of May one thousand eight hundred seventy-four (P. L. 125) entitled "An act regulating State tax on certain county offices" by increasing the maximum amount of fees that certain county officers may retain before being required to pay over half the excess to the county treasurer

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 677, entitled:

An Act to amend the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 973) entitled "An act relating to the annual salaries of certain county officers of counties of the fourth class" by increasing the salaries of certain county officers

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 678, entitled:

An Act to further amend the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 973) entitled "An act relating to the annual salaries of certain county officers of counties of the fourth class" by increasing the salaries of certain county officers

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 679, entitled:



An Act to amend the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 972) entitled "An act relating to the annual salaries of certain county officers of counties of the fifth class" by increasing the salaries of certain county officers

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 680, entitled:

An Act to amend the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 928) entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the sixth class" by increasing the salaries of certain county officers

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 681, entitled:

An Act to amend the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 971) entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the eighth class" by increasing the salaries of certain county officers

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 682, entitled:

An Act to amend the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 938) entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the seventh class" by increasing the salaries of certain county officers

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 688, entitled:

An Act to further amend Section 303 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2017) entitled: "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" by

directing that an allowance be paid to certain county controllers for the expenses pertaining to the institution district for a temporary period

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 723, entitled:

An Act to amend section 3 of the act approved the fifteenth day of June one thousand nine hundred thirty-nine (P. L. 359) entitled "An act relating to recognizances and official bonds of present and future sheriffs and coroners and to their sureties thereon imposing the expense of corporate suretyships on such obligations upon the several counties and various duties upon the courts of common pleas and county officers thereof authorizing the substitution of approved surety companies for individual or corporate sureties upon such obligations and the release of any surety upon any such recognizance by such recognizance by such court upon certain conditions dispensing with sureties on such recognizances but providing for the acknowledgement recording and indexing of same as liens on certain real estate regulating such liens and releases therefrom providing for refunds to sheriffs and coroners of certain premiums paid to sureties on their official bonds and recognizances and repealing inconsistent laws except as to existing claims or pending suits thereunder subject to certain limitations" by fixing the time the lien of such recognizances shall run including those heretofore executed

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 771, entitled:

An Act to further amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by empowering the board of school directors in every school district to insure all of its employes against liability for personal damages sustained by pupils or others as the result of the employes' negligence in the performance of his or her duties during the course of his or her employment

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 801, entitled:

An Act to further amend the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by permitting employes to make up back payments to the retirement system from time they entered school service and securing to employes the full benefits of the retirement system from the time they entered school service



And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 808, entitled:

An Act to further amend Section 1201 of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" by further providing for the sale of borough property

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

### BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1597, entitled:

An Act to amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by further providing for the execution of the forests powers and duties of the Department of Forests and Waters

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1644, entitled:

An Act declaring the Communist Party and similar revolutionary organizations illegal making membership in the Communist Party or any organization furthering the revolutionary conspiracy by force and violence a felony and providing penalties

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1647, entitled:

An Act to add section three hundred twenty-seven to the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by making it a crime to picket or parade in or near any building housing a court of

the Commonwealth of Pennsylvania with the intent of influencing any judge juror witness or court officer in the discharge of his duty and prescribing penalties

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

### BILLS PASSED OVER

There being no objection.

Senate Bill No. 653, Printer's No. 407.

Senate Bill No. 654, Printer's No. 449.

Senate Bill No. 655, Printer's No. 378.

Senate Bill No. 656, Printer's No. 405 and

Senate Bill No. 729, Printer's No. 402

were passed over at the request of the SPEAKER.

### BILLS ON FINAL PASSAGE RECALLED FROM GOVERNOR

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1269, as follows:

An Act to amend Section 15 of the act approved the twenty-second day of April one thousand eight hundred fifty (P. L. 438) entitled "An act to secure the cities of Pittsburgh and Allegheny and the neighborhood thereof from damage by gun-powder to incorporate an association for the establishment of a house of refuge for western Pennsylvania and relative to the Pennsylvania State Lunatic hospital" by changing the maximum age for the commitment of delinquents to the Pennsylvania Training School at Morganza and changing admission requirements relative thereto  
The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 15 of the act approved the twenty-second day of April one thousand eight hundred fifty (P. L. 438) entitled "An act to secure the cities of Pittsburgh and Allegheny and the neighborhood thereof from damage by gun-powder to incorporate an association for the establishment of a house of refuge for western Pennsylvania and relative to the Pennsylvania State Lunatic hospital" as repealed in part by the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 932) is hereby amended to read as follows

Section 15 That it shall be lawful for the [board of managers of said house of refuge at their discretional Board of Trustees of the Pennsylvania Training School at Morganza to receive into their care and guardianship infants males under the age of [twenty-one] eighteen years and females under the age of [twenty-one] eighteen years committed to their custody [in either of the following modes to] [wit] by any juvenile court any quarter sessions court or any court of oyer and terminer

[First Infants committed by an alderman or justice of the peace on the complaint and due proof made thereof by the parent guardian or next friend of such infant that by reason of incorrigible or vicious conduct such infant has rendered his or her control beyond the power of such parent guardian or next friend and made it manifestly requisite that from regard to the morals and future welfare of such infant he or she should be placed under the guardianship of the managers of the said house of refuge]

[Second Infants committed by the authority aforesaid where complaint and due proof have been made that such infant is a proper subject for the guardianship of the managers of the said house of refuge in consequence of vagrancy or of incorrigible or vicious conduct and that from the moral depravity or otherwise of the parent or guardian or next friend in whose custody such infant may be such parent guardian or next friend is incapable or unwilling to exercise the proper care and discipline over such incorrigible or vicious infant]



[Third Infants who shall be taken or committed as vagrants or upon any criminal charge or duly convicted of criminal offenses as may in the judgment of the court of oyer and terminer or of the court of quarter sessions of the peace of any county within the western district [and the said managers] The board shall have power to place the said children committed to their care during their minority at such employment and cause them to be instructed in such branches of useful knowledge as may be suitable to their years and capacities and they shall have power at their discretion to bind out the said children with their consent as apprentices during their minority to such persons and at such places to learn such proper trades and employments as in their judgment will be most conclusive to the reformation and amendment and will tend to the future benefit and advantage of such children

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—205

Amarando,	Good,	Markley,	Rovansek,
Andrews,	Goodling,	Maxwell,	Royer,
Banker,	Graybill,	Mazza,	Rubin,
Barkdoll,	Greenwood,	McConnell,	Sarra,
Baumunk,	Greer,	McCormack,	Sax,
Bear,	Guarnieri,	McCullough,	Scanlon,
Beaver,	Gutendorf,	McDermitt,	Schmidt,
Beech,	Guthrie,	McGee,	Schuster,
Berkstresser,	Hagerty,	McInroy,	Scott,
Blair,	Hall,	McKinney,	Seyler,
Bloom,	Hamilton, R. K.,	McMillen,	Shoemaker,
Boles,	Hamilton, W. H.,	McNally,	Shotwell,
Bolton,	Harney,	Metz,	Smith,
Bomberger,	Haudenschild,	Mihm,	Snider,
Boorse,	Headlee,	Mikula,	Sollenberger,
Bower,	Helm,	Miller, H. G.,	Spencer,
Breisch,	Hersch,	Miller, J. C.,	Stank,
Breth,	Hewitt,	Mills,	Stimmel,
Brown,	Hocker,	Mintess,	Stoner,
Bucchin,	Hoggard,	Monroe,	Swartz,
Byrne,	Hunter,	Moore, C. E.,	Swope,
Cella,	Jenkins,	Moore, H. A.,	Tahl,
Clapper,	Johnson,	Moran,	Taylor,
Clendenning,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Cochran,	Jones, J. M.,	Munley,	Thompson, R. L.,
Conway,	Jones, P. F.,	Murray,	Toll,
Cooper,	Jones, T. H. W.,	Musto,	Tompkins,
Corr,	Kamyk,	Najaka,	Toomey,
Costa,	Keller,	Naugle,	VanSant,
Coyle,	Kent,	Needham,	Varallo,
Dalrymple,	Kline,	Olsen,	Varnier,
Davis,	Kohl,	Penglase,	Verona,
Dennison,	Kolankiewicz,	Peta,	Wachhaus,
Dougherty,	Kornick,	Petrosky,	Wargo,
Dowling,	Kratz,	Pettigrew,	Waterhouse,
Duffy,	Kubacki,	Pfaff,	Watkins,
DuBois,	Lafore,	Pichney,	Weidner,
Dunn,	Lederer,	Pitzer,	Welsh,
Erb,	Lelsey,	Polaski,	Wescott,
Ewing,	Leonard, L.,	Polen,	Westrick,
Fenrich,	Leonard, W. C.,	Price, H. W. Jr.,	White,
Ferster,	Leven,	Price, R. A.,	Williams,
Filip,	Light,	Readinger,	Wilt,
Filo,	Limper,	Reagan,	Wood,
Firmstone,	Loftus,	Reese,	Yeakel,
Flack,	Lopresti,	Reidenbach,	Yester,
Frost,	Lovett,	Reilly, J. M.,	Yetzer,
Gaffney,	Lutty,	Rigby,	Young,
Geer,	Lyons,	Riley, R. L.,	Ziegler,
Gibson,	Madden,	Robertson,	Sorg,
Gleason,	Madigan,	Rose,	Speaker
		Rosen,	

#### NAYS—0

#### NOT VOTING—2

Jump, Whalley,

The majority required by the Constitution having

voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1270, as follows:

An Act providing for the commitment and transfer of certain female juvenile delinquents to the Pennsylvania Training School for Girls or to certain other institutions and imposing duties on the courts of this Commonwealth and the Department of Welfare relative thereto The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Upon the completion of the new Pennsylvania Training School for Girls in accordance with the provisions of the act approved the fifteenth day of May one thousand nine hundred forty-five (P. L. 574) entitled "An act authorizing a State training school for female juvenile delinquents creating a board of trustees to supervise and manage such institution making the admission and cost of care and maintenance of such juvenile delinquents" the Department of Welfare shall transfer from the Pennsylvania Training School at Morganza Pennsylvania all females who are then detained therein and all books papers records and documents relating to such females to the Pennsylvania Training School for Girls Thereafter all commitments of females which were heretofore made by the courts of this Commonwealth to the Pennsylvania Training School at Morganza shall be made to the Pennsylvania Training School for Girls The Department of Welfare shall advise all of the courts of this Commonwealth of the date after which commitments shall be made to the new school

Section 2 The Department of Welfare may transfer from the Pennsylvania Training School at Morganza all females who are therein detained and all books papers records and documents relating to such females to any state institution acquired for the purpose of carrying out the provisions of said act and all commitments of females made by the courts of this Commonwealth to the Pennsylvania Training School at Morganza may be made to such state institution so acquired

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—205

Amarando,	Goodling,	Mazza,	Royer,
Andrews,	Graybill,	McConnell,	Rubin,
Banker,	Greenwood,	McCullough,	Sarra,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McDermitt,	Scanlon,
Bear,	Gutendorf,	McGee,	Schmidt,
Beaver,	Guthrie,	McInroy,	Schuster,
Beech,	Hagerty,	McKinney,	Scott,
Berkstresser,	Hall,	McMillen,	Seyler,
Blair,	Hamilton, R. K.,	McNally,	Shoemaker,
Bloom,	Hamilton, W. H.,	Metz,	Shotwell,
Boles,	Harney,	Mihm,	Snider,
Bolton,	Haudenschild,	Mikula,	Sollenberger,
Bomberger,	Headlee,	Miller, H. G.,	Spencer,
Boorse,	Helm,	Miller, J. C.,	Stank,
Bower,	Hersch,	Mills,	Stimmel,
Breisch,	Hewitt,	Mintess,	Stoner,
Breth,	Hocker,	Monroe,	Swartz,
Brown,	Hoggard,	Moore, C. E.,	Swope,
Bucchin,	Hunter,	Moore, H. A.,	Tahl,
Byrne,	Jenkins,	Moran,	Taylor,
Cella,	Johnson,	Muldowney,	Thompson, E. F.,
Clapper,	Jones, G. E.,	Munley,	Thompson, R. L.,
Clendenning,	Jones, J. M.,	Murray,	Toll,
Cochran,	Jones, P. F.,	Musto,	Tompkins,
Conway,	Jones, T. H. W.,	Najaka,	Toomey,
Cooper,	Kamyk,	Naugle,	



Corr,	Keller,	Needham,	VanSant,
Costa,	Kent,	Olsen,	Varallo,
Coyle,	Kline,	Penglase,	Varner,
Dalrymple,	Kohl,	Peta,	Verona,
Davis,	Kolankiewicz,	Petrosky,	Wachhaus,
Dennison,	Kornick,	Pettigrew,	Wargo,
Dougherty,	Kratz,	Pfaff,	Waterhouse,
Dowling,	Kubacki,	Pichney,	Watkins,
DuBois,	Lafore,	Pitzer,	Weldner,
Duffy,	Lederer,	Polaski,	Welsh,
Dunn,	Lelsey,	Polen,	Wescott,
Erb,	Leonard, L.,	Price, H. W. Jr.,	Westrick,
Ewing,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Fenrich,	Leven,	Readinger,	White,
Ferster,	Light,	Reagan,	Williams,
Filip,	Limper,	Reese,	Wilt,
Filo,	Loftus,	Reidenbach,	Wood,
Firmstone,	Lopresti,	Reilly, J. M.,	Yeakel,
Flack,	Lovett,	Rigby,	Yester,
Frost,	Lutty,	Riley, R. L.,	Yetzer,
Gaffney,	Lyons,	Robertson,	Young,
Geer,	Madden,	Rose,	Ziegler,
Gibson,	Madigan,	Rosen,	Sorg,
Gleason,	Markley,	Rovansek,	Speaker
Good,	Maxwell,		

NAYS—0

NOT VOTING—2

Jump, Whalley,

The majority required by the Constitution having voted in the affirmative, the question was determined to the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

## BILLS ON FINAL PASSAGE

## BILLS PASSED OVER

There being no objection

House Bill No. 390, Printer's No. 874  
was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1006, as follows:

An Act fixing the minimum salaries for tipstaves in the courts of record in counties of the fourth class

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The salaries of tipstaves in the courts of record in counties of the fourth class shall be fixed by the salary board of such counties at an amount not less than seven dollars (\$7) per days the provisions of this act shall not apply in counties in which tipstaves are paid on a monthly basis

Section 2 All acts and parts of acts are hereby repealed in so far as they are inconsistent with the provisions of this act

Section 3 The provisions of this act shall become effective the first day of January one thousand nine hundred fifty-two

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Scanlon,
Barkdoll,	Greer,	McCormack,	Sarraf,
Baumunk,	Guarnieri,	McCullough,	Sax,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,

Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudensheld,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Mills,	Stank,
Breisch,	Hewitt,	Mintess,	Stimmel,
Breth,	Hocker,	Monroe,	Stoner,
Brown,	Hoggard,	Moore, C. E.,	Swartz,
Bucchin,	Hunter,	Moore, H. A.,	Swope,
Byrne,	Jenkins,	Moran,	Tahl,
Cella,	Johnson,	Muldowney,	Taylor,
Clapper,	Jones, G. E.,	Munley,	Thompson, E. F.,
Clendenning,	Jones, J. M.,	Murray,	Thompson, R. L.,
Conway,	Jones, P. F.,	Musto,	Toll,
Cochran,	Jones, T. H. W.,	Najaka,	Tompkins,
Cooper,	Kamyk,	Naugle,	Toomey,
Corr,	Keller,	Needham,	VanSant,
Costa,	Kent,	Olsen,	Varallo,
Coyle,	Kline,	Penglase,	Varner,
Dalrymple,	Kohl,	Peta,	Verona,
Davis,	Kolankiewicz,	Petrosky,	Wachhaus,
Dennison,	Kornick,	Pettigrew,	Wargo,
Dougherty,	Kratz,	Pfaff,	Waterhouse,
Dowling,	Kubacki,	Pichney,	Watkins,
DuBois,	Lafore,	Pitzer,	Weldner,
Duffy,	Lederer,	Polaski,	Welsh,
Dunn,	Lelsey,	Polen,	Wescott,
Erb,	Leonard, L.,	Price, H. W. Jr.,	Westrick,
Ewing,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Fenrich,	Leven,	Readinger,	White,
Ferster,	Light,	Reagan,	Williams,
Filip,	Limper,	Reese,	Wilt,
Filo,	Loftus,	Reidenbach,	Wood,
Firmstone,	Lopresti,	Reilly, J. M.,	Yeakel,
Flack,	Lovett,	Rigby,	Yester,
Frost,	Lutty,	Riley, R. L.,	Yetzer,
Gaffney,	Lyons,	Robertson,	Young,
Geer,	Madden,	Rose,	Ziegler,
Gibson,	Madigan,	Rosen,	Sorg,
Gleason,	Markley,	Rovansek,	Speaker
Good,			

NAYS—1

NOT VOTING—2

Miller, J. C.,

Jump, Whalley,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

## BILL PASSED OVER

There being no objection

House Bill No. 1557, Printer's No. 860  
was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the consideration on final passage of Senate Bill No. 249, as follows:

An Act to amend subsection (a) of section 411 of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1053) entitled "An act relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utility business by prescribing defining and limiting their duties powers and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and



duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale method of regulating rates providing for the supervision of financial and contractual relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alteration relocation protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulation the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" by relieving cities of the second class A and third class and the counties in which they are located from payment of damages occasioned by and costs of construction reconstruction repair and maintenance of certain bridges and viaducts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (a) of Section 411 of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1053) entitled "An act relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utility business by prescribing defining and limiting their duties powers and liabilities and regulating the exercise surrender and abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale method of regulating rates providing for the supervision of financial and contractual relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power

to regulate or order the construction alteration relocation protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulation the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" is hereby amended to read as follows

Section 411 Compensation for Damages Occasioned by Construction Relocation Protection Alteration or Abolition of Crossings (a) The compensation for damages which the owners of adjacent property taken injured or destroyed may sustain in the construction relocation alteration protection or abolition of any crossing under the provisions of this act shall after due notice and hearing be ascertained and determined by the commission Such compensation as well as the expense of such construction relocation alteration protection or abolition of any crossing shall be borne and paid as hereinafter provided by the public utilities or municipal corporations concerned or by the Commonwealth in such proper proportions as the commission may after due notice and hearing determine unless such proportions are mutually agreed upon and paid by the interested parties No part of such compensation and expenses of construction reconstruction repair and maintenance of any bridge or viaduct on a State highway taken over by the Department of Highways in a city of the second class A or third class shall be charged against the city or the county in which the city is located but in each case the charges which the city and county would have borne in the absence of such taking over shall be borne instead by the Commonwealth Any party to the proceeding dissatisfied with the determination of the commission may appeal therefrom as provided in section one thousand one hundred one of this act and for this purpose is hereby authorized to sue the Commonwealth Provided however That the commission may of its own motion or upon application of any party in interest submit to the court of common pleas of the county wherein the property affected is located the determination of the amount of damages to any property owner due to such condemnation for which purpose such court shall appoint viewers from whose award of damages an appeal to said court shall lie on the part of any person or party aggrieved thereby under the general law applicable to the appointment of viewers for the ascertainment of damages due to the condemnation of private property for public use

Section 2 All acts and parts of acts are hereby repealed in so far as they are inconsistent with the provisions of this act

Section 3 The provisions of this act shall become effective the first day of January one thousand nine hundred fifty-two

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—205

Amarando, Goodling, Mazza, Royer,



Andrews,	Graybill,	McConnell,	Rubin,
Banker,	Greenwood,	McCormack,	Sarraff,
Barkdoll,	Greer,	McCullough,	Sax,
Baumunk,	Guarnieri,	McDermitt,	Scanlon,
Bear,	Gutendorf,	McGee,	Schmidt,
Beaver,	Guthrie,	McInroy,	Schuster,
Beech,	Hagerty,	McKinney,	Scott,
Berkstresser,	Hall,	McMillen,	Seyler,
Blair,	Hamilton, R. K.,	McNally,	Shoemaker,
Bloom,	Hamilton, W. H.,	Metz,	Shotwell,
Boles,	Harney,	Mihm,	Smith,
Bolton,	Haudensfield,	Mikula,	Snider,
Bomberger,	Headlee,	Miller, H. G.,	Sollenberger,
Boorse,	Helm,	Miller, J. C.,	Spencer,
Bower,	Hersch,	Mills,	Stank,
Brelsche,	Hewitt,	Mintess,	Stimmel,
Breth,	Hocker,	Monroe,	Stoner,
Brown,	Hoggard,	Moore, C. E.,	Swartz,
Bucchin,	Hunter,	Moore, H. A.,	Swope,
Byrne,	Jenkins,	Moran,	Tahl,
Cella,	Johnson,	Muldowney,	Taylor,
Clapper,	Jones, G. E.,	Munley,	Thompson, E. F.,
Clendening,	Jones, J. M.,	Murray,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Musto,	Toll,
Conway,	Jones, T. H. W.,	Najaka,	Tompkins,
Cooper,	Kamyk,	Naugle,	Toomey,
Corr,	Keller,	Needham,	VanSant,
Costa,	Kent,	Olsen,	Varallo,
Coyle,	Kline,	Penglase,	Varnier,
Dalrymple,	Kohl,	Peta,	Verona,
Davis,	Kolankiewicz,	Petrosky,	Wachhaus,
Dennison,	Kornick,	Pettigrew,	Wargo,
Dougherty,	Kratz,	Pfaff,	Waterhouse,
Dowling,	Kubacki,	Pichney,	Watkins,
DuBois,	Lafore,	Pitzer,	Weidner,
Duffy,	Lederer,	Polaski,	Welsh,
Dunn,	Leisey,	Polen,	Wescott,
Erb,	Leonard, L.,	Price, H. W. Jr.,	Westrick,
Ewing,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Fenrich,	Leven,	Readinger,	White,
Ferster,	Light,	Reagan,	Williams,
Filip,	Limper,	Reese,	Wilt,
Filo,	Loftus,	Reidenbach,	Wood,
Firmstone,	Lopresti,	Reilly, J. M.,	Yeakel,
Flack,	Lovett,	Rigby,	Yester,
Frost,	Lutty,	Riley, R. L.,	Yetzer,
Gaffney,	Lyons,	Robertson,	Young,
Geer,	Madden,	Rose,	Ziegler,
Gibson,	Madigan,	Rosen,	Sorg,
Gleason,	Markley,	Rovansek,	Speaker
Good,	Maxwell,		

NAYS—0

NOT VOTING—2

Jump, Whalley,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the consideration on final passage of Senate Bill No. 456, as follows:

An Act to further amend the act approved the thirty-first day of May one thousand nine hundred forty-seven (P. L. 368) entitled "An act to protect consumers in the purchase for fuel purposes of the hard coal known as anthracite providing for and regulating the sale offering for sale resale delivery and shipment of anthracite according to a standard provided for in this act requiring producers and dealers and persons engaged in the sale and resale of anthracite from storage yards or otherwise to consumers to keep certain records conferring powers on the Anthracite Committee and its agents and providing penalties" by defining "Retail Dealer" "Wholesale Dealer" "Municipal Weighmaster" "Municipality" and

"Storage Place for Anthracite" requiring producers wholesale dealers and municipal weighmasters to issue certain statements and keep certain records imposing and changing penalties providing for the payment of fines for violations to the Commonwealth and providing for injunctions to restrain violations

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (d) of section 2 of the act approved the thirty-first day of May one thousand nine hundred forty-seven (P. L. 368) entitled "An act to protect consumers in the purchase for fuel purposes of the hard coal known as anthracite providing for and regulating the sale offering for sale resale delivery and shipment of anthracite according to a standard provided for in this act requiring producers and dealers and persons engaged in the sale and resale of anthracite from storage yards or otherwise to consumers to keep certain records conferring powers on the Anthracite Committee and its agents and providing penalties" is hereby amended to read as follows

Section 2 Definitions The following words and phrases as used in this act shall be construed to mean

\* \* \* \*

(d) "Retail Dealer" a person association partnership or corporation or his or its legal representative [purchasing anthracite for resale to consumers for fuel purposes and who maintain a place for the storage of anthracite] maintaining a place for the storage of anthracite who purchases anthracite for resale to consumers regardless of the quantity sold or who sells to a retail dealer in lots not exceeding 20,000 pounds in any one transaction

Section 2 Section 2 of said act is hereby amended by adding at the end thereof three new clauses to read as follows

Section 2 Definitions The following words and phrases as used in this act shall be construed to mean

\* \* \* \*

(1) "Wholesale Dealer" a person association partnership or corporation or his or its legal representative who purchases anthracite for resale to retail dealers in lots exceeding 20,000 pounds or one not maintaining a storage place for anthracite who sells anthracite to a consumer regardless of the quantity sold

(m) "Municipal Weighmaster" a licensed weighmaster designated by a municipality to weigh solid fuels destined for sale or delivery within the municipality

(n) "Municipality" a city borough incorporated town or township of the first class

(o) "Storage place for anthracite" an established place of business including a permanent office storage facilities for not less than 250 ton of anthracite and its own weighing scales

Section 3 Section 3 4 5 6 7 and 8 of said act as amended by the act approved the eighteenth day of May one thousand nine hundred forty-nine (P. L. 1467) are hereby further amended to read as follows

Section 3 Statements by Producers as to Quality of Anthracite Every producer shall issue with each sale and delivery at or railroad car or motor vehicle shipment of anthracite from his preparation plant to the operator of the motor vehicle or to the retail dealer or wholesale dealer or person to whom delivery is made or to be made a written or printed statement attesting that the anthracite so sold delivered or shipped is "Standard Anthracite" or "Substandard Anthracite" as the case may be [Such statement may be shown] In the case of shipments by motor vehicles such statement shall be placed on the weighmaster's certificate issued in conformity with the act approved the nineteenth day of July one thousand nine hundred thirty-five (P. L. 1356) entitled "An act to regulate the sale and delivery of solid fuel as herein defined providing for appointment of licensed weighmasters prescribing their powers and duties authorizing substitute licensed weighmasters imposing certain duties on the Department of Internal Affairs and providing penalties" and its amendments and in all other cases shall be placed on the invoice to the purchaser or consignee

In the case of anthracite hauled from a preparation plant directly to the consumer it shall be the duty of the oper-



ator of the motor vehicle to deliver [such] the producer's statement to the consumer [at the time the anthracite is delivered to him] simultaneously with the delivery of the anthracite which it attests In all other cases [it] the producer's statement shall be delivered to the retail dealer or wholesale dealer or person to whom delivery or shipment of the anthracite is made

It shall be unlawful for an operator of a motor vehicle to fail or neglect to deliver [any such] the producer's statement to the consumer retail dealer wholesale dealer or person to whom delivery or shipment of the anthracite is made or to deliver any substituted or forged statement [to a consumer] Provided That where the original weighmaster's certificate is surrendered to municipal authorities in conformity with an ordinance relating to the sale of fuel within a municipality and a new weighmaster's certificate issued as provided in section 4 of this act containing the attestations required by this section the operator of the motor vehicle may deliver the same in lieu of the original weighmaster's certificate

Section 4 Statements by Dealers and [Others] Municipal Weighmasters As to Quality of Anthracite Unlawful Acts Any retail dealer [operating a place of storage] or person hauling anthracite direct from a railroad car to a consumer or wholesale dealer who has had issued to him [by a producer] a producer's statement as required by section three of this act shall in the resale of such anthracite [so purchased issue on the weighmaster's certificate a written or printed statement and] deliver [the same] to the [consumer] person to whom delivery is made or to be made a written or printed statement attesting that the anthracite so sold is standard anthracite or substandard anthracite as the case may be Any municipal weighmaster who lawfully demands the surrender of the original weighmaster's certificate pursuant to the requirements of local ordinances regulating the sale of fuel within the municipality shall when a new weighmaster's certificate covering the shipment is issued place thereon a written or printed statement attesting that such anthracite is standard anthracite or substandard anthracite as the case may be

It [is] shall be unlawful for any retail dealer [or his or its] or wholesale dealer or any person hauling anthracite direct from a railroad car to a consumer or any other person by himself agent or employee to mix together standard anthracite and substandard anthracite designated as such on the producer's or wholesale dealer's statement for sale or resale purposes [in or at his place of storage or elsewhere] of the same or different size or to issue any statement attesting that anthracite [known by him to be wholly or partly substandard anthracite is standard anthracite]

A retail dealer or a person engaged in hauling anthracite from a railroad car direct to the consumer or wholesale dealer who has preserved his records as required by this act and who has not been guilty of making mixtures prohibited by this act or a municipal weighmaster shall be entitled to rely upon the producer's or wholesale dealer's statement [issued to him by a producer] and shall not be subject to prosecution under this act for issuing a statement in [accordance with] reliance on the producer's or wholesale dealer's statement [issued to him by the producer for] pertaining to the particular anthracite [purchased by him under] to which such statement relates

Section 5 Contents of Statements Statements issued under the provisions of sections three and four of this act by producers wholesale dealers retail dealers and persons hauling anthracite from a railroad car direct to the consumer and municipal weighmasters shall set forth in ink or indelible pencil the date of the sale resale or shipment of the anthracite to whom sold delivered or shipped [and] the size and weight of the anthracite the registration of the vehicle in which the anthracite is being transported and in the case of wholesale dealers and producers the railroad car number and the model of the vehicle in which the anthracite is transported Provided That any information appearing on the weighmaster's certificate need not be duplicated in the statement Each statement shall [have thereon the signature of] bear the name under

which the producer wholesale dealer retail dealer or other person [which may be a facsimile signature] does business and the signature or facsimile of the producer wholesale dealer retail dealer or other person if an individual or of an officer or partner if a corporation partnership or association or the signature or facsimile signature of the municipal weighmaster where a statement of quality is issued by such weighmaster under the provisions of this act

Section 6 Preservation of Records It shall be the duty of every producer to keep a record of all sales deliveries and shipments of anthracite showing the name of the person to whom sold or delivered the date thereof the size and net weight [and] the point of delivery the railroad car number the model and registration of the vehicle in which the anthracite was transported and whether the anthracite so sold delivered or shipped was sold delivered or shipped as standard anthracite or substandard anthracite

It shall be the duty of every wholesale dealer [and] retail dealer of every person engaged in hauling anthracite from a railroad car direct to a consumer and municipal weighmaster to keep [a record of] and retain all statements issued to or retained by him [by producers of anthracite] in accordance with the provisions of [section three of] this act [and also] It shall also be the duty of every retail dealer and every person engaged in hauling anthracite from a railroad car direct to a consumer and every municipal weighmaster to keep a duplicate [record] of the weighmaster's certificate and of every wholesale dealer of the invoice issued by [the dealer or other person] him in accordance with the provisions of section four of this act

All such records shall be written and preserved for a period of two years and shall be open to inspection by [the] duly accredited agents of the Commonwealth and of the Anthracite Committee during regular business hours

Section 7 Powers of Agents of Anthracite Committee Any duly accredited agent of the Commonwealth or of the Anthracite Committee shall have full access to every preparation plant and premises of a producer including railroad cars or railroad sidings and the storage yard and premises of every retail dealer and to any railroad car or motor vehicle transporting anthracite wherever the same may be and shall have the legal right to take samples of anthracite thereat or therefrom for the purpose of testing the same upon paying or tendering where demanded the value of the sample so taken and to examine the weighmaster's certificate or statement of quality accompanying the shipment as required by this act They shall have the right to inspect the books and records of every producer [and] retail dealer wholesale dealer municipal weighmaster and other persons required to keep records by this act relating to the sale resale reweighing shipment and delivery of anthracite Such agents shall make a report of all inspections and tests to the Anthracite Committee which shall be open to public inspection

Section 8 Penalty Any producer retail dealer wholesale dealer municipal weighmaster or other person who shall fail neglect or refuse to issue a statement when required to do so by section three or section four of this act or who shall issue any written or printed statement attesting that anthracite sold resold shipped delivered or marketed by him is standard anthracite when in fact such anthracite is wholly or partly substandard anthracite or who shall sell resell ship deliver or market anthracite as grade A or premium anthracite or use any other similar designation leading or tending to lead the public to believe that the anthracite being sold resold shipped delivered or marketed is standard anthracite when in fact such anthracite is wholly or partly substandard anthracite or who shall use any label marking or design copyrighted or controlled by the Anthracite Committee or the Commonwealth indicating that anthracite being sold resold shipped delivered or marketed conforms to the requirements of this act or is standard anthracite without having first secured permission in writing from the Commonwealth or the Anthracite Committee or who shall refuse the duly accredited agents of the Commonwealth of the Anthracite access to records which they are required by



this act to keep on their premises as permitted by this act or who shall refuse to permit the duly accredited agents of the Commonwealth or the Anthracite Committee to take samples of anthracite as authorized by this act or any operator of any motor vehicle transporting anthracite on the public highways who shall refuse to permit the duly accredited agents of the Commonwealth or the Anthracite Committee to take a sample of the shipment being transported in the vehicle which they are operating as permitted by this act or who shall refuse to exhibit the weighmaster's certificate upon demand by the duly accredited agents of the Commonwealth or the Anthracite Committee or any producer retail dealer municipal weighmaster operator of a motor vehicle or other person who shall otherwise violate any of the provisions of this act shall upon conviction thereof in a summary proceeding be sentenced for a first offense to pay a fine of [not more than] \$300 and costs of prosecution and in default of the payment of such fine and costs of prosecution shall be imprisoned for [not less than 10 days or more than 20] 30 days.

Any producer retail dealer wholesale dealer municipal weighmaster or operator of a motor vehicle or other person [guilty of] committing a second or subsequent violation of this act shall be guilty of a misdemeanor and upon conviction thereof the producer retail dealer wholesale dealer municipal weighmaster or other person or the member or members or officer or officers of any association partnership or corporation responsible for such violation shall [upon conviction thereof] be sentenced to pay a fine of not more than \$1000 or suffer imprisonment for [not more than] 6 months or both in the discretion of the court.

All fines imposed pursuant to the provisions of this section shall be payable to the Commonwealth and shall be paid into the General Fund in the State Treasury through the Department of Revenue.

Section 4 Said act is hereby amended by adding at the end thereof a new section to read as follows:

Section 9 Injunctions In addition to any other remedy at law or in equity or under this act the Attorney General may apply to the court of common pleas of Dauphin County for relief by injunction to enforce compliance with or restrain violations of any provisions of this act or rule regulation or order made pursuant thereto. The said court of common pleas of Dauphin County is hereby vested with jurisdiction to hear and determine all such actions by the Attorney General regardless of where they may arise in the Commonwealth.

The remedy prescribed in this section shall be deemed concurrent or contemporaneous with any other remedy and the existence or exercise of any one remedy shall not prevent the exercise of any other remedy.

Section 5 This act shall become effective immediately upon final enactment.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

#### YEAS—203

Amarando,	Goodling,	Maxwell,	Rovansek,
Andrews,	Graybill,	Mazza,	Royer,
Banker,	Greenwood,	McConnell,	Rubin,
Barkdoll,	Greer,	McCullough,	Sarraf,
Baumunk,	Guarnieri,	McCormack,	Sax,
Bear,	Gutendorf,	McDermitt,	Scanlon,
Beaver,	Guthrie,	McGee,	Schmidt,
Beech,	Hagerty,	McInroy,	Schuster,
Berkstresser,	Hall,	McKinney,	Scott,
Blair,	Hamilton, R. K.,	McMillen,	Seyler,
Bloom,	Hamilton, W. H.,	McNally,	Shoemaker,
Boles,	Haudenschild,	Metz,	Shotwell,
Boleton,	Harney,	Milhm,	Smith,
Bomberger,	Headlee,	Mikula,	Snider,
Boorse,	Helm,	Miller, H. G.,	Sollenberger,
Bower,	Hersch,	Miller, J. C.,	Spencer,
Brelsich,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Minness,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,

Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendenning,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Kamyk,	Najaka,	Toomey,
Corr,	Keller,	Naugle,	VanSant,
Costa,	Kent,	Needham,	Varallo,
Coyle,	Kline,	Olsen,	Varner,
Dalrymple,	Kohl,	Penglase,	Verona,
Davis,	Kolankiewicz,	Peta,	Wachhaus,
Dennison,	Kornick,	Petrosky,	Wargo,
Dougherty,	Kratz,	Pettigrew,	Waterhouse,
Dowling,	Kubacki,	Pfaff,	Watkins,
DuBols,	Lafore,	Pichney,	Weldner,
Duffy,	Lederer,	Pitzer,	Welsh,
Erb,	Leisey,	Polaski,	Wescott,
Ewing,	Leonard, L.,	Polen,	Westrick,
Fenrich,	Leonard, W. C.,	Price, H. W. Jr.,	Wheeler,
Ferster,	Leven,	Price, R. A.,	White,
Fillp,	Light,	Readinger,	Williams,
Filo,	Limper,	Reagan,	Wilt,
Firmstone,	Loftus,	Reese,	Wood,
Flack,	Lopresti,	Reidenbach,	Yeakel,
Frost,	Lovett,	Relly, J. M.,	Yester,
Gaffney,	Lutty,	Rigby,	Yetzer,
Geer,	Lyons,	Riley, R. L.,	Young,
Gibson,	Madden,	Robertson,	Ziegler,
Gleason,	Madigan,	Rose,	Sorg,
Good,	Markley,	Rosen,	Speaker

#### NAYS—2

Dunn, Stank,

#### NOT VOTING—2

Jump, Whalley,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

#### PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. RAY L. RILEY asked and obtained permission for the Committee on Law and Order to meet during the session of the House.

#### BILLS ON THIRD READING

##### BILL PASSED OVER

There being no objection

House Bill No. 488, Printer's No. 476

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 640, as follows:

An Act to amend the act approved the sixth day of June one thousand eight hundred ninety-three (P. L. 326) entitled "A supplement to an act entitled 'An act in relation to the imprisonment government and release of convicts in the Pennsylvania Industrial Reformatory at Huntingdon' approved the twenty-eighth day of April Anno Domini one thousand eight hundred and eighty-seven" by correcting the name of said institution and of the governing board thereof.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1 Sections 1 2 3 and 4 of the act approved the sixth day of June one thousand eight hundred ninety-three (P. L. 326) entitled "A supplement to an act entitled 'An act in relation to the imprisonment government and re-



lease of convicts in the Pennsylvania Industrial Reformatory at Huntingdon' approved the twenty-eighth day of April Anno Domini one thousand eight hundred and eighty-seven" are hereby amended to read as follows

Section 1 Be it enacted &c That whenever an inmate of the Pennsylvania Industrial [Reformatory at Huntingdon] School at Camp Hill Cumberland County Pennsylvania shall be paroled and thereafter when on his parole shall in any manner violate the same and be declared a delinquent by the Board of [Managers of said reformatory] Trustees thereof he shall be liable to arrest and return at any time and upon his return be required to serve the unexpired term of his possible maximum sentence at the discretion of the Board of [Managers] Trustees and the time from the date of his declared delinquency to the date of his return to the said [Reformatory] Industrial School shall not be counted as any part or portion of such sentence

Section 2 Whenever any such paroled inmate shall [as aforesaid] so violate his said parole and be declared a delinquent by the said Board of [Managers] Trustees it shall be lawful for the president of the Board of [Managers] Trustees of the said [Reformatory] Industrial School to issue his warrant to detective or person authorized by law to execute criminal process whose duty it shall be to arrest and deliver such paroled prisoner to the [Reformatory at Huntingdon] Industrial School the cost of executing such warrant and delivering the prisoner to the said [Reformatory] School to be paid by the Board of [Managers] Trustees

Section 3 Whenever any inmate of the said Industrial [Reformatory] School shall violate his parole and go into any other State it shall be the duty of the Governor of the Commonwealth to issue his requisition for the return of such paroled inmate as being a fugitive from justice

Section 4 Whenever any paroled inmate of the said Industrial [Reformatory] School shall violate his parole and be returned to the institution the time when he was on parole may in the discretion of the Board of [Managers] Trustees be added to the maximum sentence which he could be required to serve and in their discretion the said paroled inmate may be compelled to serve in addition to the maximum sentence a period of time equal to the time that he was on parole

Section 2 Section 5 of said act as amended by the act approved the twenty-eighth day of April one thousand eight hundred ninety-nine (P. L. 73) is hereby further amended to read as follows

Section 5 If any inmate should escape from the said Industrial [Reformatory] School or from a keeper or any officer having him in charge or from his place of work while engaged in working outside of the walls the inmate so escaping shall be deemed and taken to have committed an escape or breach of prison and shall be subject to like penalties as are now provided by law for an escape or breach of prison and may be punished accordingly or the board of [Managers] Trustees may in their discretion add to his maximum sentence upon his return to the [Reformatory] School the time which said escaped inmate may be at large and in their discretion such escaped inmates may be required to serve in addition to his maximum sentence a further period of time equal to the time that he was at large

Section 3 The provisions of this act shall become effective the first day of June one thousand nine hundred fifty-one

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—205

Amarando, Goodling, Mazza, Royer,

Andrews,	Graybill,	McConnell,	Rubin,
Banker,	Greenwood,	McCormack,	Sarra,
Barkdoll,	Greer,	McCullough,	Sax,
Baumunk,	Guarnieri,	McDermitt,	Scanlon,
Bear,	Gutendorf,	McGee,	Schmidt,
Beaver,	Guthrie,	McInroy,	Schuster,
Beech,	Hagerty,	McKinney,	Scott,
Berkstresser,	Hall,	McMillen,	Seyler,
Blair,	Hamilton, R. K.,	McNally,	Shoemaker,
Bloom,	Hamilton, W. H.,	Metz,	Shotwell,
Boles,	Harney,	Mihm,	Smith,
Bolton,	Haudenschild,	Mikula,	Snider,
Bomberger,	Headlee,	Miller, H. G.,	Sollenberger,
Boorse,	Helm,	Muller, J. C.,	Spencer,
Bower,	Hersch,	Mills,	Stank,
Brelsch,	Hewitt,	Mintess,	Stimmel,
Breth,	Hocker,	Monroe,	Stoner,
Brown,	Hoggard,	Moore, C. E.,	Swartz,
Bucchin,	Hunter,	Moore, H. A.,	Swope,
Byrne,	Jenkins,	Moran,	Tahl,
Cella,	Johnson,	Muldowney,	Taylor,
Clapper,	Jones, G. E.,	Munley,	Thompson, E. F.,
Clendenning,	Jones, J. M.,	Murray,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Musto,	Toll,
Conway,	Jones, T. H. W.,	Najaka,	Tompkins,
Cooper,	Kamyk,	Naugle,	Toomey,
Corr,	Keller,	Needham,	VanSant,
Costa,	Kent,	Olsen,	Varallo,
Coyle,	Kline,	Penglase,	Varner,
Dalrymple,	Kohl,	Peta,	Verona,
Davis,	Kolankiewicz,	Petrosky,	Wachhaus,
Dennison,	Kornick,	Pettigrew,	Wargo,
Dougherty,	Kratz,	Pfaff,	Waterhouse,
Dowling,	Kubacki,	Pichney,	Watkins,
DuBois,	Lafore,	Pitzer,	Weidner,
Duffy,	Lederer,	Polaski,	Welsh,
Dunn,	Leisey,	Polen,	Wescott,
Erb,	Leonard, L.,	Price, H. W. Jr.,	Westrick,
Ewing,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Fenrich,	Leven,	Readinger,	White,
Ferster,	Light,	Reagan,	Williams,
Filip,	Limper,	Reese,	Wilt,
Filo,	Loftus,	Reidenbach,	Wood,
Firmstone,	Lopresti,	Reilly, J. M.,	Yeakel,
Flack,	Lovett,	Rigby,	Yester,
Frost,	Lutty,	Riley, R. L.,	Yetzer,
Gaffney,	Lyons,	Robertson,	Young,
Geer,	Madden,	Rose,	Ziegler,
Gibson,	Madigan,	Rosen,	Sorg,
Gleason,	Markley,	Rovansek,	Speaker
Good,	Maxwell,		

NAYS—0

NOT VOTING—2

Jump, Whalley,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 646, as follows:

An Act to amend Section 13 of the act approved the fifth day of May one thousand nine hundred twenty-one (P. L. 389) entitled "An act to regulate and control the manufacture sale offering for sale giving away and use of weights and measures and of weighing and measuring devices in the Commonwealth of Pennsylvania providing for the approval and disapproval of such weights measures and devices by the Bureau of Standards and prescribing penalties" by providing for the inspection of new second-hand or repaired weighing or measuring devices

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 13 of the act approved the fifth day of May one thousand nine hundred twenty-one (P. L. 389) entitled "An act to regulate and control the manufacture sale offering for sale giving away and use of weights and



measures and of weighing and measuring devices in the Commonwealth of Pennsylvania providing for the approval and disapproval of such weights measures and devices by the Bureau of Standards and prescribing penalties" is hereby amended to read as follows

Section 13 Inspectors of weights and measures of the Commonwealth of Pennsylvania and of the several counties and cities of the Commonwealth of Pennsylvania may seal for use in trade or commerce all weights and measures and weighing and measuring devices the type of which has been approved as required by the provisions of this act or specifically exempted from the necessity of approval by the provisions of this act when they find that the same are within the tolerances prescribed under the rules and regulations Provided however That this shall not be construed as meaning that the approval of a type shall be taken as evidence of the correctness of any individual weight or measure or weighing or measuring device of that type or prevent any such inspector of weights and measures from prohibiting the use of or confiscating any individual weight or measure or weighing or measuring device which is found to be inaccurate or otherwise defective or unlawfully used

Within twenty-four hours after the sale and completion of installation of any new or second-hand weighing or measuring device the seller of the device shall notify the inspector of weights and measures of the jurisdiction where the installation is made Upon notification it shall be the duty of the inspector of weights and measures to inspect within a reasonable time the weighing or measuring device for accuracy and compliance with the provisions of this act If the weighing or measuring device meets the requirements of the law he shall place his seal of approval upon same Upon completion of installation of any new or second-hand weighing or measuring device no person except as hereinafter otherwise provided shall operate or use said device unless the seal of approval is affixed to the authorized weights and measures inspector

After repairs have been made to any weighing or measuring device the person or persons completing such repairs shall within forty-eight hours notify the inspector of weights and measures of the jurisdiction that repairs have been completed Upon notification it shall be the duty of the inspector of weights and measures to inspect within a reasonable time the weighing or measuring device for accuracy and compliance with the provision of this act If the weighing or measuring device meet the requirements of the law he shall place his seal of approval upon same Upon completion of any repairs to any weighing or measuring device no person except as hereinafter otherwise provided shall operate or use said device unless a new seal of approval is affixed by the authorized weights and measures inspector If after notification as above provided the inspector of weights and measures is unable to make an immediate inspection the new second-hand or repaired weighing or measuring device may be used until inspected but not for a period exceeding five days in the case of a new second-hand weighing or measuring device or ten days in the case of a repaired weighing or measuring device

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—205

Amarando,	Goodling,	Mazza,	Royer,
Andrews,	Graybill,	McConnell,	Rubin,
Banker,	Greenwood,	McCormack,	Sarra,
Barkdoll,	Greer,	McCullough,	Sax,
Baumunk,	Guarnieri,	McDermitt,	Scanlon,
Bear,	Gutendorf,	McGee,	Schmidt,
Beaver,	Guthrie,	McInroy,	Schuster,
Beech,	Hagerty,	McKinney,	Scott,
Berkstresser,	Hall,	McMillen,	Seyler,

Blair,	Hamilton, R. K.,	McNally,	Shoemaker,
Bloom,	Hamilton, W. H.,	Metz,	Shotwell,
Boles,	Harney,	Mihm,	Smith,
Bolton,	Haudensfield,	Mikula,	Snider,
Bomberger,	Headlee,	Miller, H. G.,	Sollenberger,
Boorse,	Helm,	Miller, J. C.,	Spencer,
Bower,	Hersch,	Mills,	Stank,
Brelschi,	Hewitt,	Mintem,	Stimmel,
Breth,	Hocker,	Monroe,	Stoner,
Brown,	Hoggard,	Moore, C. E.,	Swartz,
Bucchin,	Hunter,	Moore, H. A.,	Swope,
Byrne,	Jenkins,	Moran,	Tahl,
Cella,	Johnson,	Muldowney,	Taylor,
Clapper,	Jones, G. E.,	Munley,	Thompson, E. F.,
Clendenning,	Jones, J. M.,	Murray,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Musto,	Toll,
Cowray,	Jones, T. H. W.,	Najaka,	Tompkins,
Cooper,	Kamyk,	Naugle,	Toomey,
Corr,	Keller,	Needham,	VanSant,
Costa,	Kent,	Olsen,	Varallo,
Coyle,	Kline,	Penglase,	Varner,
Dalrymple,	Kohl,	Peta,	Verona,
Davis,	Kolankiewicz,	Petrosky,	Wachhaus,
Dennison,	Kornick,	Pettigrew,	Wargo,
Dougherty,	Kratz,	Pfaff,	Waterhouse,
Dowling,	Kubacki,	Pichney,	Watkins,
DuBois,	Lafore,	Pitzer,	Weidner,
Duffy,	Lederer,	Polaski,	Welsh,
Dunn,	Leisey,	Polen,	Wescott,
Erb,	Leonard, L.,	Price, H. W. Jr.,	Westrick,
Ewing,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Fenrich,	Leven,	Readinger,	White,
Ferster,	Light,	Reagan,	Williams,
Fillip,	Limper,	Reese,	Wilt,
Filo,	Loftus,	Reidenbach,	Wood,
Firmstone,	Lopresti,	Reilly, J. M.,	Yeakel,
Flack,	Lovett,	Rigby,	Yester,
Frost,	Lutty,	Riley, R. L.,	Yetzer,
Gaffney,	Lyons,	Robertson,	Young,
Geer,	Madden,	Rose,	Ziegler,
Gibson,	Madigan,	Rosen,	Sorg,
Gleason,	Markley,	Rovansek,	Speaker
Good,	Maxwell,		

#### NAYS—0

#### NOT VOTING—2

Jump.

Whalley.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

#### BILL PASSED OVER

There being no objection

House Bill No. 1566, Printer's No. 767

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1567, entitled:

An Act to amend subsection (b) of Section 672 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An Act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing financially handicapped or distressed school districts to levy additional taxes with certain limitations

On the question,

Will the House agree to the bill on third reading?

Mr. WOOD. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.



The Clerk read the amendment as follows:

Amend section 1, page 4, by striking out lines 14 to 19 inclusive and page 5, by striking out lines 1 and 2, and inserting in lieu thereof the following: In financially handicapped and distressed school districts boards of school directors of such districts are authorized to levy an additional tax of ten (10) mills on each dollar of the total assessment of all property assessed and certified for taxation provided however that the following conditions and provisions are compiled with: the department of public instruction shall determine (1) by investigation that the district is financially handicapped and distressed (2) that all taxable property in the district has been levied upon (3) that all other taxes available to the district and deemed advisable by the superintendent of public instruction have been utilized (4) that the district has compiled with economical standards set forth by the department of public instruction as determined prior to January 1, 1952, including (a) that the ratio of teachers to pupils shall not exceed one to twenty-five (b) that the cost of administration and operation shall not exceed the average of districts of the same class within the same county and shall be in compliance with good business practices

The SPEAKER. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears: none.

On the question,

Will the House agree to the amendment?

It was agreed to.

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 598, as follows:

An Act to further amend Section 10 of the act approved the twenty-ninth day of May one thousand eight hundred eighty-five (P. L. Laws 29) entitled "An act to provide for the incorporation and regulation of natural gas companies" by providing that natural gas companies shall have the right of eminent domain for underground storage of natural gas or manufactured fuel gas and regulating the exercise of such right

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 10 of the act approved the twenty-ninth day of May one thousand eight hundred eighty-five (P. L. 29) entitled "An act to provide for the incorporation and regulation of natural gas companies" as last amended by the act approved the fifth day of April one thousand nine hundred twenty-seven (P. L. 115) is hereby further amended to read as follows

Section 10 (a) The transportation land supply and underground storage of natural gas and manufactured fuel gas for public consumption storage of natural gas and manufactured fuel gas for public consumption is hereby declared to be a public use and it shall be the duty of corporations organized or provided for under this act to furnish to consumers along their lines and within their respective districts natural gas and manufactured fuel gas or either or both for heat or light or other purposes as the corporation may determine Any and all corporations that is or are now or shall hereafter be engaged in such business shall have the right of eminent domain for the laying of pipe lines for the transportation and distribution of natural gas and manufactured fuel gas or either or both the right however shall not be exercised as to any burying ground or dwelling passenger railroad station-house or any shop or manufac-

tory in which steam or fire is necessarily used for manufacturing or repairing purposes but shall include the right to appropriate land upon or under which to lay said lines and locate pipes upon and over under and across any lands rivers streams bridges roads streets lanes alleys or other public highways or other pipe lines or to cross railroads or canals Provided In case the pipe lines cross any railroad operated by steam or canal the same shall be located under or above such railroad or canal and in such manner as the railroad or canal company may reasonably direct And provided further That any company laying a pipe line under the provisions hereof shall be liable for all damages occasioned by reason of the negligence of such gas company And provided further That no company authorized by this act shall have the right to occupy longitudinally the right of way roadbed or bridge of any railroad company And provided If any pipe line laid under the provisions of this act or laid upon or over lands cleared and used for agricultural purposes the same shall be buried at least twenty-four inches below the surface and if any line of pipe shall be laid over or through any waste or woodland which shall be changed to farming land then it shall be the duty of the corporation to immediately bury the said pipe to the depth of at least twenty-four inches as aforesaid

(b) Any corporation that is now or shall hereafter be engaged in such business shall have the right of eminent domain for the injection storage and removal of natural gas or manufactured fuel gas in any stratum or strata which are or previously have been commercially productive of natural gas (but not including any stratum or strata in underlying or overlying any minable coal measure whether or not being mined or any reservoir commercially productive of oil rather than natural gas And provided That the stratum or strata underlying the land wherein storage rights are proposed to be appropriated and the like stratum underlying adjacent lands are so interconnected as to constitute a geological reservoir or reservoirs having the characteristics suitable for storage purposes And provided further That said corporation at the time it seeks to exercise the right of eminent domain hereunder shall hold title in fee or have the right by grant lease or other agreement to store gas in at least ninety per centum of the total acreage of each said reservoir

(c) Said corporation in the appropriation of storage rights hereunder shall designate particularly the stratum or strata in which it intends to store gas but said corporation shall not have the right hereunder to appropriate the surface of lands or the right to enter there upon except to the extent that the temporary occupancy and use thereof shall be necessary for the purpose of plugging or casing off properly any existing or abandoned oil or gas well to prevent the escape of gas from the storage reservoir the appropriation of storage rights hereunder shall not preclude the drilling of oil or gas wells for the purpose of producing oil or gas from stratum or strata above or below the storage stratum designated as aforesaid Provided That in the drilling operation use abandonment and plugging of each such well the operator or operators shall so drill case equip operate abandon and plug the same as to prevent any avoidable escape of gas that may be stored in the storage stratum or strata The corporation storing gas there shall within thirty (30) days after receipt of detailed billing reimburse such operator or operators for the latter's reasonable additional cost in so doing

(d) Prior to any appropriation the corporation shall attempt to agree with the owner as to the damage properly payable for an easement in his or her property if such owner can be found and is sui juris failing to agree the corporation shall tender to the property owner a bond with sufficient sureties to secure him or her in the payment of damages if the owner refuse to accept said bond or cannot be found or is not sui juris the same shall then be presented to the court of common pleas of the proper county after reasonable notice to the property owner by advertising or otherwise to be approved by it Upon the approval of the bond and its being filed the right of the corporation to enter upon the enjoyment of its



easement shall be complete Upon petition of either the property owner or the corporation thereafter the court of common please shall appoint three disinterested freeholders of the county to serve as viewers to assess the damages proper to be paid to the property owner for the easement appropriated by the company and shall fix a time for their meeting of which notice shall be given to both parties and as compensation for their services each of said viewers shall receive [two dollars and fifty cents] fifty dollars for each day in which he may actually have been engaged in such duty and mileage at the rate of ten cents for each circular mile traveled by him in going from his residence to and from such view

(e) Either party may appeal from the report of the viewers within twenty days after the filing thereof to the court of common pleas and have a jury trial as in ordinary cases and writ of error to the Supreme Court

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—201

Amarando,	Goodling,	Maxwell,	Rovansek,
Andrews,	Graybill,	Mazza,	Royer,
Banker,	Greenwood,	McConnell,	Rubin,
Barkdoll,	Greer,	McCormack,	Sarra,
Baumunk,	Guarnieri,	McCullough,	Sax,
Bear,	Gutendorf,	McDermitt,	Scanlon,
Beaver,	Guthrie,	McGee,	Schmidt,
Beech,	Hagerty,	McInroy,	Schuster,
Berkstresser,	Hall,	McKinney,	Scott,
Blair,	Hamilton, R. K.,	McMillen,	Seyler,
Bloom,	Hamilton, W. H.,	McNally,	Shoemaker,
Boles,	Harney,	Metz,	Shotwell,
Bolton,	Haudenschild,	Mihm,	Smith,
Bomberger,	Headlee,	Mikula,	Snider,
Boorse,	Helm,	Miller, H. G.,	Sollenberger,
Bower,	Hersch,	Miller, J. C.,	Spencer,
Breisch,	Hewitt,	Mills,	Stank,
Breth,	Hocker,	Mintess,	Stimmel,
Brown,	Hoggard,	Monroe,	Stoner,
Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendering,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Kamyk,	Najaka,	Toomey,
Corr,	Keller,	Naugle,	VanSant,
Costa,	Kent,	Needham,	Varallo,
Coyle,	Kline,	Olsen,	Varnier,
Dalrymple,	Kohl,	Penglase,	Verona,
Davis,	Kolankiewicz,	Peta,	Wachhaus,
Dennison,	Kornick,	Petrosky,	Wargo,
Dougherty,	Kratz,	Pettigrew,	Waterhouse,
Dowling,	Kubacki,	Pfaff,	Watkins,
Duffy,	Lafore,	Pichney,	Weldner,
Dunn,	Lederer,	Pitzer,	Welsh,
Erb,	Leisey,	Polaski,	Wescott,
Ewing,	Leonard, L.,	Polen,	Westrick,
Fenrich,	Leonard, W. C.,	Price, H. W. Jr.,	Wheeler,
Ferster,	Leven,	Price, R. A.,	White,
Fillip,	Light,	Readinger,	Williams,
Firmstone,	Limper,	Reagan,	Wilt,
Flack,	Loftus,	Reese,	Wood,
Frost,	Lopresti,	Reidenbach,	Yeakel,
Gaffney,	Lutty,	Relly, J. M.,	Yester,
Geer,	Lyons,	Rigby,	Yetzer,
Gibson,	Madden,	Riley, R. L.,	Young,
Gleason,	Madigan,	Robertson,	Ziegler,
Good,	Markley,	Rose,	Sorg,
		Rosen,	Speaker

#### NAYS—4

DuBois,	Filo,	Lovett,	Swartz,
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#### NOT VOTING—2

Jump,

Whalley,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

#### BILL PASSED OVER

There being no objection

Senate Bill No. 708, Printer's No. 338 was passed over at the request of The SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 734, as follows:

An Act to amend sections one and two of the act approved the twentieth day of May one thousand nine hundred forty-nine (P. L. 1511) entitled "An act defining cold storage requiring licenses to operate cold storage warehouses and locker plants requiring records reports marking wrapping protecting limiting time of storage disposition sale return or transfer of foods in cold storage conferring powers on the Department of Agriculture including adoption of rules and regulations special permits for storage of feeding stuffs for animal use and providing penalties for violation of this act" by redefining the term "Cold Storage Warehouse" and reducing the license fee

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the twentieth day of May one thousand nine hundred forty-nine (P. L. 1511) entitled "An act defining cold storage requiring licenses to operate cold storage warehouses and locker plants requiring records reports marking wrapping protecting limiting time of storage disposition sale return or transfer of foods in cold storage conferring powers on the Department of Agriculture including adoption of rules and regulations special permits for storage of feeding stuffs for animal use and providing penalties for violation of this act" is hereby amended to read as follows

Section 1 Definitions For the purpose of this act the following terms and words shall mean as follows

"Cold Storage" shall mean the storage or keeping of articles of food at/or below a temperature of forty-five (45) degrees Fahrenheit in a cold storage warehouse or locker plant

"Cold Storage Warehouse" shall mean any place artificial or mechanically cooled to/or below a temperature of forty-five (45) degrees Fahrenheit in which articles of food except fresh unprocessed fruits and vegetables are placed and held for thirty (30) days or more except a restaurant [store] home or eating club using its cold storage space exclusively for club or club members' purposes only for a place or structure used exclusively for the storage of articles of food for the occupant owner or maintainer thereof which storage place or space is not principally used for renting sale or profit]

"Locker Plant" shall mean any cold storage warehouse or portion thereof which provides separate individual lockers cabinets boxes baskets or other receptacles for the storage of food products for home or personal use only and not for purpose of sale

"Department" shall mean the Department of Agriculture and its employes or agents

"Licensees" shall mean the owner or operator of a cold storage warehouse and/or locker plant

Section 2 Section two of said act is hereby amended to read as follows



Section 2 Licenses Application Investigation Fee No person firm or corporation shall maintain or operate a cold storage warehouse or locker plant without a license so to do issued by the Department of Agriculture Any person firm or corporation desiring such a license shall make written application to the department for that purpose or purposes stating the location of the cold storage warehouse and/or locker plant

The department thereupon shall cause an examination to be made of said cold storage warehouse or locker plant and if it be found to be in a proper sanitary condition and otherwise properly equipped for its intended use the department shall issue a license authorizing the applicant to operate the same as a cold storage warehouse or locker plant during one (1) year The license shall be issued upon payment by the applicant of a license fee of [fifty dollars (\$50)] twenty-five dollars (\$25) to the department and shall thereafter be paid by the department into the State Treasury through the Department of Revenue for the use of the Commonwealth Provided That all licenses now in effect shall continue in full force for the period for which the license was paid if the licensee complies with all of the other provisions of this act

Section 3 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—193

Amarando,	Good,	Maxwell,	Rovansek,
Andrews,	Gooding,	Mazza,	Royer,
Banker,	Graybill,	McConnell,	Rubin,
Barkdoll,	Greenwood,	McCormack,	Sarra,
Baumunk,	Greer,	McCullough,	Sax,
Bear,	Guarnieri,	McDermitt,	Scanlon,
Beaver,	Gutendorf,	McGee,	Schmidt,
Beech,	Guthrie,	McInroy,	Schuster,
Berkstresser,	Hagerty,	McKinney,	Scott,
Blair,	Hall,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenschild,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Mills,	Stank,
Brelsch,	Hewitt,	Mintess,	Stimmel,
Breth,	Hocker,	Monroe,	Stoner,
Brown,	Hunter,	Moore, C. E.,	Swartz,
Bucchin,	Jenkins,	Moore, H. A.,	Swope,
Byrne,	Johnson,	Moran,	Tahl,
Cella,	Jones, G. E.,	Muldowney,	Taylor,
Clapper,	Jones, J. M.,	Munley,	Thompson, E. F.,
Clendenling,	Jones, P. F.,	Murray,	Thompson, R. L.,
Cochran,	Jones, T. H. W.,	Musto,	Toll,
Conway,	Kamyk,	Najaka,	Tompkins,
Cooper,	Keller,	Naugle,	Toomey,
Corr,	Kent,	Needham,	VanSant,
Costa,	Kline,	Olsen,	Varallo,
Coyle,	Kohl,	Penglase,	Varnier,
Dalrymple,	Kolankiewicz,	Peta,	Verona,
Davis,	Kornick,	Pettigrew,	Wachhaus,
Dennison,	Kratz,	Pfaff,	Waterhouse,
Dougherty,	Kubacki,	Pichney,	Watkins,
Dowling,	Lafore,	Pitzer,	Weldner,
Duffy,	Iederer,	Polen,	Welsh,
Dunn,	Lelsey,	Price, H. W. Jr.,	Wescott,
Erb,	Leonard, L.,	Price, R. A.,	Westrick,
Ewing,	Leonard, W. C.,	Readinger,	Wheeler,
Fenrich,	Leven,	Reagan,	White,
Ferster,	Light,	Reese,	Wilt,
Filip,	Limper,	Reidenbach,	Wood,
Firmstone,	Loftus,	Reilly, J. M.,	Yeakel,
Flack,	Lopresti,	Rigby,	Yetzer,
Frost,	Lutty,	Riley, R. L.,	Young,
Gaffney,	Lyons,	Robertson,	Ziegler,
Geer,	Madden,	Rose,	Sorg,
Gibson,	Madigan,	Rosen,	Speaker
Gleason,	Markley,		

## NAYS—12

DuBois,	Hoggard,	Petrosky,	Wargo,
Filo,	Lovett,	Polaski,	Williams,
Hamilton, R. K.,	Miller, J. C.,	Seyler,	Yester,

## NOT VOTING—2

Jump,	Whalley,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

## BILL PASSED OVER

There being no objection

Senate Bill No. 752, Printer's No. 485 was passed over at the request of the SPEAKER.

RECONSIDERATION OF VOTE  
(SENATE BILL 636)

Mr. JOHNSON. Mr. Speaker, I move that the vote by which Senate Bill No. 636, Printer's No. 498, entitled:

"An Act to amend subsection (a) of Section 9 of the act approved the twenty-sixth day of May one thousand nine hundred forty-nine (P. L. 1828) entitled "An act concerning the investment powers and duties of guardians committees trustees and other fiduciaries except personal representatives and prescribing the nature and kind of investments which may be made and retained by such fiduciaries" authorizing investments in common stocks and similar securities of unincorporated associations meeting certain qualifications and eliminating the requirement that stock and similar securities must be listed on an exchange as to the stock and securities of banks and insurance and investment companies."

was defeated on final passage, Monday, August 13, 1951 be reconsidered.

Mr. HELM. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from McKean Mr. Johnson vote on the final passage of this bill?

Mr. JOHNSON. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Armstrong Mr. Helm vote on the final passage of this bill?

Mr. HELM. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

Mr. ANDREWS. Mr. Speaker, we do not object to the motion to reconsider.

The motion was agreed to.

On the question recurring,

Shall the bill pass finally?

## BILL POSTPONED

Mr. JOHNSON. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

The motion was agreed to.

## SENATE MESSAGES

AMENDED SENATE BILLS CONCURRED IN BY  
SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate Bill numbered and entitled as follows:



## SENATE BILL No. 11.

An Act to amend subsection (a) of Section 9 of the act approved the twenty-sixth day of May one thousand nine hundred forty-nine (P. L. 1828) entitled "An act concerning the investment powers and duties of guardians committees trustees and other fiduciaries except personal representatives and prescribing the nature and kind of investments which may be made and retained by such fiduciaries" by authorizing investments in common stocks meeting certain qualifications and eliminating the requirement that stock must be listed on an exchange as to the stock of banks and insurance companies

## SENATE BILL No. 54.

An Act to provide for an additional law judge of the court of common pleas in the seventh judicial district.

## AMENDED HOUSE BILL RECALLED FROM GOVERNOR CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 534.

An Act to further amend Section 1304 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by changing the provisions relating to admission of beginners

Said bill having been recalled from the Governor for the purpose of amendment, the vote had on final passage and third reading on said bill was reconsidered in the House and the bill amended, in which amendments the Senate has concurred.

## HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 161.

A Joint Resolution proposing an amendment to section eight article five of the Constitution of the Commonwealth of Pennsylvania authorizing the Courts of Common Pleas of Allegheny County to detail one or more of the judges of the County Court to hold the courts of oyer and terminer and the courts of quarter sessions of the peace of said county.

## HOUSE BILL No. 235.

A Joint Resolution proposing an amendment to section one article nine of the Constitution of the Commonwealth of Pennsylvania making special provision for the taxation of private forest reserves.

## HOUSE BILL No. 445.

An Act to amend Section 11 of the act approved the twenty-seventh day of June one thousand nine hundred forty-seven (P. L. 1095) entitled "An act providing for the regulation of mining of anthracite coal by the open pit or strip mining method and for the conservation and improvement of lands affected directly or indirectly by such mining requiring operators to register pay a license fee and secure a permit to engage in strip mining and file a bond conditioned for compliance with this act requiring backfilling of stripping pits and leveling and plant-

ing lands affected to prevent erosion and the pollution of waters and to protect public health safety and welfare conferring powers and imposing duties upon the Department of Mines and the Department of Forests and Waters providing for appeals and imposing penalties and making appropriations" by clarifying the requirement for backfilling adjacent to highways.

## HOUSE BILL No. 531.

An Act to further amend Section 1 of the act approved the eighth day of June one thousand nine hundred ninety-three (P. L. 344 No. 284) entitled "An act relating to husband and wife enlarging her capacity to acquire and dispose of property to sue and be sued and to make a last will and enabling them to sue and to testify against each other in certain cases" clarifying the prohibition against a married woman's right to sell real estate without the joinder of her husband.

## HOUSE BILL No. 532.

An Act to reenact Section 802 of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations relating to approval of joint plans of merger or consolidation of nonprofit corporations by the members thereof in order to clarify effect of prior amendments.

## HOUSE BILL No. 1290.

An Act to amend section one of the act approved the nineteenth day of May one thousand eight hundred and ninety-seven (P. L. 77) entitled "An act granting the permission and regulating the establishment and operation of bone boiling establishments and depositors of dead animals in the Commonwealth of Pennsylvania and providing for violations of the provisions of this act" by adding the requirement that permission to erect or operate such establishments in counties which have organized a county department of health or joint-county department of health must be obtained from the county department of health or joint-county department of health

## HOUSE BILL No. 1300.

An Act to amend sections one two three and five of the act approved the fifth day of June one thousand nine hundred and thirteen (P. L. 433) entitled "An act for the prevention of blindness by requiring the reporting of cases of ophthalmia neonatorum (inflammation of the eyes of infants) by physicians midwives and others and requiring the reporting of results of treatment of each case of said disease and fixing a penalty for violation thereof" by adding county departments of health or joint-county departments of health to the health authorities to which cases of ophthalmia neonatorum must be reported

## HOUSE BILL No. 1301.

An Act to further amend section fifteen of the act approved the nineteenth day of June one thousand nine



hundred thirty-one (P. L. 589) entitled as amended "An act to promote the public health and safety by providing for the examination and licensure of those who desire to engage in the occupation of barbering regulating barber shops and barber schools and apprentices and students therein regulating compensation for service rendered conferring certain powers and duties on the Department of Public Instruction and providing penalties" by adding counties which have established a county department of health or joint-county department of health to the political subdivisions empowered to regulate barber shops by ordinances or regulations not inconsistent with law

#### HOUSE BILL No. 1303.

An Act to provide revenue for State purposes by imposing a property tax for a limited period of time on the net incomes derived from sources within the Commonwealth of certain corporations jointstock associations and limited partnerships excluding certain income providing for the assessment collection settlement and resettlement of taxes and reviews and appeal therefrom conferring powers and imposing duties on certain persons corporations joint-stock association limited partnerships State and county officers boards and departments making an appropriation and providing penalties

#### HOUSE BILL No. 1311.

An Act to amend section four hundred forty-seven of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by deleting those provisions which require such counties to cooperate with the State Department of Health and boroughs and first class townships and deleting those provisions which prescribe the appointment of health officers the approval of appointments by the State Department of Health and the powers and duties of appointees

#### HOUSE BILL No. 1333.

An Act to amend sections five and eighteen of the act approved the second day of July one thousand nine hundred and thirty-five (P. L. 589) entitled "An act to safeguard human health and life by providing for the issuance of permits to and regulation of persons and entities selling milk and milk products conferring powers and imposing duties on the Secretary of Health the Advisory Health Board and otherwise providing for the administration of the act and imposing penalties" by adding counties which have established or joined in establishing county departments of health to those municipalities which may be constituted agents of the Secretary of Health for the purpose of issuance of milk permits and by adding county department of health regulations to those municipal ordinances not affected by the act

#### HOUSE BILL No. 1334.

An Act to amend section one of the act approved the seventh day of April one thousand nine hundred and twenty-seven (P. L. 144) entitled "An act authorizing boards of health to require roving bands or bands of nomads commonly called gypsies declared to be nuisances or menaces to health to leave municipalities and providing penalties" by adding county departments of health and joint-county departments of health as alternate health authorities which may make findings and issue orders under the act

#### HOUSE BILL No. 1348.

An Act to amend Section 1 of the act approved the eighth day of May one thousand nine hundred one (P. L. 150) entitled "An act providing for the raising of revenue for State purposes by imposing upon certain foreign cor-

poration limited partnership and joint-stock associations a bonus of one-third of one percentum upon the capital actually employed in Pennsylvania and requiring the filing of certain reports in the office of the Auditor General" by exempting from the provisions thereof foreign non-profit corporations

#### HOUSE BILL No. 1376.

An Act to further amend subsection (a) of section two hundred seven and subsection (f) of section four hundred forty-eight and to amend section two thousand one hundred eleven of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by prescribing the qualifications for the Secretary of Health and by reconstituting the Advisory Health Board and further prescribing its powers and duties

#### HOUSE BILL No. 1377.

An Act to amend section two four five and six of the act approved the second day of July one thousand eight hundred and ninety-five (P. L. 428) entitled "An act to regulate and license public lodging-houses in the different cities in this Commonwealth" by adding county departments of health and joint-county departments of health to the health authorities empowered by the act to render certificates make inspections and adopt rules and and regulations

With the information that the Senate has passed the same without amendment.

### SENATE MESSAGES

#### SENATE INSISTS ON AMENDMENTS NON-CONCURRED IN BY HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 757, entitled:

An Act to add Article XVI-A to the act approved the seventh day of March one thousand nine hundred one (P. L. 20) entitled "An act for the government of cities of the second class" by providing for the establishment of a municipal traffic court in cities of the second class

Mr. JOHNSON. Mr. Speaker, I move that the House insist upon its non-concurrence in the amendments made and insisted upon by the Senate and that a Committee of Conference be appointed.

#### APPOINTMENT OF COMMITTEE OF CONFERENCE ON HOUSE BILL NO. 757

The SPEAKER. The Chair appoints as a Committee of



Conference on said bill, Messrs. Cooper, Rigby and Verona.

### SENATE MESSAGE

#### AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

#### HOUSE BILL No. 1292.

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless throlley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by providing for reports of sales of vehicles to nonresidents the transportation of dangerous substances and the inspection of dealers' premises further regulating the administrative powers of the department the licensing suspension and revocation of operators and operating privileges and the operation and equipment of vehicles changing certain fees and powers and jurisdiction of peace officers magistrates aldermen justices of the peace and prescribing additional enforcement and penal provisions and making uniform the interpretation and construction of the law

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the Bill, Section 17, page 38, line 8, by striking out after "(f)" the words "and (g)", line 10, by striking out after "(P. L. 1056)" the word "are"; page 38, by striking out all of lines 18 and 19 and page 39, by striking out all of lines 1 and 2.

Amend Section 20, Page 41, Line 16 by inserting after the word "police" the word "department".

Amend Section 36, Page 67, line 15, by striking out after the first word "to" the words "ship or" and by striking out after the word "transport" the words "or cause to be shipped or transported"; Page 68, Line 1, by striking out after the first word "to" the words "ship or" and by striking out after the word "transport" the words "or cause to be shipped or transported"; Page 68, Line 13 by inserting after the word "labeled" the word "placarded"; line 15, by striking out after "sion" the words "and placarded in conformity with the provisions of subsection (c) of this section" and inserting in lieu thereof the words "or exempt from specification packaging marking labeling or placarding requirements thereunder; page 69, line 18, by striking out after the figure "18" the words "(h) This section shall become effective

the first day of July one thousand nine hundred fifty-one" and inserting in lieu thereof the words "(h) The provisions of this section shall become effective thirty days after the effective date of this act".

Amend the bill, Page 71, by striking out all of Section 38.

Amend the bill, Page 72, line 11, by striking out after the word "Section" the figures "39" and inserting in lieu thereof the figures "38".

Amend the bill, Page 73, Line 10, by striking out after the word "Section" the figures "40" and inserting in lieu thereof the figures "39".

Amend the bill, Page 73, line 17, by striking out after the word "Section" the figures "41" and inserting in lieu thereof the figures "40".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. JOHNSON. Mr. Speaker, I request that the House concur in the amendments inserted by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—205

Amarando,	Goodling,	Mazza,	Royer,
Andrews,	Graybill,	McConnell,	Rubin,
Banker,	Greenwood,	McCormack,	Sarra,
Barkdoll,	Greer,	McCullough,	Sax,
Baumunk,	Guarnieri,	McDermitt,	Scanlon,
Bear,	Gutendorf,	McGee,	Schmidt,
Beaver,	Guthrie,	McInroy,	Schuster,
Beech,	Hagerty,	McKinney,	Scott,
Berkstresser,	Hall,	McMillen,	Seyler,
Blair,	Hamilton, R. E.,	McNally,	Shoemaker,
Bloom,	Hamilton, W. H.,	Metz,	Shotwell,
Boles,	Harney,	Mihm,	Smith,
Bolton,	Haudenshield,	Mikula,	Snider,
Bomberger,	Headlee,	Miller, H. G.,	Sollenberger,
Boorse,	Helm,	Miller, J. C.,	Spencer,
Bower,	Hersch,	Mills,	Stank,
Breisch,	Hewitt,	Mintess,	Stimmel,
Breth,	Hocker,	Monroe,	Stoner,
Brown,	Hoggard,	Moore, C. E.,	Swartz,
Bucchin,	Hunter,	Moore, H. A.,	Swope,
Byrne,	Jenkins,	Moran,	Tahl,
Cella,	Johnson,	Muldowney,	Taylor,
Clapper,	Jones, G. E.,	Munley,	Thompson, E. F.,
Clendenen,	Jones, J. M.,	Murray,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Musto,	Toll,
Conway,	Jones, T. H. W.,	Najaka,	Tompkins,
Cooper,	Kamyk,	Naugle,	Toomey,
Corr,	Keller,	Needham,	VanSant,
Costa,	Kent,	Olsen,	Varallo,
Coyle,	Kline,	Penglase,	Varner,
Dalrymple,	Kohl,	Peta,	Verona,
Davis,	Kolankiewicz,	Petrosky,	Wachhaus,
Dennison,	Kornick,	Pettigrew,	Wargo,
Dougherty,	Kratz,	Piaff,	Waterhouse,
Dowling,	Kubacki,	Pichney,	Watkins,
DuBois,	Lafore,	Pitzer,	Weidner,
Duffy,	Lederer,	Polaski,	Weish,
Dunn,	Leisey,	Polen,	Westcott,
Erb,	Leonard, L.,	Price, H. W. Jr.,	Westrick,
Ewing,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Fenrich,	Leven,	Readinger,	White,
Fenster,	Light,	Reagan,	Williams,
Filip,	Limper,	Reese,	Wilt,
Filo,	Loftus,	Reidenbach,	Wood,
Firmstone,	Lopresti,	Reilly, J. M.,	Yeakel,
Flack,	Lovett,	Rigby,	Yester,
Frost,	Lutty,	Riley, R. L.,	Yetzer,
Gaffney,	Lyons,	Robertson,	Young,
Geer,	Madden,	Rose,	Ziegler,
Gibson,	Madigan,	Rosen,	Sorg,
Gleason,	Markley,	Rovanssek,	Speaker
Good,	Maxwell,		

#### NAYS—0

#### NOT VOTING—2

Jump, Whalley,



The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

### REPORTS FROM COMMITTEES

Mr. COSTA, from the Committee on Law and Order, reported as amended, House Bill No. 1626, entitled:

An Act to further amend the act, approved the thirteenth day of May, one thousand nine hundred twenty-five (P. L. 644), entitled "An act relating to and regulating the solicitation of moneys and property for charitable, religious, benevolent, humane, and patriotic purposes," by extending its provisions to additional activities, agencies and purposes; requiring accounting; limiting administration costs and use of moneys collected; and further regulating solicitation and exemptions.

Mr. STIMMEL, from the Committee on Elections and Apportionment, reported as committed, House Bill No. 1640, entitled:

An Act to amend subsection (b) of Section 1403 of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by further providing for the composition of the return board.

Mr. KORNICK, from the Committee on Townships, reported as amended, House Bill No. 1641, entitled:

An Act to add Section 599-A to Article V, subdivision (j) of the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," by authorizing the appointment of special school police and defining their powers and duties.

Mr. STIMMEL, from the Committee on Elections and Apportionment, reported as committed, House Bill No. 1648, entitled:

An Act to further amend the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and elections expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by further regulating the date of the primary election.

Mr. PENGLASE, from the Committee on Motor Vehicles, reported as committed, House Bill No. 1660, entitled:

An Act to further amend the act approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety; regulating the use of highways and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon

the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof; owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by requiring that logs, carried on certain vehicles and trailers, be securely fastened.

Mr. McGEE, from the Committee on Motor Vehicles, reported as committed, House Bill No. 1664, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of the highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by further fixing fees for annual registration and chassis and maximum gross weights of certain commercial vehicles.

Mr. STIMMEL, from the Committee on Elections and Apportionment, reported as amended, Senate Bill No. 494, entitled:

An Act to amend the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by providing a system for the nomination of candidates to fill certain vacancies in public offices occurring under conditions for which said election code does not prescribe machinery.

Mr. STIMMEL, from the Committee on Elections and Apportionment, reported as committed, Senate Bill No. 668, entitled:

An Act to designate the several judicial districts of the Commonwealth as required by the Constitution and to provide for the election and commissioning of judges learned in the law for the said districts



Mr. STIMMEL, from the Committee on Elections and Apportionment, reported as committed, Senate Bill No. 738, entitled:

An Act to further amend subsection (g) of Section 1110 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by eliminating requirement that the form and arrangement of ballot labels on voting machines be approved by the Secretary of the Commonwealth.

Mr. ROBERTSON, from the Committee on Townships, re-reported as committed, House Bill No. 28, entitled:

An Act to further amend section 703 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by changing the compensation paid to township commissioners.

Mr. BOLTON, from the Committee on Townships, re-reported as committed, House Bill No. 274, entitled:

An Act to further amend Section 1001 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by increasing the compensation of the township auditors

## SENATE MESSAGES

### CONCURRENCE IN HOUSE RESOLUTION

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, August 15, 1951.

Resolved (if the Senate concur), that House Bill No. 269, Printer's No. 184, entitled "An act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled 'An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto' by providing for the establishment by the Department of Public Instruction of a standardized driver-training program in the public schools and providing for assistance to school districts in certain cases", be recalled from the Governor for the purpose of amendment.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, August 15, 1951.

Resolved (if the Senate concur), that House Bill No. 270, Printer's No. 172, entitled "An act to add section 2511.2 to the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled 'An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto' by providing for payments to school districts and vocational school districts on account of

employment of highway safety education instructors", be recalled from the Governor for the purpose of amendment.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, August 10, 1951.

Resolved (if the Senate concur), that House Bill No. 548, Printer's No. 663, entitled "An act to amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled 'An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds' by providing penalties for theft removal or transfer of certificates of inspection", be recalled from the Governor for further amendments.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, August 15, 1951.

Resolved (if the Senate concur), that House Bill No. 1338, Printer's No. 780, entitled "An act to further amend Section 713 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled 'An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds' by increasing the fee for learner's permits and appropriating the increase for teaching of safe driving of motor vehicles", be recalled from the Governor for proposed amendments.

## BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:



## SENATE BILL No. 11.

An Act to amend subsection (a) of Section 9 of the act approved the twenty-sixth day of May one thousand nine hundred forty-nine (P. L. 1828) entitled "An act concerning the investment powers and duties of guardians committees trustees and other fiduciaries except personal representatives and prescribing the nature and kind of investments which may be made and retained by such fiduciaries" by authorizing investments in common stocks meeting certain qualifications and eliminating the requirement that stock must be listed on an exchange as to the stock of banks and insurance companies

## SENATE BILL No. 54.

An Act to provide for an additional law judge of the court of common pleas in the seventh judicial district

## SENATE BILL No. 110.

An Act to facilitate traffic in the northern section of the Commonwealth by providing for the construction, operation, and maintenance of a turnpike from a point on the Erie extension to a point on the Scranton extension of the Pennsylvania Turnpike or to a point on the north-eastern extension of the Pennsylvania Turnpike at such points as the Pennsylvania Turnpike Commission may decide are the most feasible and practicable for the further extension of the Pennsylvania Turnpike from or near the City of Erie in Erie County to or near the City of Scranton in Lackawanna County or to a point on the northeastern extension of the Pennsylvania Turnpike conferring powers and imposing duties on the Pennsylvania Turnpike Commission authorizing the issuance of turnpike revenue bonds of the Commonwealth payable solely from tolls to pay the cost of such turnpike and to issue notes or other evidences of indebtedness providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act providing for the collection of tolls for the payment of such bonds notes or other evidences of indebtedness and for the cost of maintenance operation and repair of the turnpike making such turnpike bonds notes or other evidences of indebtedness exempt from taxation constituting such bonds legal investments in certain instances requiring suits against the commission to be brought in Dauphin County prescribing conditions on which such turnpike shall become free providing for grade separations grade changes relocations restoration and vacation of public roads and State highways affected by the turnpike providing for the purchasing or condemnation of land and procedure for determining damages in condemnation granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the commission and authorizing the issuance of turnpike revenue refunding bonds.

## SENATE BILL No. 211.

A joint resolution proposing an amendment to section one article fourteen of the Constitution of the Commonwealth of Pennsylvania permitting county treasurers to hold successive terms.

## SENATE BILL No. 496.

An Act authorizing the Department of Highways to erect and construct a bridge on Race Street between Sixth and Broad Avenues over certain railroad tracks in the City of Altoona empowering the Public Utility Commission to fix and determine the proportionate shares of the cost and maintenance thereof including compensation for damages to adjacent land owners and making an appropriation.

## SENATE BILL No. 499.

An Act to add Section 15.1 to the act approved the eighth day of July one thousand nine hundred forty-one (P. L. 298) entitled "An act authorizing the creation of and providing for and regulating the maintenance and operation

of a county employees' retirement system in counties of the fourth class imposing certain charges on counties and fixing penalties" by providing for optional minimum retirement allowances under certain conditions.

## HOUSE BILL No. 161.

A Joint Resolution proposing an amendment to section eight article five of the Constitution of the Commonwealth of Pennsylvania authorizing the Courts of Common Pleas of Allegheny County to detail one or more of the judges of the County Court to hold the courts of oyer and terminer and the courts of quarter sessions of the peace of said county.

## HOUSE BILL No. 235.

A Joint Resolution proposing an amendment to section one article nine of the Constitution of the Commonwealth of Pennsylvania making special provision for the taxation of private forest reserves.

## HOUSE BILL No. 445.

An Act to amend Section 11 of the act approved the twenty-seventh day of June one thousand nine hundred forty-seven (P. L. 1095) entitled "An act providing for the regulation of mining of anthracite coal by the open pit or strip mining method and for the conservation and improvement of lands affected directly or indirectly by such mining requiring operators to register pay a license fee and secure a permit to engage in strip mining and file a bond conditioned for compliance with this act requiring backfilling of stripping pits and leveling and planting lands affected to prevent erosion and the pollution of waters and to protect public health safety and welfare conferring powers and imposing duties upon the Department of Mines and the Department of Forests and Waters providing for appeals and imposing penalties and making appropriations" by clarifying the requirement for backfilling adjacent to highways.

## HOUSE BILL No. 531.

An Act to further amend Section 1 of the act approved the eighth day of June one thousand eight hundred ninety-three (P. L. 344 No. 284) entitled "An act relating to husband and wife enlarging her capacity to acquire and dispose of property to sue and be sued and to make a last will and enabling them to sue and to testify against each other in certain cases" clarifying the prohibition against a married woman's right to sell real estate without the joinder of her husband.

## HOUSE BILL No. 532.

An Act to reenact Section 802 of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" relating to approval of joint plans of merger or consolidation of nonprofit corporations by the members thereof in order to clarify effect of prior amendments.



## HOUSE BILL No. 534.

An Act to further amend Section 1304 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by changing the provisions relating to admission of beginners.

## HOUSE BILL No. 1290.

An Act to amend section one of the act approved the nineteenth day of May one thousand eight hundred and ninety-seven (P. L. 77) entitled "An act granting the permission and regulating the establishment and operation of bone boiling establishments and depositories of dead animals in the Commonwealth of Pennsylvania and providing for violations of the provisions of this act" by adding the requirement that permission to erect or operate such establishments in counties which have organized a county department of health or joint-county department of health must be obtained from the county department of health or joint-county department of health

## HOUSE BILL No. 1292.

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by providing for reports of sales of vehicles to nonresidents the transportation of dangerous substances and the inspection of dealers' premises further regulating the administrative powers of the department the licensing suspension and revocation of operators and operating privileges and the operation and equipment of vehicles changing certain fees and powers and jurisdiction of peace officers magistrates aldermen justices of the peace and prescribing additional enforcement and penal provisions and making uniform the interpretation and construction of the law

## HOUSE BILL No. 1300.

An Act to amend sections one two three and five of the act approved the fifth day of June one thousand nine hundred and thirteen (P. L. 433) entitled "An act for the prevention of blindness by requiring the reporting of cases of ophthalmia neonatorum (inflammation of the eyes of infants) by physicians midwives and others and requiring the reporting of results of treatment of each case of said disease and fixing a penalty for violation thereof" by adding county departments of health or joint-county departments of health to the health authorities to which cases of ophthalmia neonatorum must be reported

## HOUSE BILL No. 1301.

An Act to further amend section fifteen of the act ap-

proved the nineteenth day of June one thousand nine hundred thirty-one (P. L. 589) entitled as amended "An act to promote the public health and safety by providing for the examination and licensure of those who desire to engage in the occupation of barbering regulating barber shops and barber schools and apprentices and students therein regulating compensation for service rendered conferring certain powers and duties on the Department of Public Instruction and providing penalties" by adding counties which have established a county department of health or joint-county department of health to the political subdivisions empowered to regulate barber shops by ordinances or regulations not inconsistent with law.

## HOUSE BILL No. 1303.

An Act to provide revenue for State purposes by imposing a property tax for a limited period of time on the net incomes derived from sources within the Commonwealth of certain corporations joint-stock associations and limited partnerships excluding certain income providing for the assessment collection settlement and resettlement of taxes and reviews and appeal therefrom conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties.

## HOUSE BILL No. 1311.

An Act to amend section four hundred forty-seven of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by deleting those provisions which require such counties to cooperate with the State Department of Health and boroughs and first class townships and deleting those provisions which prescribe the appointment of health officers the approval of appointment by the State Department of Health and the powers and duties of appointees.

## HOUSE BILL No. 1333.

An Act to amend sections five and eighteen of the act approved the second day of July one thousand nine hundred and thirty-five (P. L. 589) entitled "An act to safeguard human health and life by providing for the issuance of permits to and regulation of persons and entities selling milk and milk products conferring powers and imposing duties on the Secretary of Health the Advisory Health Board and otherwise providing for the administration of the act and imposing penalties" by adding counties which have established or joined in establishing county departments of health to those municipalities which may be constituted agents of the Secretary of Health for the purpose of issuance of milk permits and by adding county department of health regulations to those municipal ordinances not affected by the act.

## HOUSE BILL No. 1334.

An Act to amend section one of the act approved the seventh day of April one thousand nine hundred and twenty-seven (P. L. 144) entitled "An act authorizing boards of health to require roving bands or bands or nomads commonly called gypsies declared to be nuisances or menaces to health to leave municipalities and providing penalties" by adding county departments of health and joint-county departments of health as alternate health authorities which may make findings and issue orders under the act

## HOUSE BILL No. 1348.

An Act to amend Section 1 of the act approved the eighth day of May one thousand nine hundred one (P. L. 150) entitled "An act providing for the raising of revenue for State purposes by imposing upon certain foreign corp-



orations limited partnership and joint-stock associations a bonus of one-third of one per centum upon the capital actually employed in Pennsylvania and requiring the filing of certain reports in the office of the Auditor General" by exempting from the provisions thereof foreign nonprofit corporations

#### HOUSE BILL No. 1376.

An Act to further amend subsection (a) of section two hundred seven and subsection (f) of section four hundred forty-eight and to amend section two thousand one hundred eleven of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" by prescribing the qualifications for the Secretary of Health and by reconstituting the Advisory Health Board and further prescribing its powers and duties.

#### HOUSE BILL No. 1377.

An Act to amend sections two four five and six of the act approved the second day of July one thousand eight hundred and ninety-five (P. L. 428) entitled "An act to regulate and license public lodging-houses in the different cities in this Commonwealth" by adding county departments of health and joint-county departments of health to the health authorities empowered by the act to render certificates make inspections and adopt rules and regulations.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

#### PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. HAGGERTY asked and obtained unanimous consent to add additional sponsors to a resolution to be introduced by him.

#### RESOLUTION

#### CONGRATULATIONS

Mrs. COYLE, Mrs. VARALLO, Messrs. HAGGERTY, MULDOWNEY, HOGGARD, DOUGHERTY, PETTIGREW and GANVILLE E. JONES offered a resolution which was read considered and unanimously adopted as follows:

In the House of Representatives, August 15, 1951.

Fifty years—a half century—of useful, placid living has been the allotment thus far to George A. Penglase.

Born on August 15, 1901, Mr. Penglase has throughout the succeeding years been a shining knight of civic reform and rehabilitation. His gregarious instinct and fundamental love of people have found expression in a burning desire to convert the shabby and disreputable backyards of North Philadelphia into colorful and blooming gardens, to advocate and to implement well constructed and located

highways throughout the State on which safety is the controlling theme, to purify the water supply available to human consumption, to legislate constructively and generously in behalf of labor, and to safeguard the mental health and equanimity of all of the people of Pennsylvania.

His interests in public life and welfare are broad and deversified and have always been sighted to bring relief and comfort and advantage to a target of all groups, irrespective of their partisan zeal or motives.

Recently, Mr. Penglase has become an ardent proponent for civil defense and was appointed as the warden of the zone in which he resides. Although a stationary engineer by profession and a politician by avocation, yet his professional activities and his political interests have always been subordinated to his unquestionable ambition to dedicate his energy and thought to the common weal; therefore be it

Resolved, that the House of Representatives congratulate a worthy public servant, a distinguished fellow member, and a true friend of the people—the Honorable George A. Penglase—on his successful completion of the first fifty years of an active, helpful and happy life and extend to him its sincerest wishes that the next fifty years will reveal a further unfolding of his interests and a widening of the scope of his beneficent social services; and be it further

Resolved, that a copy of this resolution be transmitted to the Honorable George A. Penglase.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Penglase.

Mr. PENGLASE. Mr. Speaker, I wish to thank the Philadelphia delegation and all the Members of the House for their kindness.

The SPEAKER. For what purpose does the gentleman from Cambria Mr. Andrews rise?

Mr. ANDREWS. Mr. Speaker, to inquire whether the Majority Leader is in the House?

The SPEAKER. Is the gentleman from Philadelphia, Mr. Smith, in the Hall of the House?

Mr. SMITH. I appear to be, Mr. Speaker.

Mr. ANDREWS. I would like to exchange a bit of comment with the Majority Leader if approved.

#### PERMISSION TO ADDRESS HOUSE

Mr. ANDREWS asked and obtained unanimous consent to address the House.

Mr. Speaker, as the Majority Leader well knows, and as all the Members of the House know, this session is making a head on collision with various commitments as to time made by Members months ago, in some instances commitments that are binding, in other instances commitments that merely have to do with the usual annual vacation for family groups.

While I know the difficulties under which the Majority Leader labors and the difficult position into which events have manoeuvred the wise and all powerful majority party represented in this General Assembly, it is getting to be about time when we should have some vague notion as to how many more days we will be required to devote to the services of the Commonwealth and how soon, approximately, at least, it will be possible for the Members of this House once again to return to a consideration of their own business.

Mr. SMITH. Mr. Speaker, the Minority Leader in his questions is not helping any of my problems.

About five or six weeks ago he was kind enough to ask me when we thought we would get out, but he put it then on a matter of weeks. Now he is pinning me down to a matter of days. At that time I said I sincerely hope that



by the middle of August we would have accomplished everything that we need to accomplish and go home and go on vacation.

But when he asks me as a matter of days I do not know. I can say to him that he is not any more anxious to go home than every one on this side. I can also say to him that we are doing our level best to bring this session to a successful close.

Mr. ANDREWS. Mr. Speaker, once again of course I am disappointed, as I asked for information not for sympathy.

Another matter, Mr. Speaker, I see that the Members of this House are gradually being surrounded on all sides with proposed meritorious increases in salaries for various people in the public service. I view some of these measures with approval, but I am beginning to wonder as to what disposition the Majority Leader, as trustee, has made of the proposal to increase the salaries of the Members of this General Assembly.

Mr. SMITH. Mr. Speaker, I thoroughly respected the gentleman's trusteeship of the bill that he gave me. It has not gone as far as the Mausoleum Committee. I just have been a little bit too busy to actually give it very much consideration, but I am still hoping and I am still for it.

Mr. ANDREWS. Mr. Speaker, I would like to ask the Majority Leader if he has been as potent in his counsels

with his caucus as he has been diligent in his conversations with me.

Mr. SMITH. Mr. Speaker, I would never divulge a caucus secret.

Mr. ANDREWS. Then I would gather from that, Mr. Speaker, that the disposition the Majority Leader is making of the bill entrusted into his keeping is a secret?

Mr. SMITH. No I would not say so, Mr. Speaker. My personal feelings and hopes are that the bill will come out with joint signatures.

Mr. ANDREWS. I once again, as I did months ago, thank the Majority Leader for his continuing hope, and I hope that ultimately he will be invested with the authority that will enable him to go before his caucus and force a salary increase down the throats of a reluctant membership.

Mr. SMITH. Mr. Speaker, I can assure the Minority Leader that no matter how hard my caucus fights against it I will do my very best for him.

#### ADJOURNMENT

Mr. ANDREWS. Mr. Speaker, I move that his House do now adjourn until Monday, August 20, at 3:30 p. m. E. S. T.

The motion was agreed to, and (at 12:43 p. m. E. S. T.) the House adjourned.







# Legislative Journal.

Session 1951.

139th of the General Assembly.

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HARRISBURG, PA., MONDAY, AUGUST 20, 1951.

No. 79.

## SENATE

MONDAY, August 20, 1951.

The Senate met at 2:00 o'clock, p. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Lloyd H. Wood) in the Chair.

### PRAYER

The Chaplain, Rev. ALFRED L. TAXIS, Pastor of the First Presbyterian Church, Port Carbon, Pennsylvania, offered the following prayer:

O God, as we come blundering into Thy Divine Presence, we are haunted by the memories of unperformed duties and promptings unheeded. If Thou art drawing close to us now, wilt Thou draw closer so that selfishness and pride and avarice may be burned out of us, and the weakness of our wills vanish by union with Thy Holy Will. Make us strong and God fearing. Amen.

### JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WALKER and Mr. WADE, further reading was dispensed with, and the Journal was approved.

### LEAVE OF ABSENCE

Mr. Haluska asked and obtained leave of absence for Mr. DENT.

### NOMINATION BY THE GOVERNOR REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows, and referred to the Committee on Executive Nominations.

#### SHERIFF, CARBON COUNTY

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, August 20, 1951.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Hazel B. Bacon, 153 West Abbott Street, Lansford, Carbon County, for appointment as Sheriff in and for the County of Carbon, until the first Monday of January 1952, vice Robert Bacon, Jr., deceased.

JOHN S. FINE.

## COMMUNICATIONS FROM THE GOVERNOR

He also presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows:

### APPROVED AND SIGNED SENATE BILL No. 525, PRINTER'S No. 184

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, August 16, 1951.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 525, Printer's No. 148, entitled "An Act to further amend Section 2 of the act approved the twenty-fifth day of June one thousand eight hundred ninety-five (P. L. 275) entitled 'An act dividing the cities of this State into three classes with respect to their population and designating the mode of ascertaining and changing the classification thereof in accordance therewith' by providing for the regression in classification of cities upon their decrease in population."

JOHN S. FINE.

### APPROVED AND SIGNED SENATE BILL No. 591, PRINTER'S No. 237

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, August 17, 1951.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 591, Printer's No. 237, entitled "An Act to amend subsection (e) of Section 2 of the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 626) entitled 'An act providing for and regulating the assessment and valuation of all subjects of taxation in counties of the second class creating and prescribing the powers and duties of a Board of Property Assessment Appeals and Review imposing duties on certain county and city officers abolishing the board for the assessment and revision of taxes in such counties and prescribing penalties' by permitting members and employes of the board to hold other offices or positions or engage in certain businesses."

JOHN S. FINE.

### APPROVED AND SIGNED SENATE BILL No. 5, PRINTER'S No. 7

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, August 17, 1951.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 5, Printer's No. 7, entitled "An Act to amend the act approved the eighteenth day of April one thousand nine hundred forty-nine



(P. L. 512) entitled 'An act relating to the administration and distribution of decedents' estates trust estates minors' estates and absentees' estates both as to real and personal property and the procedure relating thereto including the disposition of such estates or portions thereof and the determination of title thereto without the appointment of a fiduciary in certain cases the appointment bond removal and discharge of fiduciaries of such estates their powers duties and liabilities the rights of persons dealing with such fiduciaries and the rights of persons claiming an interest in such estates or in property distributed therefrom whether as claimants of distributees and containing provisions concerning guardians of the person of minors the powers duties and liabilities of sureties and of foreign fiduciaries the abatement survival and control of actions and rights of action and the presumption of death and also generally dealing with the jurisdiction powers and procedure of the orphans' court and of the register of wills in all matters relating to fiduciaries' redefining certain words providing the manner in which oaths of fiduciaries may be taken prescribing the advertisement of grant of letters clarifying the time in which accounts must be filed and the circumstances under which distribution can be made without liability to claimants who have not given notice of their claims and further defining the powers of foreign fiduciaries.'

JOHN S. FINE.

APPROVED AND SIGNED SENATE BILL No. 190,  
PRINTER'S No. 444

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, August 17, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 190, Printer's No. 444, entitled "An Act relating to the change of corporate names of churches or religious corporations as a result of the union merger or consolidation of the national or international church body of which such corporation is an affiliate subsidiary or component part providing for the filing of a certificate of change of name by such corporations with the Department of State and the recording thereof in the county of incorporation and the effect thereof."

JOHN S. FINE.

APPROVED AND SIGNED SENATE BILL No. 618,  
PRINTER'S No. 336

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, August 17, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 618, Printer's No. 336, entitled "An Act to amend Sections 515 and 525 of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1242) entitled 'An act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto' by changing the provisions governing openings in the surface of highways in boroughs incorporated towns and cities."

JOHN S. FINE.

APPROVED AND SIGNED SENATE BILL No. 694,  
PRINTER'S No. 300

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, August 17, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 694, Printer's No.

300, entitled "An Act authorizing cities boroughs towns and townships to accumulate over a period of more than one year monies required to match State grants and further regulating the budget taxation and appropriation powers of such political subdivisions therefor."

JOHN S. FINE.

APPROVED AND SIGNED SENATE BILL No. 121,  
PRINTER'S No. 151

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, August 17, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 121, Printer's No. 151, entitled "An Act to further amend the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled 'An act relating to cities of the third class and amending revising and consolidating the law relating thereto' by authorizing the classification of real estate into buildings on land and land exclusive of the buildings for city assessment and tax-levying purposes at separate and different rates."

JOHN S. FINE.

APPROVED AND SIGNED SENATE BILL No. 194,  
PRINTER'S No. 342

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, August 17, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 194, Printer's No. 342, entitled "An Act to further amend clause (k) of subsection (a) of Section 722 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled 'An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds' by including combinations of certain organizations within exemptions from fees."

JOHN S. FINE.

APPROVED AND SIGNED SENATE BILL No. 418,  
PRINTER'S No. 469

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, August 17, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 418, Printer's No. 469, entitled "An Act to further amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled 'An act relating to nonprofit corporations defining and providing for the organization



merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business with the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations' by permitting the Department of State to copy and destroy or return certain documents permitting corporations to borrow money acquire and dispose of real estate and make alter amend and repeal by-laws with the approval of a majority of the members present and entitled to vote thereon permitting a change of registered office pursuant to action of directors permitting directors to fill vacancies in the board of directors resulting from an increase in the number of directors deleting certain requirements as to the appointment compensation and duties of agents providing that meetings of members at which directors are to be elected may be adjourned for periods of fifteen days each fixing the method of cumulative voting in cases where directors are elected separately by the members of different classes defining 'doing business by foreign corporations and further providing for service of process on the Secretary of the Commonwealth with respect to such corporations.'

JOHN S. FINE.

APPROVED AND SIGNED SENATE BILL No. 638,  
PRINTER'S No. 257

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, August 17, 1951.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 638, Printer's No. 257, entitled "An Act to amend the title and the act approved the third day of May one thousand nine hundred and nine (P. L. 408) entitled 'An act authorizing the merger and consolidation of certain corporations' by permitting the merger or consolidation of certain domestic corporations or the merger or consolidation of certain foreign and domestic corporations prescribing the procedure for and the effect of a merger or consolidation providing for payment of certain fees taxes and bonus and defining the rights powers and privileges of dissenting stockholders and of the surviving corporation in the case of a merger and of the new corporation in the case of a consolidation."

JOHN S. FINE.

APPROVED AND SIGNED SENATE BILL N. 643,  
PRINTER'S No. 291

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, August 17, 1951.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 643, Printer's No. 291, entitled "An Act to further amend Section 1 of the act approved the thirteenth day of May one thousand nine hundred twenty-seven (P. L. 984) entitled 'An act relating to transactions between a person acting on his own behalf and the same person acting jointly with others and to make uniform the law relating thereto' by authorizing the conveyance of his or her interest by one tenant by the entireties alone to the other and validating such conveyance heretofore made."

JOHN S. FINE.

NOMINATIONS BY THE GOVERNOR  
NOTARIES PUBLIC

He also presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. WATSON. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on August 20, 1951.

Mr. WOOD. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, August 20, 1951.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Mrs. Kathryn M. Anderson, Pittsburgh, 23 Trent Street.  
Miss Edith King, Pittsburgh, 1507 Liverpool St. (33)

BERKS COUNTY

Robert P. Lewis, Reading.

DELAWARE COUNTY

William V. Bailey, Chester.  
Miss Mary H. Brauer, Chester.

FRANKLIN COUNTY

Mrs. Ruby L. Houser, Chambersburg.

PHILADELPHIA COUNTY

Max Gold, 428 W. Ellet Street.  
Jules Goldberg, 409 Manning Street.  
Samuel W. Hollingsworth, Sr., 220 S Broad Street.

JOHN S. FINE.

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, August 20, 1951.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

C. Lloyd Giltenboth, Pittsburgh, 509 Liberty Avenue.  
Miss D. J. Newman, Pittsburgh, 129 S. Highland Avenue  
Andrew Schaper, Jr., Pittsburgh, 860 Spring Garden Avenue.  
Clarence E. Tansimore, Jr., Pittsburgh, 649 Singer Place.

CRAWFORD COUNTY

Mrs. Evelyn Anderson, Meadville.  
Robert R. Wardian, Meadville.

DAUPHIN COUNTY

Mrs. Charlotte Shuey, Harrisburg.



## ERIE COUNTY

Mrs. Dorothy M. Bogar, Erie.

## LEHIGH COUNTY

Miss Madelyn V. Rush, Allentown.

## LUZERNE COUNTY

George Dickstein, Duryea.

## LYCOMING COUNTY

George L. Snell, Montoursville.

## MERCER COUNTY

Mrs. Elizabeth Malcolmson, Sharon.

## MONTGOMERY COUNTY

Miss Mary Ann Weber, Pottstown.

## NORTHAMPTON COUNTY

C. H. Dietrich, Washington Twp., Bangor.  
Mrs. Mary Wallace Helms, Bethlehem.  
H. E. Watkins, Bethlehem.

## PHILADELPHIA COUNTY

Alexander Brodsky, Cunard Bldg., 220 S. 16th Street.  
James W. Cake, 1633 Wakeling Street.  
Miss J. Patricia Dibble, 7434 Boyer Street.  
Mrs. Edith S. Gavin, 1833 Dallas Road.  
Mrs. Peg Rainier, 401 N. Broad Street.  
Miss Elizabeth M. Reilly, 6239 Haverford Avenue.

## WASHINGTON COUNTY

Miss Hazel M. Ralston, Washington.  
Miss Dorothy E. Wells, Charleroi.

## WESTMORELAND COUNTY

Carl E. Shirey, Youngstown.

## YORK COUNTY

Stratton J. Koller, Glen Rock.

JOHN S. FINE.

A motion was made by Mr. WATSON and Mr. WOOD, That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bane,	Haluska,	McPherson, Jr.	Stevenson,
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peelor,	Wade,
Byrne,	Lane,	Propert,	Wagner,
Chapman,	Leader,	Robinson,	Walker,
Crowe,	Letzler,	Rosenfeld,	Watkins,
Diehm,	Mahany,	Ruth,	Watson,
DiSilvestro,	Mallery,	Scarlett,	Wolfe,
Fleming,	McCreesh,	Silvert,	Wood,
Freed,	McGinnis,	Snowden,	Yosko,
	McMenamin,		

## NAYS—0

Two thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

## HOUSE MESSAGES

# HOUSE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE SENATE TO HOUSE BILL No. 757, RECALLED FROM THE GOVERNOR

The Clerk of the House of Representatives being introduced, presented communication from the House of Representatives informing the Senate that the House insists upon its amendments non-concurred in by the Senate to House Bill No. 757, entitled:

An Act to add Article XVII to the act, approved the seventh day of March, one thousand nine hundred one (P. L. 20), entitled "Second Class City Law," by providing for the establishment of a traffic court in cities of the second class.

and has appointed Messrs. COOPER, RIGBY and VERONA as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two houses in relation to said bill.

# SENATE BILL No. 249 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 249, entitled:

An Act to amend subsection (a) of section 411 of the act, approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 1053), entitled "An act relating to the regulation of public utilities; defining as public utilities certain corporations, companies, associations, and persons, providing for the regulation of public utilities, including, to a limited extent, municipalities engaging in public utility business, by prescribing, defining, and limiting their duties, powers, and liabilities, and regulating the exercise, surrender, or abandonment of their powers, privileges, and franchises; defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle; conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons, associations, companies and corporations, including, to a limited extent, municipal corporations subject to this act, and administering the provisions of this act; authorizing the commission to fix temporary rates; placing the burden of proof on public utilities to sustain their rates and certain other matters; authorizing a permissive or mandatory sliding scale method of regulating rates; providing for the supervision of financial and contractual relations between public utilities and affiliated interests, and supervision and regulation of accounts and securities or obligations issued, assumed or kept by persons, associations, companies, corporations, or municipal corporations subject to this act; conferring upon the commission power to vary, reform, or revise certain contracts; conferring upon the commission the exclusive power to regulate or order the construction, alteration, relocation, protection, or abolition of crossings of facilities of public utilities, and of such facilities by or over public highways, to appropriate property for the construction or improvement of such crossings, and to award or apportion resultant costs and damages; authorizing owners of such property to sue the Commonwealth for such damages; providing for ejectment proceedings in connection with the appropriation of property for crossings; conferring upon the commission power to control and regulate budgets of public utilities; imposing upon persons, associations, companies and corporations (except municipal corporations) subject to regulation, the cost of administering this act; prescribing and regulating practice and procedure before



the commission and procedure for review by the courts of commission action; giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings; prescribing penalties, fines, and imprisonment for violations of the provisions of this act and regulations and orders of the commission, and the procedure for enforcing such fines and penalties; and repealing legislation supplied and superseded by or inconsistent with this act," by relieving cities of the second class A and third class and the counties in which they are located from payment of damages occasioned by and costs of construction, reconstruction, repair and maintenance of certain bridges and viaducts.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended will appear on the Calendar.

#### SENATE BILL No. 456 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 456, entitled:

An Act to further amend the act, approved the thirty-first day of May, one thousand nine hundred forty-seven (P. L. 368), entitled "An act to protect consumers in the purchase for fuel purposes of the hard coal known as anthracite; providing for and regulating the sale, offering for sale, resale, delivery and shipment of anthracite according to a standard provided for in this act; requiring producers and dealers and persons engaged in the sale and resale of anthracite, from storage yards or otherwise to consumers, to keep certain records; conferring powers on the Anthracite Committee and its agents, and providing penalties," by defining "Retail Dealer," "Wholesale Dealer," "Municipal Weighmaster," and "Municipality," requiring producers, wholesale dealers and municipal weighmasters to issue certain statements and keep certain records; imposing and changing penalties; providing for the payment of fine for violations to the Commonwealth; and providing for injunctions to restrain violations.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended will appear on the Calendar.

#### SENATE BILL No. 598 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 598, entitled:

An Act to further amend Section 10 of the act, approved the twenty-ninth day of May, one thousand eight hundred eighty-five (P. L. 29), entitled "An act to provide for the incorporation and regulation of natural gas companies," by providing that natural gas companies shall have the right of eminent domain for underground storage of natural gas or manufactured fuel gas; and regulating the exercise of such right.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended will appear on the Calendar.

#### HOUSE CONCURS IN SENATE BILL No. 734

He also returned to the Senate, Senate Bill No. 734, entitled:

An Act to amend sections one and two of the act, approved the twentieth day of May, one thousand nine hundred forty-nine (P. L. 1511), entitled "An act defining cold storage; requiring licenses to operate cold storage warehouses and locker plants; requiring records, reports, marking, wrapping, protecting, limiting time of storage, disposition, sale, return or transfer of foods in cold storage; conferring powers on the Department of Agriculture, including adoption of rules and regulations, special permits for storage of feeding stuffs for animal use, and providing penalties for violation of this act," by redefining the term "Cold Storage Warehouse" and reducing the license fee.

with the information that the House has passed the same without amendments.

#### AMENDMENT TO HOUSE BILL No. 1269 RECALLED FROM THE GOVERNOR

He also presented for concurrence, House Bill No. 1269, entitled:

An Act to amend Section 15 of the act, approved the twenty-second day of April, one thousand eight hundred fifty (P. L. 538), entitled "An act to secure the cities of Pittsburgh and Allegheny, and the neighborhood thereof, from damage by gun powder; to incorporate an association for the establishment of a house of refuge for western Pennsylvania; and relative to the Pennsylvania State Lunatic hospital," by changing the maximum age for the commitment of delinquents to the Pennsylvania Training school at Canonsburg, and changing admission requirements relative thereto.

Said bill having been recalled from the Governor for amendment, the votes had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended, will appear on the Calendar.

#### AMENDMENT TO HOUSE BILL No. 1270 RECALLED FROM THE GOVERNOR

He also presented for concurrence, House Bill No. 1270, entitled:

An Act providing for the commitment and transfer of certain female juvenile delinquents to the Pennsylvania Training School for Girls, and imposing duties on the courts of this Commonwealth relative thereto.

Said bill having been recalled from the Governor for amendment, the votes had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended, will appear on the Calendar.

#### HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence bills of the House, as follows:

House Bill No. 640, entitled:

An Act to amend the act approved the sixth day of June, 1893 (P. L. 326), entitled, "A supplement to an act, entitled 'An act in relation to the imprisonment, government and release of convicts in the Pennsylvania Industrial Reformatory at Huntingdon,' approved the twenty-eighth day of April, Anno Domini one thousand eight hun-



dred and eighty-seven," by correcting the name of said institution and of the governing board thereof.

Which was committed to the Committee on Public Health and Welfare.

House Bill No. 646, entitled:

An Act to amend Section 13 of the act, approved the fifth day of May, one thousand nine hundred twenty-one (P. L. 389), entitled "An act to regulate and control the manufacture, sale, offering for sale, giving away, and use of weights and measures and of weighing and measuring devices in the Commonwealth of Pennsylvania; providing for the approval and disapproval of such weights, measures, and devices by the Bureau of Standards; and prescribing penalties," by providing for the inspection of new, second-hand or repaired weighing or measuring devices.

Which was committed to the Committee on Highways

House Bill No. 1006, entitled:

An Act fixing the minimum salaries for tipstaves in the courts of record in counties of the fourth class.

Which was committed to the Committee on Local Government.

#### RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 900

He also presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, August 15, 1951.

Resolved, (If the Senate concur), That House Bill No. 900, Printer's No. 216, entitled:

An Act to further amend section one thousand and twenty-seven of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "Vehicle Code," by changing the requirements that certain vehicles stop at railway grade crossings.

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 1294

He also presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, August 15, 1951.

Resolved, (If the Senate concur), That House Bill No. 1294, Printer's No. 722, entitled:

An Act to amend the title of, and the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 1005), entitled "Tractor Code," by deleting from said act all provisions relating to operators, operators' licenses, and trailers; and further providing for the equipment of tractors.

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 1324

He also presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, August 15, 1951.

Resolved, (If the Senate concur), That House Bill No. 1324, Printer's No. 596, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "Vehicle Code," by changing the registration year for commercial motor vehicles, motor buses, motor omnibuses, and trailers, and certain exemptions in accordance therewith.

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 1348

He also presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, August 15, 1951.

Resolved, (If the Senate concur), That House Bill No. 1348, Printer's No. 511, entitled:

An Act to amend Section 1 of the act, approved the eighth day of May, one thousand nine hundred one (P. L. 150) entitled "An act providing for the raising of revenue for State purposes, by imposing upon certain foreign corporations, limited partnership and joint stock associations a bonus of one-third of one per centum upon the capital actually employed in Pennsylvania, and requiring the filing of certain reports in the office of the Auditor General," by exempting from the provisions thereof foreign nonprofit corporations.

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 1404

He also presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, August 15, 1951.

Resolved, (If the Senate concur), That House Bill No. 1404, Printer's No. 685, entitled:

An Act to amend the act approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30) entitled "Public School Code of 1949," by providing for the addition to the tax duplicates of school districts of the third and fourth class, of properties occupied during the fiscal year of the school district, in certain cases.

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.



### HOUSE COUCURS IN AMENDMENTS TO HOUSE BILL No. 1133

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1133, entitled:

An Act to further amend sections seven, eleven, and twenty-one and to add section twenty-one point one to the act, approved the sixth day of August, one thousand nine hundred forty-one (P. L. 861), entitled "An act to create a uniform and exclusive system for the administration of parole in this Commonwealth; establishing the 'Pennsylvania Board of Parole'; conferring and defining its jurisdiction, duties, powers and functions, including the supervision of persons placed on probation in certain designated cases; providing for the method of appointment of its members; regulating the appointment, removal and discharge of its officers, clerks and employees; dividing the Commonwealth into administrative districts for purposes of parole; fixing the salaries of members of the board and of certain other officers and employees thereof; making violations of certain provisions of this act misdemeanors; providing penalties therefor; and for other cognate purposes, and making an appropriation," by removing the ceiling on salaries of the secretary of the board and of district supervisors, making the amount of such salaries subject to the determination of the Executive Board; and by further defining the jurisdiction, duties, powers and functions of the Pennsylvania Board of Parole.

### HOUSE CONCURRENT RESOLUTION

He also presented extract from the Journal of the House, which was twice read as follows:

### TIME OF NEXT MEETING

In the House of Representatives, August 20, 1951.

Resolved, That when the House of Representatives adjourns this week, it re-convene on Monday, September 17, 1951, at 3:30 o'clock p. m. E. S. T., unless sooner re-convened at the call of the Speaker of the House of Representatives and when the Senate adjourns this week, it re-convene on Monday, September 17, 1951, at 2:00 o'clock p. m. E. S. T., unless sooner re-convened by the President Pro Tempore of the Senate.

### RESOLUTION LAID ON THE TABLE

Mr. WALKER. Mr. President, I move that the resolution just read by the Clerk be laid on the table.

Mr. LANE. Mr. President, I second the motion.

The motion was agreed to.

### BILLS SIGNED

The President (Lieutenant-Governor Lloyd H. Wood) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 1133, entitled:

An Act to further amend sections seven, eleven and twenty-one and to add section twenty-one point one to the act, approved the sixth day of August, one thousand nine hundred forty-one (P. L. 861), entitled "An act to create a uniform and exclusive system for the administration of parole in this Commonwealth; establishing the 'Pennsylvania Board of Parole'; conferring and defining its jurisdiction, duties, powers and functions, including the supervision of persons placed on probation in certain designated cases; providing for the method of appointment of its members; regulating the appointment, removal and

discharge of its officers, clerks and employees; dividing the Commonwealth into administrative districts for purposes of parole; fixing the salaries of members of the board and of certain other officers and employees thereof; making violations of certain provisions of this act misdemeanors; providing penalties therefor; and for other cognate purposes, and making an appropriation," by removing the ceiling on salaries of the secretary of the board and of district supervisors, making the amount of such salaries subject to the determination of the Executive Board; and by further defining the jurisdiction, duties, powers and functions of the Pennsylvania Board of Parole.

House Bill No. 1605, entitled:

An Act authorizing allocations to the Treasury Department and the Department of the Auditor General from the appropriation to the Department of Public Assistance, Act No. 27-A, approved June thirtieth, one thousand nine hundred fifty-one, for the administrative expenses in auditing and disbursing the appropriation made by said act during the month of August, one thousand nine hundred fifty-one.

House Bill No. 1611, entitled:

An Act making an appropriation to the Department of Welfare for the purpose of administering the "Pennsylvania Hospital Survey and Construction Act of 1947."

House Bill No. 1612, entitled:

An Act making an appropriation for the payment of expenses incurred by the State Council of Civil Defense.

House Bill No. 1613, entitled:

An Act making an appropriation to the Department of Public Instruction, including proceeds of publications sold, for the purpose of revising the curricula of elementary, secondary and vocational schools.

House Bill No. 1614, entitled:

An Act making an appropriation to the State Tax Equalization Board for payment of necessary expenses.

House Bill No. 1615, entitled:

An Act making an appropriation to the State Veterans' Commission for the expenses of the commission, furnishing certain assistance to needy Pennsylvania veterans of any war or their dependents, for participation in certain defense activities, for the rehabilitation and care of veterans, including the acquisition of land by purchase, condemnation or gift, and construction of buildings for such purpose.

House Bill No. 1616, entitled:

An Act making an appropriation to the Department of Mines for the purpose of administering the provisions of "The Coal Mining Sealing Act of 1947."

House Bill No. 1617, entitled:

An Act making an appropriation for the maintenance, repair and improvement of the Port of Philadelphia.

House Bill No. 1618, entitled:

An Act making an appropriation to aid certain school districts.

House Bill No. 1619, entitled:

An Act making an appropriation to the Department of Labor and Industry to meet the obligation of the Commonwealth to pay a part of the compensation payable for certain occupational diseases.



House Bill No. 1620, entitled:

An Act making an appropriation to the Department of Labor and Industry for the payment of additional workmen's compensation in cases of second injuries.

House Bill No. 1621, entitled:

An Act making an appropriation to The Brandywine Battlefield Park Commission for the payment of necessary expenses.

Whereupon,

The President (Lieutenant-Governor Lloyd H. Wood) in the presence of the Senate signed the same.

### REPORTS FROM COMMITTEES

Mr. MALLERY, from the Committee on Agriculture, reported as committed, House Bill No. 1554, entitled:

An Act to authorize the Secretary of Public Assistance of the Commonwealth of Pennsylvania to apply to the Secretary of Agriculture of the United States for the return of assets of the former Pennsylvania Rural Rehabilitation Corporation to receive deposit and administer such assets for rural rehabilitation or other authorized purposes and to enter into agreements with the Secretary of Agriculture of the United States with respect to the future administration of said assets.

Mr. WAGNER, from the Committee on State Government, reported as amended, Senate Bill No. 652, entitled:

An Act to further amend the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "An act establishing a public school employees' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employees, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the boards having the employment of public school employees; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by providing credit for retirement purposes for out-of-state service in certain cases.

### BILLS INTRODUCED AND REFERRED

Mr. FLEMING read in his place and presented to the Chair Senate Bill No. 831, entitled:

An Act to further amend the act approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "An act establishing a public school employees' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employees, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employees; exempting annuities, allowances, returns, benefits and rights from taxation and judicial process; and providing penalties," by further extending the time for present employees to elect to be covered by the retirement system and granting retirement rights to certain additional persons who have withdrawn from and returned to school service.

Which was committed to the Committee on State Government.

Mr. WAGNER read in his place and presented to the Chair Senate Bill No. 832, entitled:

An Act to amend rule fifty-five of article XII of the act approved the second day of June, one thousand eight hundred ninety-one (P. L. 176), entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith," by permitting the removal of props or timber by blasting or by means of a prop puller.

Which was committed to the Committee on Mines and Mining.

Mr. BARR read in his place and presented to the Chair Senate Bill No. 833, entitled:

An Act to further amend the act, approved the fifth day of May, one thousand nine hundred eleven (P. L. 198) entitled "An act to establish a county court for the county of Allegheny and prescribing its powers and duties; regulating the procedure therein, and providing for the expenses thereof," by conferring exclusive jurisdiction on the county court of Allegheny County in cases of appeals from decisions of the collector of mercantile taxes imposed by political subdivisions within the territorial limits of its jurisdiction.

Which was committed to the Committee on Judiciary General.

He also read in his place and presented to the Chair Senate Bill No. 834, entitled:

An Act providing a preference of ten points in State Bar Examinations for all honorably discharged veterans of World War II.

Which was committed to the Committee on Judiciary General.

### REPORT FROM COMMITTEE

Mr. WOLFE, Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WOLFE, from the Committee on Military Affairs and Aeronautics, reported as committed, Senate Bill No. 828, entitled:

An Act to further amend Section 1 of the act, approved the eighteenth day of June, one thousand nine hundred forty-one (P. L. 136), entitled "An act authorizing certain officers on active duty with the armed forces of the United States to act as notaries public, and requiring certification of their authority," changing the provisions of said act in order to make it conform in certain respects to certain Acts of Congress.

### PETITIONS AND REMONSTRANCES

Mr. HALUSKA. Mr. President, last Monday I rose in place to discuss the deficiency appropriation pertaining to Schuylkill County, Northumberland County and other counties of the Commonwealth. Again I rose in place on Wednesday of last week, discussing issues along the same line. During our discourse that afternoon, certain remarks were made and I made a remark for which I was censured, I could say more, but I was fearful I may be wrong. I told the truth; I was not fortified at that time to make statements that I wanted to make. Since that time I have fortified myself with information so that I can make those statements today or later.

On Wednesday afternoon, Mr. President, the gentleman from Schuylkill County, my colleague, Senator Wagner, rose in place and stated very definitely that I remarked



that the County Commissioners and Judges of Schuylkill County should be sent to jail for failure to do their duty. I argued that I did not make that remark. I argued that I did say, however, that the County Commissioners and the Judges of Schuylkill County should be surcharged for negligence in performing their duties properly. The gentleman from Schuylkill County disagreed with me and insisted that I made the other remark. I then asked that a transcript be made of my speech, to be given each Member of the Senate. The gentleman from Allegheny County, Mr. Walker, then replied that he would see to it that I received a copy of my remarks and, likewise, would the gentleman from Schuylkill County. I received my copy by mail, Mr. President, and I am thankful for it, and I want to compliment the stenographic help in the Senate for doing an accurate job. The words that I spoke on the Senate floor appear in this transcript, and I want the gentleman from Schuylkill County now to show me where I made the remark during my discourse that the Judges or County commissioners should go to jail because they have failed to do their duty. It does not appear in the record. I made no such remark, and it goes to prove once again what loose talk will do, how innocent people have suffered, broken up families, people sent to jail, paid the death penalty and created chaos in many families because of propaganda and loose talk.

Mr. President, I have always tried to refrain from talking loosely. I try to be accurate, and I am sincere in what I said. The gentleman from Schuylkill County either spoke in the heat of anger, because I do not think he practices loose talk. I have a lot of respect for him, but that one day it was very loose, and again I say I would like to have him point out to me where I made that statement. I remarked that if I did, I would apologize to him and to the Senate at large. What he cares to do is up to him. I am not asking for an apology, but I do want him to clarify his statement now as to the remark I made and what he finds in the official record.

Mr. WAGNER. I would like to interrogate the gentleman from Cambria.

The PRESIDENT. Will the gentleman from Cambria, Mr. Haluska, permit himself to be interrogated?

Mr. HALUSKA. I will, Mr. President.

The PRESIDENT. The gentleman will proceed.

Mr. WAGNER. Will the gentleman point out where I said that he said the Judges of Schuylkill County should go to jail?

Mr. HALUSKA. Mr. President, if the gentleman will give me enough time, I will do just that.

I am ready, Mr. President. I am sorry for the delay, Mr. President. I am a little slow in picking out these pages here, but I want to read from the record where he so stated, Mr. President: "I think the gentleman implied, at least, that not only should the Commissioners be put in jail, but he said something about the Judges and the improper actions that they take in regard to some of the coal situations."

I think that answers your question.

Mr. WAGNER. I think not.

Mr. HALUSKA. You think not?

Mr. WAGNER. No, Mr. President, there is no quote in there, there is no statement in there that I said such a thing. I said, "I think the gentleman implied, at least, that not only should the Commissioners be put in jail,

but he said something about the Judges and the improper actions that they take in regard to some of these coal situations."

Mr. HALUSKA. Mr. President, may I interrogate the gentleman from Schuylkill County now?

The PRESIDENT. Will the gentleman from Schuylkill, Mr. Wagner, permit himself to be interrogated?

Mr. WAGNER. Mr. President, I would prefer, if the gentleman has no objection—now that he has answered my question as closely as he could come to an answer—that I might be permitted to make a statement, and if he wants to interrogate me after that, I shall be willing to be interrogated.

Mr. HALUSKA. Well, just one question.

The PRESIDENT. The gentleman from Cambria may proceed.

Mr. HALUSKA. Will you kindly interpret the word "imply"? Just what does it mean that I am implying? In what manner did I imply they should go to jail? Senator Wagner?

Mr. WAGNER. Mr. President, when I was a columnist for the Tamaqua Courier back in the 1920's, I always used the word "implied" in the sense that it meant to give out an impression. Now, to a lay mind, when you talk about Commissioners being hauled before a court for not doing their duty and Judges falling down in their duty, there are a lot of us not practiced in the law, Mr. President, who immediately think, By golly, those fellows ought to go to jail. They don't belong on the bench, they don't belong in the Commissioners' office."

Mr. HALUSKA. Mr. President, that certainly is going far afield in the answer. A layman or no lay person can be led to believe that the word "surcharge" of any public official implies in any manner whatsoever that he should go to jail. I did remark on a number of occasions that the County Commissioners and the Judges of Schuylkill County should be surcharged, but show me where or how you could possibly imply that I said they should go to jail. He certainly stretches his imagination I should think.

Mr. WAGNER. Mr. President, if I may use you as legal counsel for a moment, what if you are surcharged and refused to pay the surcharge or cannot pay it? What do they do with you?

The PRESIDENT. The Chair recognizes the Majority Floor Leader, Mr. Walker.

Mr. WALKER. Mr. President, I object to the Chair giving legal advice at this time.

The PRESIDENT. The Chair is like a married woman. He cannot be surety for a daughter.

Mr. WALKER. Mr. President, in all fairness, I am not trying to be captious, but I would appreciate it very much if the difference of opinion as to what was said was said has been resolved. The record speaks for itself. I am wondering if the gentlemen have satisfied each other that both either did or did not say what they said.

Mr. WAGNER. Mr. President, do I still have the floor?

The PRESIDENT. You still have the floor.

Mr. WAGNER. Mr. President, in deference not only to the Majority Floor Leader but to all of the Senators here and the people at the desk who have been held up a long time before we started this evening, I will not pursue any further this matter of debate. The record shows that Mr. Haluska did not say that the Judges ought to go to jail. The record shows that I did not say he said it.



I did not even say he implied it, except in so far as the County Commissioners were concerned.

Now, Mr. President, I got the implication from the fact that he said the County of Schuylkill is not distressed, and the County Commissioners and Judges, if you please, should be surcharged for negligence in not performing their duties, and then he said further that when the Commissioners tried to do their duty, the Judges would not go along and they are definitely derelict in what they do. Now, let us not concern ourselves too much about the record. I am saying this for Senator Haluska's benefit, because I do not think I should apologize for saying something I did not say, and I do not want him to think what I said was in the heat of anger. Certainly I was not angry at him. He very definitely spread upon the record his complete distrust of Schuylkill County, and I very indignantly resented that and justified the position in which Schuylkill County was placed regarding that legislation, and, of course, he was talking about a county and I was defending the county against an individual which made it necessary, of course, to indulge in some personalities, but as I told Senator Haluska after the Session, when he bought me my lunch, I said, "We should both be very careful that we do not let the Senate nor the spectators get the idea that this is a running fight between Cambria and Schuylkill Counties," because, as a matter of fact, Senator Haluska has stated repeatedly that he will vote for money to help distressed teachers, which is what I had been carrying the ball for at that particular time, and I think Senator Haluska knows very well that certainly I am in favor of good government and clean government and honest government in Cambria County, in Schuylkill County, in Pennsylvania and in the United States. When the day comes that I think there is not much hope in having that, then I want to get out of public life.

Mr. President, I only want to say further that there is no serious difference between us. Apparently that word "implied", if the Chair will accept my definition of it, the implication must have gone out, because I have here from the Evening Courier of Tamaqua an editorial about these distressed districts and how it could not be avoided, and some of the steps that were taken by specific districts to remedy their trouble, and I have an editorial from the Pottsville Journal, both of them of August 16, in which the Journal goes at considerable length to set forth the inevitability of these distresses in coal counties where the supply is being depleted, and I would suggest or request that these editorials be made a part of the record.

#### EVENING COURIER

##### "Unfair Attack

"The Democratic attack upon State Senator Paul L. Wagner when he reported the \$750,000 appropriation bill to the floor of the Senate for action is indeed an unfair one.

"Senator Wagner has consistently shown his interest in the educational program in general and while it is true that the Schuylkill and Northumberland areas are the ones who will principally benefit from the emergency appropriation, we who know Mr. Wagner know that he would work every bit as hard for any other distressed district.

"We ourselves agree that districts should be made to put their houses in order and so said in a recent editorial. However, we must also agree with Mr. Wagner that some action must be taken immediately to pay those teachers who have gone as long as 10 months without a paycheck.

"It is important too that the schools be opened on schedule so that the children will not lose their opportunity to attend school (much as some of them might enjoy it) and their education thus hampered. If relief is not given to guarantee the payment of the teachers' salaries there is every likelihood that the teachers would justifiably refuse to return to their classrooms.

"There are some districts which have been making consistent cut-backs in order to keep their budgets in balance. Just this year the Coaldale District has closed one building and failed to replace three teachers who resigned as a means of keeping themselves adjusted. Deceased inrollments which bring decreases in appropriations and higher costs made this action advisable and the district was prompt to take the necessary action.

"Let the appropriation be passed and the teachers be paid. Then should the Department of Public Instruction begin an earnest effort to bring about an adjustment in the budgets of the distressed districts to place them on a sound footing which they will be able to operate themselves.

#### POTTSVILLE JOURNAL

##### "THE FACTS ABOUT THE UNPAID TEACHER PROBLEM

"First of all, there can be no question about this: the unpaid school teachers of distressed districts in Schuylkill and Northumberland Counties have not been given a fair shake.

"It is neither fair nor equitable that teachers of 14 school districts in Schuylkill County should be owed \$391,700 in salaries, some for as long as 10 months.

"Everybody likes to get his pay on payday and more than often the one who doesn't is faced with real inconvenience if not distress, until he is paid. To stretch out the payless period into weeks and months is aggravating an already acute condition and certainly not at all conducive to the esprit de corps or morale of the teachers.

"Now, let's look at the facts and the underlying reasons for these wholesale failures to pay salaries.

"It must be said in all fairness that school directors of the distressed districts share sincerely the dilemma of the teachers. The directors of most school districts are honorable, well-meaning people who are guided by sincere motives in guiding the administration of the schools.

"But they simply don't have the money to pay the teachers and one can't squeeze blood out of a stone.

"The underlying reasons for the distress of school districts are manifold.

"Some districts in the heyday of public school expansion built physical plants not commensurate with the needs of the districts—especially in view of the decline of the anthracite industry. It should be noted that practically all districts unable to pay teachers' salaries are in coal-producing areas. When the coal business declined, veins and mines were worked out and anthracite plants were abandoned, revenues to the school districts fell.

"But too many districts didn't retrench. The human element, always present, blocked any thought of reducing teaching staffs to make payrolls easier to meet. Some districts bluntly refused to reduced staffs until the state conditioned special appropriations on such reductions.

"Per capita taxes were not levied in sufficient amounts and when levied they were difficult to collect.

"Yellowed newspaper clippings spread out before us tell the same story—school districts were distressed years ago and they'll be distressed again. One district is reported to have received \$250,000 alone in special state grants over the year.

"Some districts were distressed when the legal minimum for school teachers' salaries was half what it is now. Is it any wonder they are distressed today?

"We're glad Senator Paul Wagner is spearheading the bill to restore a deficiency appropriation to pay the teachers' salaries. The bill should be passed and the teachers should be paid.

But it comes with ill grace and bad taste for Senate Democrats from Western Pennsylvania, who can know



nothing of the underlying reasons for school districts' distress, to heap unmerited criticism on county officials and the courts.

"The breast-beaters who cry 'political steal' don't know—or perhaps choose not to know—the full story. They are the one who are trying to make a political issue out of something largely economic.

"When the state which mandates minimum salaries, and dictates 90 per cent of policy and operation of school districts, decides to undertake to support the schools more fully, then all districts will be better off.

Mr. President, so far as I am concerned, Senator Haluska and I join forces to get the money wherever it needs to be gotten to pay any teachers who have to be paid, because they need it, and to see to it that there is no money wasted in any part of the Commonwealth. If that is agreeable to the gentleman from Cambria, there is no occasion for any further debate.

Mr. HALUSKA. Mr. President, on this side of the House we are quite fortunate because we have men who will prompt us and help us while the opponent is debating. In this case my good friend from Lawrence County, Senator Neff, said that my integrity is being questioned by the gentleman from Schuylkill County. I am not asking for any apology, of course, since the gentleman from Schuylkill County definitely stated I did not make that remark and that is all I wish to clarify. I did not get up and make that remark and the implication of the remark is another thing and I am satisfied to bring the case to rest temporarily, because I went to a lot of work, Mr. President, and received a lot of mail from Schuylkill County, telegrams and mail, telling me that they have finally found a hero in the State Senate. I feel very much complimented that I must come to their rescue. I give credit to the Senator from Schuylkill County for trying to defend a weak case. He did a marvelous job as a lawyer will in court—a man who is condemned to die or steals, a lawyer will argue that the man is innocent. In this case, Senator Wagner did a good job defending his county and rightfully so, but down in his heart he knows he has a weak case, and, Mr. President, I have a lot of information—I hope you can all see it across the Senate floor—coming from Schuylkill County. Did you read it, Mr. President? It is called "The Big Steal." I did not print it. I hate to put this in the record. I dislike it very much, because it involves the names of persons in this Chamber, Mr. President. If I should place in the record the letter that I have here pertaining to Schuylkill County, it will rock this Chamber. So, naturally, there is something wrong in Schuylkill County. I am not modest, really modest, but there is plenty wrong. That county has received up in the millions of dollars of deficiency appropriations due to the lack of improper administration by the County Commissioners and the powers that be.

Mr. President, as I said last week, if the balance of the Commonwealth would do likewise, a twenty per cent income tax would not pay the bill. I hope, if I have the opportunity before the Session is over, unless we adjourn tomorrow sine die, to bring to light the discrepancies in Schuylkill County, and the information that I have was sent to me by residents of Schuylkill County, good citizens who are alarmed over the situation. So, I am very happy that while I realize some of the money goes to my county and districts, that I am very happy, Senator Wagner, if I can defend my county, I would have

a stronger case. You have my sympathy. You did a good job for your county. It is not your fault, but the fault of your County Commissioners and your Judges.

Mr. WAGNER. Mr. President, I think that we might just as well, since we have taken this much time, settle that other matter that was considered last Wednesday. If you will recall, I was most indignant about the statement purportedly made by former Governor Duff that he would go into Schuylkill County and investigate conditions, and some people there would go to jail. I challenged the gentleman, too, as I put it, I think, to name any person from Schuylkill County who Governor Duff ever said should go to jail or any person from Schuylkill County who might be qualified to go to jail at the present time. The Senator said he did not say Schuylkill County. He said Schuylkill-Northumberland Counties. Now, I would like to read from the transcript in the Senate on Wednesday, August 15, page 1 of the transcript, in which Senator Haluska said, "Schuylkill County is a county by itself, and just going back to the statement made by Senator Duff when he was Governor, of the remarks he made about a certain individual in Schuylkill County, and then Governor Duff said"—this does not make complete sense, but that is the way it is here—"and then Governor Duff said, 'I shall conduct an investigation and certain people shall go to jail.'" Now, Schuylkill County is the only county mentioned in that sentence, and that is why I was particularly indignant at the implication that Governor Duff missed some game in open season in my county.

Mr. HALUSKA. Mr. President, if the gentleman reads on further, I said the following. I said, "The Governor of the Commonwealth, at that time Duff, made certain charges about officials in Schuylkill County and Northumberland County." That happens to appear in the record, and I hope your copy is the same as mine.

Mr. WAGNER. Is that page 1?

Mr. HALUSKA. No, I am on another page now.

Mr. WAGNER. What page are you on, Senator?

Mr. HALUSKA. My book is not numbered, is yours?

Mr. WAGNER. Yes, it is.

#### PARLIAMENTARY INQUIRY

Mr. WALKER. Mr. President, I rise to a point of parliamentary inquiry.

The PRESIDENT. The gentleman from Allegheny, Mr. Walker, will state his point of parliamentary inquiry.

Mr. WALKER. Mr. President, what is before the Senate?

The PRESIDENT. Petitions and Remonstrances.

Mr. WALKER. Mr. President, I would like to inquire if it would be possible, and I say this in all kindness, for the gentlemen to terminate their interrogatory discussion and file briefs. I say, in all fairness, I think in order to same time we should read the Journals at length hereafter and then we will find out what everybody said. I think both gentlemen have established their point. The jury has gone out to consider the case, and can't we recess the matter there and file briefs? I would like to get on with the long Calendar.

Mr. HALUSKA. Mr. President, we have sat here for eight months and done nothing, and another eight months will make very little difference in my life. I have listened to the gentleman from Allegheny County for hours; I was not interested, but I listened. I think he can do likewise.



I am trying to prove my point, because it is very important in the coming biennium as to what we are going to do, and I think it is our duty now to thrash this out. I want to answer the gentleman from Schuylkill County and then I will be through. On the page that he read from that is true. I said Schuylkill County, but then later on amended my remarks by saying Northumberland County, and if the gentleman wishes me to quote the name—I have tried to refrain from quoting names—but if he wants me to quote the name of the person who Governor Duff promised to put in jail, at his request and his request only shall I quote the name from the Senate floor.

Mr. WAGNER. Mr. President, I have no desire to have the name quoted, if the gentleman will concede, as he apparently does, that the gentleman or the person involved is not from Schuylkill County. The transcript which I read from Wednesday was Senator Haluska's original statement. I know it is amended two pages later, but it was amended after I protested and the Senator said, he said Schuylkill and Northumberland. Senator Walker reminded Senator Haluska that the Senator's original statement was just Schuylkill County, Period, and then Senator Haluska said he would amend it to include Northumberland, which about clears the air as far as I am concerned.

Mr. DiSILVESTRO. Mr. President, may I make a suggestion as one of the jurors here? When I first came into the Senate, I thought I was a young kid in the hands of wolves, and when a brilliant lawyer would get up and say he said that the other fellow said that I said that he said, I could not understand good English so I went to Temple Law School and I learned all about what I said that he should say.

Mr. President, I suggest that anyone of our good Senators who is an ordinary layman, if he would like to go to Law School I will give him a scholarship to learn all the rules of hearsay and evidence under that brilliant professor of law, Senator Lord, who flunked me, not because I was a Democrat but because I did not have the answers, and I took a re-exam and passed it. So, when any body says he said, like the Philadelphia Inquirer said that I was waivering, I should have gotten angry and I should have hit the sky, because they said I was waivering, but that is all hearsay. Whatever is in the newspapers is hearsay until it is proven in court.

Mr. YOSKO. Mr. President, I do not want to prolong this discussion, but I do want to read a letter that I sent to Governor Fine last Friday, and it deals with this subject.

Mr. President, when I left here last week and got home, I began to analyze some of the reports that were made available to me on this question of allocations to so-called distressed school districts, and, frankly, after making my analysis, I came to the conclusion, whether it is the right conclusion or not, but I came to the conclusion that this whole thing has reached the proportions of a racket, and although I am in sympathy with the school teachers that have not been paid in the counties that might be involved, I thought it was my duty to request the Governor to withhold allocations from the \$750,000 appropriation that was made to distressed school districts until this whole matter was investigated. So, I

sent the Governor a telegram and I asked him to withhold the payments, and I told him I would send him a follow-up letter in which I would request that he direct the Attorney General to make an investigation, through a grand jury or otherwise, and this is my letter, addressed to the Governor:

"Dear Governor Fine:

"Supplementing my telegram of today requesting that payments to alleged distressed school districts be withheld pending investigation by your Attorney General through a special grand jury or otherwise, please be advised that I was prompted to make this request after making an analysis of allocations made by the Department of Public Instruction to so-called distressed school districts over a period of years.

"This analysis indicates that some school districts have been receiving these allocations year after year which raises the suspicion that state funds are being loosely administered by the Department of Public Instruction and that collusion, conspiracy, fraud, mismanagement, misfeasance or malfeasance may exist.

"For example, in Northumberland County, Coal Township repudiatedly one of the wealthiest in the state with a population of between 18,000 and 19,000, a pupil enrollment of 2350 and 90 school teachers received allocations totaling \$1,148,971.00 during the school years from 1943-44 to 1950-51 as follows:

"1943-44	\$157,886.00
1944-45	156,250.00
1945-46	163,821.00
1946-47	167,187.00
1947-48	200,932.00
1949-50	252,895.00
1950-51	50,000.00

"Coal Township is an applicant for another allocation from the \$750,000.00 deficiency appropriation approved by the Legislature this week.

"Kulpmont Boro with a population of 5,176, a pupil enrollment of 769 and 30 school teachers received allocations totaling \$502,689.00 during the following years.

"1943-44	\$ 58,323.00
1944-45	55,080.00
1945-46	49,143.00
1946-47	72,768.00
1947-48	66,480.00
1948-49	84,955.00
1949-50	78,140.00
1950-51	37,800.00

"Kulpmont Boro is an applicant for another allocation from the \$750,000.00 deficiency appropriation approved by the Legislature this week.

"Mt. Carmel Boro with a population of 14,240, a pupil enrollment of 1500 and 61 school teachers received allocations totaling \$569,010.00 during the following years.

"1943-44	\$ 97,137.00
1944-45	99,845.00
1945-46	89,945.00
1946-47	132,765.00
1947-48	149,318.00

"Mt. Carmel Township with a population of 4500, a pupil enrollment of 590 and 22 teachers received allocations totaling \$356,304.00 during the following years.

"1943-44	\$ 87,840.00
1944-45	86,100.00
1945-46	55,691.00
1946-47	58,149.00
1947-48	68,524.00

"Mt. Carmel Township is an applicant for another allocation from the \$750,000.00 deficiency appropriation approved by the Legislature this week.

"Other school districts in Northumberland County were paid sums as follows: East Cameron Township received \$37,280.00 for school years 1943-44 to 1945-46 (3 years);



West Cameron Township received \$46,375.00 from 1943-44 to 1946-47 (4 years); Zerbe Township received \$57,785.00 from 1943-44 to 1944-45 (2 years); and Snyderstown Boro received \$5,947.00 in 1948-49 and 1950-51 (2 years).

"The total paid to so-called distressed school districts in Northumberland County for the years indicated herein was \$2,724,361.00.

"In Schuylkill County funds were allocated to alleged distressed school districts as follows:

"East Union Township

1943-44	\$30,800.00	
1944-45	28,084.00	
1945-46	29,623.00	
1946-47	34,361.00	
1947-48	43,451.00	
1948-49	41,749.00	
1949-50	42,376.00	Total \$250,444.00

"Gilbertson Boro

1943-44	\$61,276.00	
1944-45	59,290.00	
1945-46	52,555.00	
1946-47	66,706.00	
1947-48	58,329.00	
1948-49	69,519.00	
1949-50	65,622.00	
1950-51	16,873.14	Total \$450,170.14

"Kline Township

1943-44	\$36,288.00	
1944-45	32,915.00	
1945-46	35,719.00	
1946-47	27,815.00	
1947-48	44,459.00	
1948-49	37,884.00	
1949-50	42,505.00	Total \$257,585.00

"McAdoo Boro

1943-44	\$43,892.00	
1944-45	34,847.00	
1945-46	44,145.00	
1947-48	72,305.00	
1948-49	75,431.00	
1949-50	75,483.00	
1950-51	26,526.00	Total \$372,629.00

"Shenandoah Boro

1943-44	\$109,317.00	
1944-45	95,857.00	
1949-50	129,068.00	
1950-51	18,000.00	Total \$352,242.00

"Branch Township

1944-45	\$19,838.00	
1945-46	24,659.00	
1946-1947	23,700.00	
1948-49	34,194.00	
1949-50	32,743.00	Total \$135,134.00

"Girardville Boro

1944-45	\$41,622.00	
1945-46	28,983.00	
1948-49	30,195.00	
1949-50	33,540.00	
1950-51	18,000.00	Total \$152,340.00

"Middleport Boro

1946-47	\$13,514.00	
1948-49	18,581.00	
1949-50	17,626.00	
1950-51	13,600.00	Total \$ 63,321.00

"Ringtown Boro

1944-45	\$12,248.00	
1945-46	13,533.00	
1946-47	13,334.00	
1947-48	15,573.00	
1948-49	19,608.00	
1950-51	5,000.00	Total \$ 79,296.00

"In addition to the above school districts in Schuylkill County, Hegins Township received \$146,231.00 for the 3 years period from 1943-46; Norwegian Township received

\$18,657.00 for the year 1943-44; Treemont Township received \$11,433.00 for the year 1943-44; Tower City received \$36,961.00 for the two-year period 1949-51; East Norwegian Township received \$56,697.00 for the two-year period 1944-45 and 1949-50; Frackville Boro received \$54,548.00 for the year 1944-45; New Castle Township received \$19,663.00 for the year 1947-48; Butler Township received \$56,496.00 for the year 1945-46; Blythe Township received \$109,069.00 for the two-year period 1947-49; Cass Township received \$166,719.00 for the two-year period 1948-50; New Philadelphia Boro received \$28,838.00 for the two-year period 1948-49 and 1950-51; and Delano received \$16,582.00 for the year 1949-50.

"The total paid to alleged distressed school districts in Schuylkill County for the years herein indicated was \$2,835,055.14.

"All of the school districts in Schuylkill County listed above are applicants for a share of the \$750,000.00 appropriated by the Legislature this week.

"Some school districts in other counties are in the same category and merit scrutiny and investigation.

"In addition to the sums indicated above, the school districts listed herein were paid the regular state school subsidy based on the reimbursement fraction formula.

"I might also call your attention to the fact that an analysis of payments made during the fiscal years ending May 31, 1950 and 1951 involving 148 of the 2531 school districts amount to \$1,384,600.45. Very few of these 148 school districts, at least in my opinion, could be classified as being in distress based on their tax duplicates and the amount of the tax duplicates collected.

"I am not opposed to assistance to a school district which makes an honest effort to meet its financial obligations in accordance with law and Rules and Regulations which might be in effect. However, I am opposed to handouts in the form of political patronage to some school districts at the expense of others that make an honest effort to meet their obligations.

"For example, my home school district of Bethlehem experienced a shortage of between \$60,000. and \$80,000. for the current school year. It did not apply to the Department of Public Instruction for a hand-out. Instead, it borrowed the amount needed from a local bank, turned over its delinquent accounts to a delinquent tax collector and is paying off the loan from collections made by the delinquent tax collector. From my analysis, many of the school districts having received a hand-out from the Department of Public Instruction could have done the same thing.

"I realize that you inherited this and other situations from your predecessor which I am confident it is your desire to adjust and eliminate.

Accordingly, I herewith request that the further allocation of funds to so-called distressed school districts be withheld pending the outcome of an inquiry by the Attorney General of Pennsylvania through a special grand jury or otherwise to determine:

"A. Whether the Department of Public Instruction is careless or negligent in the allocation of funds to so-called distressed school districts.

"Note: The Department of Public Instruction appears to be a bee-hive for inefficiency. Two years ago the Legislature was compelled to approve \$100,000. to adjust a mess in the school teachers retirement fund. The recent G. I. scandal is a matter of record and now this development. What next?

"B. Whether assessments of properties are made in accordance with law and the Rules and Regulations of the Tax Equalization Board.

"C. Whether an honest effort is made by the school districts involved to collect taxes assessed.

"D. Whether favoritism, collusion or conspiracy exists relative to the exoneration of persons from the payment of school taxes.

"E. Whether taxes collected are expended in accordance with law.



"F. Whether funds of any and all types allocated by the Department of Public Instruction are expended in accordance with law.

"G. Whether collusion or conspiracy exists between school, local or county officials and property owners relative to the non-payment of taxes, the sale of property for the non-payment of taxes bought in by local or county officials and then resold to the property owner at a price less than the amount of taxes due on said property as a subterfuge to evade the payment of taxes.

H. Whether the administrative policies of the school districts involved are in accordance with law and the Rules and Regulations of the Department of Public Instruction.

"I. Whether fraud, favoritism, collusion or coercion exists involving the department of Public Instruction and local officials in the allocation and expenditure of school funds and

"J. Whether there is misfeasance or malfeasance in office involving state, school or county officials.

"Further, that the Attorney General bring such prosecutions against guilty persons as the facts of the investigation may disclose; and that such remedial legislation be prepared and enacted to eliminate for all time the questionable allocation of funds to so-called distressed school districts.

"Your cooperation will be appreciated."

"Sincerely yours,

Joseph J. Yosko."

Mr. President, I do not want to go into a long speech on this, although I probably could, but I just want to say to the people in the counties that are involved that they ought to rise up, rise up in the interest of good government and form citizens' committees and insist that the Governor direct the Attorney General to conduct local grand jury investigations and break up these rackets. Here we are, we are in Session now for eight months and we are talking about taxes and tax programs, and yet this money has been handed out in the manner in which I indicated. I say to you, Mr. President, something has got to be done, and I hope Governor Fine, who inherited this mess, will do something to break up this and other inefficiencies that exist in the State Government.

#### SENATE RESOLUTION

#### CONGRATULATING THE MEN WHO HAVE GIVEN THEIR TIME AND WORK AND THE BOYS WHO HAVE COMPETED IN LITTLE LEAGUE BASEBALL THROUGHOUT THE COMMONWEALTH

Mr. BERGER offered the following resolution which was twice read, considered and agreed to:

In the Senate, August 20, 1951.

Whereas, in 1939, a movement was begun in Williamsport, Pennsylvania, by Carl E. Stotz through which boys under 13 years of age in neighborhood and in small towns might play our national game of baseball under conditions which give them the advantage of competent supervision, league competition, and adequate and safe equipment, and

Whereas, Little League Baseball has enjoyed a growth in our State and Nation through its appeal to the sportsmanship of the young players and the people of the communities until it has become one of the outstanding and wholesome interests of our people, and

Whereas, the team which has won the right to represent the Commonwealth of Pennsylvania in the Little League World Series starting on Tuesday, August 21, 1951, at Williamsport, Pennsylvania is the Potter-McKean

team which won the final State championship game on Saturday, August 18, 1951

Now therefore be it resolved, that the Senate of Pennsylvania congratulates the men who have given their time and work, and the boys who have competed in Little League Baseball throughout the Commonwealth, and especially the Players, Coaches, and Managers of the Championship Potter-McKean team, and

Be it further resolved that a copy of this Resolution be forwarded by the Secretary of the Senate to Tommy Bergholts, Mike Gamble, Fred Howell, Bobby Chitester, Bill Norton, Dave Cornelius, Gerald Baker, Tommy Depp, Louis Baker, Terry Shields, Joe Marzo, Van Campbell, Paul Faris, and Bert Tucher, members of the team; and to Joseph Walcott, Gerald Carley, Burton Shirey, and Cecil Gamble, managers and coaches of the Potter-McKean Championship team; and to Carl E. Stotz, the founder of Little League Baseball.

#### SENATE CONCURRENT RESOLUTION

#### RECALLING SENATE BILL No. 739, FROM THE GOVERNOR

Mr. WALKER offered the following resolution which was twice read, considered and agreed to:

In the Senate, August 20, 1951.

Resolved (if the House of Representatives concur), that Senate Bill No. 739, Printer's No. 442, entitled "An act creating Mercy-Douglass State Hospital in Philadelphia County and authorizing the Department of Property and Supplies to sublease said Hospital to Mercy-Douglass Hospital and providing for the management thereof by the Board of Trustees of Mercy-Douglass Hospital" be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present same to the House of Representatives for concurrence.

#### HOUSE BILL No. 757 TAKEN FROM TABLE

Mr. WALKER. Mr. President, I call from the table House Bill No. 757, entitled:

An Act to add Article XVII to the act, approved the seventh day of March, one thousand nine hundred one (P. L. 20), entitled "Second Class City Law," by providing for the establishment of a traffic court in cities of the second class.

and move that the Senate do insist on its non-concurrence in the amendments placed in the bill by the House and that a committee of conference on the part of the Senate be appointed.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

#### COMMITTEE OF CONFERENCE APPOINTED ON HOUSE BILL No. 757

The PRESIDENT. The Chair announces on behalf of the President pro tempore the appointment of Messrs. FLEMING, WALKER and BARR as a committee of conference on the part of the Senate to confer with a similar committee of the House (already appointed) to consider the differences existing between the two houses in relation to House Bill No. 757.

Ordered, That the Clerk inform the House of Representative accordingly.

#### HOUSE MESSAGE

#### RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 1293



The Clerk of the House of Representatives being introduced presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, August 20, 1951.

Resolved, (If the Senate concur), That House Bill No. 1293, Printer's No. 594, entitled:

An Act to amend the act, approved the first day of June, one thousand nine hundred forty-five (P. L. 1340), entitled "Motor Vehicle Safety Responsibility Act," by clarifying and extending the provisions of the act to include certain vehicles of the tractor type; and making editorial changes.

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### SENATE RESOLUTION

#### ATTORNEY GENERAL TO PROSECUTE PROMPTLY ALL INDIVIDUALS ACCUSED IN THE G. I. SCHOOL SCANDAL

Mr. YOSKO. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. YOSKO, offered the following resolution which was twice read as follows:

In the Senate, August 20, 1951.

The recent report of the "House Select Committee to Investigate the Educational, Training and Loan Guaranty Programs under the G. I. Bill on Hearings Held in Harrisburg, Pennsylvania, June 4, 5 and 6, 1951" reveals many gross irregularities that are indicative of negligence, fraud, and malfeasance on the part of the State Board of Private Trade Schools, its predecessor—The State Board for Vocational Education—and the inspectors of the Department of Public Instruction.

The aforesaid report sets forth the following inclusions:

1. P. L. 346, 78th Congress, as amended, gives the State total authority to approve and disapprove schools for veterans' training under any standards and regulations the State may establish.

2. Authority to approve schools for veterans' training in the State of Pennsylvania was vested in the Department of Public Instruction. All inspections and recommendations were made by fulltime staff members of the Department of Public Instruction and passed on initially by the State Board for Vocational Education and later by the State Board of Private Trade Schools.

3. School operators testified that it was common knowledge that "gifts" or "money" was required to secure action by the inspectors of the Department of Public Instruction.

4. An inspector for the Department of Public Instruction admitted receiving \$100 from a prospective school operator.

5. The Chief of the Division of Private Trade School Registration admitted that:

a. He received gifts from school operators such as porch furniture, brief case, portable radio, liquor, meat block, lamp, picture, chair, etc.

b. His wife solicited private school operators in the name of a church organ fund and received \$4,000 in contributions from private school operators.

c. He purchased two new automobiles from an operator of a chain of private trade schools who also owned an automobile agency. These purchases were made at a time when new automobiles were scarce. These purchases of

new automobiles were made under conditions unusually favorable to the State official.

6. The Chief of the Division of Private Trade School Registration invested in a private trade school in Wheeling, West Virginia which was approved to train veterans. This school was initially owned in partnership with three professors of the University of Pittsburgh. The school was organized later as a corporation and one-fifth interest in the school was transferred to an operator of several large private trade schools in the Pittsburgh area. The private school operator undertook the management of the school and increased its enrollment from 69 to approximately 400 students, practically all being veteran students. The Chief of the Division of Private Trade School Registration was directed by his superior to dispose of his interest in the school and he placed his stock in his wife's name and continued to attend board meetings.

Two contracts were negotiated by the school with the Veterans Administration based on "cost data" which included salaries for the three university professors allocated to "teaching." Evidence was developed to indicate that these persons were full-time employed by the University of Pittsburgh and made no significant contribution to instruction in the school.

A contract officer in the Veterans Administration Regional Office, Pittsburgh, objected to allowing instructional salaries for the three university professors and was overruled by his supervisor and the Chief, Training Facilities Unit. The Contract Supervisor and the Chief, Training Facilities, were later hired by the private school operator at substantial increases of salary.

7. A review of the records of the school indicates that on an initial investment of \$4,000 the Chief of the Division of Private Trade School Registration, the three University of Pittsburgh professors and the private school operator who was associated with them received payments for salaries, dividends and expenses of approximately \$136,871.06 from the school.

8. An investigation of the school indicated that serious deficiencies existed in the operation of the school.

9. As a result of involvement with operators of private schools and resulting from a lack of action on the part of responsible State officials, a large number of the private trade schools of Pennsylvania, many of which apparently should not have been approved in the first instance, have become seriously involved in criminal and administrative difficulties.

Twenty-one (21) persons have been indicted, sixty-three (63) legal cases are pending, one hundred and thirty-three (133) audits have been made by the General Accounting Office and the Veterans Administration and exception has been taken to approximately \$2,625,232 in payments to these schools.

The violation of a public trust is always a serious impairment of a relationship between the State and its agencies that—ordinarily—should never be impugned. Nevertheless, whenever breaches of this ethical and legal association have been exposed, drastic and punitive measures must be invoked to correct conditions repugnant to the political conscience of all citizens. Therefore be it

Resolved, That the Senate urgently request the Governor to dismiss summarily from office those individuals who have contributed to the shocking incidents of dereliction and fraudulent conduct in connection with educational, training, and loan guaranty programs under the G. I. Bill, and be it further

Resolved, That the Senate advise the Attorney General to prosecute promptly and diligently all individuals against whom the facts warrant decisive legal action.

#### REQUEST THAT RULE 39 BE SUSPENDED

Mr. YOSKO. Mr. President, I ask unanimous consent that Rule 39, which requires resolutions be referred to an appropriate committee, be dispensed with and the Senate proceed to the consideration of the foregoing resolution.



The PRESIDENT. Is there objection?

Mr. WALKER. Mr. President, I object to the immediate consideration of the resolution.

The PRESIDENT. The resolution is referred to the Committee on Rules.

### BILL INTRODUCED AND REFERRED

Mr. LETZLER. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. LETZLER read in place and presented to the Chair Senate Bill No. 835, entitled:

An Act to amend the act, approved the twelfth day of April, one thousand nine hundred fifty-one (P. L. 90), entitled "An act relating to alcoholic liquors, alcohol and male and brewed beverages; amending, revising, consolidating and changing the laws relating thereto; regulating and restricting the manufacture, purchase, sale, possession, consumption, importation, transportation, furnishing, holding in bond, holding in storage, traffic in and use of alcoholic liquors, alcohol and malt and brewed beverages and the persons engaged or employed therein; defining the powers and duties of the Pennsylvania Liquor Control Board; providing for the establishment and operation of State liquor stores, for the payment of certain licenses fees to the respective municipalities and townships, for the abatement of certain nuisances and, in certain cases, for search and seizure without warrant; prescribing penalties and forfeitures; providing for local option, and repealing existing laws," by increasing license and filing fees.

Which was committed to the Committee on Law and Order.

### HOUSE BILL No. 1449 TAKEN FROM TABLE

Mr. WALKER. Mr. President, I call from the table House Bill No. 1449. For the information of the gentlemen of the Senate, last week we passed House Bill No. 1449, and I find that there is an error in the title, and rather than send it over to the House and have the bill recalled, I would like to recall it at this point in order to get the amendments in it.

### RECONSIDERATION OF HOUSE BILL No. 1449

Mr. WALKER. Mr. President, I move that the Senate do reconsider the vote by which House Bill No. 1449, entitled:

An Act to amend the act, approved the twelfth day of June, one thousand nine hundred fifty-one (Act Number 141), entitled "The Mental Health Act of 1951," by further defining "qualified physician" and "medical examiner," passed finally.

The PRESIDENT. How did the Senator vote?

Mr. WALKER. Mr. President, I voted with the majority.

Mr. BERGER. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. BERGER. Mr. President, I voted with the majority. The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. WALKER. Mr. President, I move to reconsider the vote by which the bill passed third reading.

The PRESIDENT. How did the Senator vote?

Mr. WALKER. Mr. President, I voted with the majority.

Mr. BERGER. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. BERGER. Mr. President, I voted with the majority. The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. WALKER. Mr. President, I would like to have the bill appear on tomorrow's Third Reading Calendar.

The PRESIDENT. The bill will appear on tomorrow's Third Reading Calendar.

### RECESS

Mr. WALKER. Mr. President, I move that the Senate do now take a recess until 7:30 o'clock, p. m., Eastern Standard Time.

Mr. WADE. Mr. President, I second the motion.

The motion was agreed to.

### AFTER RECESS

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

### CALENDAR

#### BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 365, as follows:

An Act to further amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by permitting the Department of State to copy and destroy or return certain documents permitting directors to fill vacancies in the board of directors resulting from an increase in the number of directors deleting certain requirements as to the appointment compensation and duties of agents providing that meetings of shareholders at which directors are to be elected may be adjourned for periods of fifteen days each fixing the method of cumulative voting in cases where directors are elected separately by the holders of different classes of shares providing that courts having jurisdiction over trustees who are evenly divided as to how shares shall be voted may direct the voting of such shares deleting requirements as to the voting of shares of foreign corporations owned by other corporations providing that articles of incorporation may be amended to eliminate the preemptive rights of shareholders and providing for the purchase of and payment of shares of certain shareholders who dissent therefrom specifying cases of merger or consolidation of which sixty days' notice to share-



holders must be given providing that shareholders of a parent corporation shall have no right to dissent from a merger or consolidation of such parent and one or more wholly-owned subsidiaries thereof provided the state of incorporation and relative rights and preferences of the shareholders of the parent corporation are not changed thereby agent to accept service of process in cases arising out of acts further providing for advertising of merger or consolidation by domestic corporations for merger and consolidation of foreign business corporations defining "doing business" by foreign corporations and further providing for service of process on the Secretary of the Commonwealth with respect to such corporations and prescribing procedure for rescinding a certificate of election to dissolve

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section ten of the act approved the fifty day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" is hereby amended to read as follows

Section 10 Powers of Department of State The Department of State shall have the power and authority reasonably necessary to enable it to administer this act efficiently and to perform the duties imposed upon it by this act All articles papers and other documents required by this act to be filed with the Department of State shall be made in such form as shall be prescribed by that department The Department of State may make a copy on microfilm or otherwise of any document filed with or by it pursuant to this act or any act hereby repealed and thereafter destroy such document or return it to the person who filed the same

Section 2 Paragraph a of Section two hundred six of said act as amended by the act approved the second day of July one thousand nine hundred thirty-seven (P. L. 2828) is hereby further amended to read as follows

Section 206 Filing of Articles Certificate of Incorporation A The incorporators shall deliver or cause to be delivered to the Department of State the articles of incorporation and proof of the advertisement required by the preceding section If the Department of State finds that the articles conform to law it shall forthwith but not prior to the day specified in the advertisement required by the preceding section endorse its approval thereon and when all bonus fees and charges have been paid as required by law shall [file the articles and] issue to the incorporators or their representatives a certificate of incorporation to which shall be attached [a copy of] the approved articles and shall make and retain a copy thereof The articles upon being approved [and filed] by the Department of State shall constitute the charter of the corporation

Section 3 Paragraph (3) of Section three hundred twenty of said act as last amended by the act approved the thirty-first day of July one thousand nine hundred forty-one (P. L. 636) is hereby further amended to read as follows

(3) A certificate of any amendment to articles of incorporation a certificate of change of registered office a certificate of dissolution a certificate of reduction of stated capital or a certificate of merger or consolidation

executed as hereinafter provided and made by such corporation pursuant to the foregoing provisions together with a certificate or certificates from the proper department or departments evidencing payment by the corporation of all bonus taxes and charges as required by law shall be delivered to the Department of State If the Department of State finds that the certificate of amendment change of registered office dissolution reduction of stated capital or of merger or consolidation conforms to law that notice of intention to file such certificate has been duly advertised in accordance with the provisions of this act and that the certificate evidencing payment of bonus or taxes or charges is in proper form it shall upon payment of the filing fee forthwith endorse its approval thereon and shall [file the certificate and] issue to the corporation a certificate of amendment dissolution reduction of stated capital merger or consolidation to which shall be attached [a copy of] the certificate [of incorporation] so delivered to it Upon the [filing] approval of such certificate by the Department of State the amendment dissolution reduction of stated capital merger or consolidation shall be effective Such certificate shall be made executed and acknowledged as may be directed by such decrees or orders by the trustee or trustees or receiver or receivers appointed in the bankruptcy proceedings (or a majority thereof) or if none be appointed and acting by officers of the corporation or by a master or other representative appointed by the court or judge or referee and shall certify that (a) provision for the making of such certificate agreement or instrument is contained in the plan of reorganization or arrangement or in a decree or order of the court or judge or referee relative thereto and (b) that the plan or arrangement has been confirmed as provided in the National Bankruptcy Act but no final decree has been entered in the bankruptcy proceedings closing the case and discharging the trustee or trustees or receiver or receivers if any

Section 4 Subsection (3) of Section four hundred two of said act as amended by the act approved the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1773) is hereby further amended to read as follows

Section 402 Number Qualifications and Election of Directors Subject to the provisions of this act the number qualifications terms of office manner of election time and place of meeting compensation and powers and duties of the directors may be prescribed from time to time by the by-laws Except as otherwise provided in the by-laws

\* \* \* \* \*

(3) Vacancies in the board of directors including vacancies resulting from an increase in the number of directors shall be filled by a majority of the remaining members of the board though less than a quorum and each person so elected shall be a director until his successor is elected by the shareholders who may make such election at the next annual meeting of the shareholders or at any special meeting duly called for that purpose and held prior thereto

Section 5 Section four hundred six of said act as last amended by the act approved the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1773) is hereby further amended to read as follows

Section 406 Officers [and Agents] Every business corporation shall have a president a secretary and a treasurer and may have such other officers and assistant officers [and agents] as it shall authorize from time to time The articles or by-laws may prescribe special qualifications for such officers The president and secretary shall be natural persons of full age the treasurer however may be a corporation but if a natural person shall be of full age Unless the articles or by-laws provide otherwise the board of directors shall elect [or appoint] and fix the compensation of such officers and assistant officers [and agents] Such officers and assistant officers [and agents] shall be elected [or appointed] at such time in such manner and for such terms as the by-laws shall prescribe It shall not be necessary for the officers to be directors If the by-laws so provide any two or more offices may be held by the same person except the offices of president



and secretary The board of directors may secure the fidelity of any or all of such officers by bond or otherwise Unless otherwise provided in the by-laws the board of directors shall have power to fill any vacancies in any office occurring from whatever reason All officers [and agents] of the corporation as between themselves and the corporation shall respectively have such authority and perform such duties in the management of the property and affairs of the corporation as may be provided in the by-laws or in the absence of controlling provisions in the by-laws as may be determined by resolution of the board of directors

Section 6 Paragraph D of Section five hundred one of said act is hereby amended to read as follows

D Adjournment or adjournments of any annual or special meeting may be taken but any meeting at which directors are to be elected shall be adjourned only from day to day or for such longer periods not exceeding fifteen days each as the holders of a majority of the shares present in person or by proxy shall direct until such directors have been elected

Section 7 Section five hundred five of said act is hereby amended to read as follows

Section 505 Elections of Directors Cumulative Voting Unless otherwise provided in the by-laws elections for directors need not be by ballot except upon demand made by a shareholder at the election and before the voting begins in all elections for directors every shareholder entitled to vote shall have the right in person or by proxy to multiply the number of votes to which he may be entitled by the total number of directors of all classes to be elected by either the holders of the class or classes of shares of which his shares are a part or by the holders of any other class or classes of shares and he may cast the whole number of such votes for one candidate or he may distribute them among any two or more candidates The candidates receiving the highest number of votes from each class or group of classes entitled to elect directors separately up to the number of directors to be elected by such class or group of classes shall be elected

Section 8 Section five hundred seven of said act is hereby amended to read as follows

Section 507 Voting by Joint Holders of Shares Where shares are held jointly or as tenants in common by two or more persons such shares shall be voted and any proxy shall be given by the person or persons designated for that purpose in the agreement under which such shares are held jointly or by tenancy in common If the agreement does not determine the question which person or persons shall vote such shares or give any proxy in regard thereto the will of the majority of such persons shall control the manner of voting or the giving of a proxy If only one or more of such persons is present in person or by proxy he or they shall have the right to vote all such shares and all of the shares standing in the names of such persons shall be deemed to be represented for the purpose of determining a quorum Where in any case such persons are equally divided upon the manner of voting the shares held by them the vote of such shares shall be divided equally among such persons Except as hereinafter provided the same shall be true in the case of trustees however appointed [by the court of common pleas] unless the instrument by which the trust was created or the decree of court appointing them otherwise directs Where in any case such trustees are equally divided upon the manner of voting the shares jointly held by them it shall be lawful for the court [of common pleas] having jurisdiction over the trustees upon petition filed by any of the trustees or by any beneficiary to direct the voting of such shares in the manner which in the opinion of the court will be for the best interests of the parties beneficially interested in the shares

Section 9 Section five hundred eight of said act as amended by the act approved the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1773) is hereby further amended to read as follows

Section 508 Voting Shares Held by Corporation Any corporation owning shares in [another] a domestic business corporation may vote the same by any of its officers or by proxy appointed by any such officer unless some other person by resolution of its board of directors shall be appointed its general or special proxy in which case such person shall be entitled to vote the shares Shares of its own capital stock belonging to a domestic business corporation shall not be voted directly or indirectly at any meeting and shall not be counted in determining the total number of outstanding shares for voting purposes at any given time but shares of its own capital stock held by it in a fiduciary capacity may be voted and shall be counted in determining the total number of outstanding shares at any given time

Section 10 Paragraph C of Section six hundred two of said act is hereby amended to read as follows

C Prior to the issue of any shares of a series established by resolution adopted by the board of directors the corporation shall present to the Department of State a statement executed under the seal of the corporation signed and verified by two duly authorized officers thereof and setting forth

- (1) The name of the corporation
- (2) The resolution establishing and designating the series and fixing and determining the relative rights and preferences thereof
- (3) The date and the manner of the adoption of such resolution

If the Department of State finds that such statement conforms to law and the articles of the corporation and when all fees have been paid as required by law it shall endorse its approval thereon [shall file the statement] and shall issue to the corporation or its representative [a copy of] the approved statement and shall make and retain a copy thereof Upon the [filing] approval of such statement by the Department of State the resolution establishing and designating the series and fixing and determining the relative rights and preferences thereof shall become effective

Section 11 Paragraph C of Section seven hundred five of said act as last amended by the act approved the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1773) is hereby further amended to read as follows

C The statement shall be delivered to the Department of State either prior to or within thirty days after the date of such redemption and cancellation If the Department of State finds that the statement conforms to law it shall upon payment of the filing fee endorse its approval thereon [shall file the statement and] shall issue to the corporation or its representative [a copy of] the approved statement and shall make and retain a copy thereof The [filing] approval of such statement shall operate as an amendment to the articles of the corporation and shall reduce the number of shares of the class so redeemed which the corporation is authorized to issue by the number of the shares so redeemed and cancelled Nothing contained in this section shall be construed to prohibit a reduction of authorized capital stock or a reduction of stated capital in any other manner permitted by this act

Section 12 Paragraph C of Section seven hundred six of said act as last amended by the act approved the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1773) is hereby further amended to read as follows

C The statement shall be delivered to the Department of State If the Department of State finds that such statement conforms to law it shall upon payment of the filing fee endorse its approval thereon [shall file the statement and] shall issue to the corporation or its representative [a copy of] the approved statement and shall make and retain a copy thereof Upon the [filing] approval of such statement the reduction shall be effective

Section 13 Paragraph C of Section seven hundred eight of said act as added by the act approved the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1773) is hereby further amended to read as follows



C The statement shall be delivered to the Department of State within thirty days after the adoption of the resolution aforesaid. If the Department of State finds that the statement conforms to law it shall endorse its approval thereon [shall file the statement and] shall issue to the corporation or its representative [a copy of] the approved statement and shall make and retain a copy thereof. If the resolution aforesaid provided for a reduction in the number of shares which the corporation is authorized to issue the [filing] approval of such statement shall operate as an amendment to the articles of the corporation and shall reduce the number of shares of the class so cancelled which the corporation is authorized to issue by the number of shares so cancelled otherwise the shares so cancelled shall upon such [filing] approval have the status of authorized but unissued shares. Nothing contained in this section shall be construed to prohibit a reduction of authorized capital stock or a reduction of stated capital in any other manner permitted by this act.

Section 14 Section eight hundred eight of said act as last amended by the act approved the second day of May one thousand nine hundred forty-seven (P. L. 139) is hereby further amended to read as follows:

Section 808 Filing of Articles of Amendment. The articles of amendment proof of the advertisement heretofore required in this article shall be delivered by the corporation or its representative to the Department of State. If the Department of State finds that such articles conform to law it shall upon payment of the filing fee forthwith but not prior to the day specified in the advertisement required by the preceding section endorse its approval thereon [and] shall [file the articles and] issue to the corporation or its representative a certificate of amendment to which shall be attached [a copy of] the approved articles and shall make and retain a copy thereof.

Section 15 Article eight of said act is hereby amended by adding at the end thereof a new section to read as follows:

Section 810 Rights of Dissenting Shareholders. A If any amendment to the articles of a corporation shall limit or deny any preemptive right of any outstanding shares the holder of any outstanding shares affected adversely by such amendment who shall have filed with the corporation prior to or at the meeting of shareholders at which the proposed amendment was submitted to a vote written objection to such proposed amendment and shall not have voted in favor thereof and who within twenty days after the effective date of the amendment shall also make written demand on the corporation for the payment of the fair value of his shares as of the day prior to the date on which the vote was taken approving the amendment without regard to any depreciation or appreciation thereof in consequence of the amendment shall be paid by the corporation the fair value of his shares upon surrender of the share certificate or certificates representing his shares. The demand of the shareholder shall state the number and class of the shares owned by him. Unless a shareholder files such written objection and also makes such demand within the twenty-day period he shall be conclusively presumed to have consented to the amendment and shall be bound by the terms thereof. If within thirty days after the date on which such amendment became effective the value of such shares shall be agreed upon between the dissenting shareholder and the corporation payment thereof shall be made in cash within ninety days after the date on which such amendment became effective upon the surrender of the share certificate or certificates representing his shares. Upon payment of the agreed value the dissenting shareholder shall cease to have any interest in such shares or in the corporation.

B If within such period of thirty days the shareholder and the corporation do not so agree then the dissenting shareholder may within sixty days after the expiration of the thirty-day period apply by petition to the court of common pleas in equity within the county in which the registered office of the corporation is situated for the

appointment by the court of three disinterested persons to appraise the fair value of his shares without regard to any depreciation or appreciation thereof in consequence of the amendment. The award of the appraisers or of a majority of them shall be submitted to the court for determination and the judgment of the court thereon shall be final and conclusive. The costs of such appraisal including a reasonable fee to the appraisers shall be fixed by the court and shall be borne by the corporation unless in the opinion of the court the action of any shareholder in refusing the offer of the corporation has been arbitrary, vexatious or in bad faith in which case the costs shall be assessed in the discretion of the court. The award shall be payable only upon and simultaneously with the surrender to the corporation of the share certificate or certificates representing the shares of the dissenting shareholder. If the award shall not be paid by the corporation within thirty days after the order of the court thereon the amount of the award shall be a judgment against the corporation and may be collected as other judgments in such court are by law collectible. Upon the payment of the award or judgment the dissenting shareholder shall cease to have any interest in such shares or in the corporation. Such shares may be held and disposed of by the corporation as it may see fit. Unless the dissenting shareholder shall file a petition within the time herein limited such shareholder and all persons claiming under him shall be conclusively presumed to have approved and ratified the amendment and shall be bound by the terms thereof.

C The rights and remedies at law or in equity of any shareholder who desires to object to or to dissent from any such amendment shall be limited to those prescribed under this section and such rights and remedies under this section shall be exclusive.

D Whenever any such amendment is proposed a copy of this Section 810 shall be enclosed with the written notice mentioned in Section 803 of this act and said written notice shall state that Section 810 sets forth the exclusive rights and remedies of shareholders who would be affected adversely by the proposed amendment and who object thereto.

E The provisions of this section shall apply only to those business corporations which are or may become subject to the provisions of this act but which were not incorporated hereunder.

Section 16 Paragraph B of Section nine hundred two of said act as amended by the act approved the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1773) is hereby further amended to read as follows:

B The board of directors of each domestic corporation upon approving such plan of merger or plan of consolidation shall by resolution direct that the plan be submitted to a vote of the shareholders of such corporation entitled to vote thereon at an annual or special meeting of the shareholders. Written notice shall not less than ten days before such annual or special meeting be given to each shareholder of record of such corporation whether or not entitled to vote on such plan unless the plan of merger or plan of consolidation contemplates [an increase in the aggregate of the authorized capital stock of the constituent corporations] that the aggregate par value or aggregate authorized number of shares of the surviving or new corporation shall be so increased over the aggregate par value or aggregate authorized number of shares of a domestic corporation party to such plan that the increase if effectuated by amendment to the articles of incorporation of such corporation would necessitate a meeting of shareholders called on sixty days' notice under Section 8 E of this act in which event sixty days' notice of such meeting shall be given to each shareholder of each such domestic corporation. The notice shall state the place, day, hour and purpose of the meeting and a copy or a summary of the plan of merger or plan of consolidation as the case may be shall be included in or enclosed with such notice.

Section 17 Sections nine hundred four and nine hundred five of said act as last amended by the act approved



the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1773) are hereby further amended to read as follows

Section 904 Advertisement the constituent domestic corporations shall advertise before or after the approval of plan of merger by the shareholders their intentions to file articles of merger or articles of consolidation as the case may be with the Department of State in newspapers published in the counties in which the registered offices of the corporations are located in a manner similar to that heretofore prescribed in this act in the case of the formation of a business corporation advertisements shall appear at least three days prior to the day on which the articles of merger or articles of consolidation are presented to the Department of State and shall set forth briefly

(1) The name and the location of the registered office of each of the corporations intending to merge or consolidate

(2) The name and the location of the proposed registered office of the domestic surviving or new corporation or in the case of a foreign surviving or new corporation the name of such corporation and its domiciliary state together with the location of its office registered with the state

(3) A statement that the articles of merger or consolidation are to be filed under the provisions of this act

(4) The purpose or purposes of the surviving or new corporation

(5) The time when the articles of merger or consolidation will be delivered to the Department of State

Section 905 Filing of Articles of Merger or Consolidation The articles of merger or articles of consolidation as the case may be and proof of the advertisement required by the preceding section and a certificate or certificates from the proper department or departments evidencing payment by the corporation of all bonus taxes and charges as required by law shall be delivered to the Department of State except that no such certificates shall be required of the surviving corporation in cases of merger If the Department of State finds that such articles conform to law and that the certificate or certificates evidencing payment of bonus or taxes or charges delivered therewith is in proper form it shall upon payment of the filing fee forthwith but not prior to the day specified in the advertisement required by the preceding section endorse its approval thereon and [file the articles and] issue to the surviving or new corporation or its representative a certificate of merger or a certificate of consolidation as the case may be to which shall be attached [a copy of] the approved articles and shall make and retain a copy thereof

Section 18 Section nine hundred eight of said act is hereby amended by adding at the end thereof a new paragraph to read as follows

E The provisions of subsections A and B of this Section 908 shall not apply to the merger or consolidation of two or more corporations one of which owns all of the outstanding shares of all the others immediately prior to the approval of the plan of merger or consolidation and at all times thereafter provided that neither the state of incorporation nor the preferences qualifications limitations restrictions or special or relative rights granted to or imposed upon the shares of any class of the parent corporation are altered by such plan The shareholders of such parent corporation shall have no right to dissent from any such merger or consolidation

Section 19 Paragraph A of Section nine hundred nine of said act as added by the act approved the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1773) is hereby amended to read as follows

Section 909 Domestication of Foreign Corporations A Any foreign business corporation holding a certificate of authority to do business in this Commonwealth may become a domestic corporation of this Commonwealth by delivering or causing to be delivered to the Department of State articles of domestication If the Department of State finds that the articles conform to law it shall forth-

with endorse its approval thereon and when all bonus fees and charges have been paid as required by law shall [file the articles and] issue to the foreign corporation a certificate of domestication to which shall be attached [a copy of] the articles and shall make and retain a copy thereof The articles upon being approved [and filed] by the Department of State shall constitute the charter of the domesticated foreign corporation and it shall thereafter have all the powers and privileges and be subject to all the duties and limitations granted and imposed upon domestic corporations under the provisions of this act

Section 20 Paragraph A of Section one thousand five of said act as last amended by the act approved the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1773) is hereby further amended to read as follows

Section 1005 Issuance of Certificate of Authority A If the Department of State finds that the provisions of this article have been complied with and that the applicant corporation is entitled to a certificate of authority to do business in this Commonwealth it shall forthwith but not prior to the day specified in the advertisement heretofore required in this article endorse its approval upon the application for a certificate of authority and when all bonus fees and charges have been paid as required by law shall [file the application and the copy of the articles and] shall issue to the corporation a certificate of authority to do business in this Commonwealth to which the application may be attached and shall make and retain a copy thereof The certificate of authority shall set forth the name of the corporation the address of its registered office in this Commonwealth and the character and nature of the business it is authorized to transact in this Commonwealth or a summary thereof Upon the approval of the application for a certificate of authority by the Department of State the corporation may do in this Commonwealth any or all of the kinds of the business referred to in the certificate of authority and no other subject however to the right of Commonwealth to cancel or revoke such right to transact business in this Commonwealth as provided in this act The certificate of authority shall be delivered to the corporation or its representative

Section 21 Paragraph C of Section one thousand seven and paragraph A of Section one thousand nine of said act as last amended by the act approved the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1773) are hereby further amended to read as follows

C If the Department of State finds that the provisions of this article have been complied with and that the applicant corporation is entitled to an amended certificate of authority it shall upon payment of the filing fee forthwith but not prior to the day specified in the advertisement heretofore required by this section endorse its approval upon the application [and file the application and] issue to the applicant corporation an amended certificate of authority setting forth the desired changes to which the application shall be attached and shall make and retain a copy thereof

Section 1009 Merger or consolidation of foreign business corporations A Whenever a foreign business corporation authorized by a certificate of authority to transact business in this Commonwealth shall be a party of a statutory merger or consolidation permitted by the laws of the state or country under which it is organized and such corporation shall be the surviving corporation it shall forthwith file with the Department of State a copy of the articles of merger duly authenticated by the proper officer of the state or country under the laws of which such statutory merger was effected and pay to the Department of State the prescribed fee for such filing such copy shall be accompanied with certificates from the proper department board or commission evidencing payment by the merging corporation or corporations of all bonus fees or taxes owing the Commonwealth except that no such certificates shall be required of the surviving corporation in cases of merger it shall not be necessary for such cor-



poration to procure either a new or amended certificate of authority to transact business in this Commonwealth unless the name of such corporation be changed thereby or unless the corporation desires to transact in this Commonwealth other or additional business than that which it is then authorized to transact in this Commonwealth

Section 22 Section one thousand eleven of said act as amended by the act approved the second day of July one thousand nine hundred thirty-seven (P. L. 2828) is hereby further amended to read as follows

Section 1011 Service of Process Upon the Secretary of the Commonwealth A service of process against a qualified foreign business corporation upon the Secretary of the Commonwealth shall be made by the sheriff of Dauphin County by leaving the fee the plaintiff is required by law to pay to the Secretary of the Commonwealth for this service and two copies of the process at the office of the Secretary of the Commonwealth The sheriff shall make due return of his service of the process to the court magistrate or justice of the peace issuing the same Such process may be issued by any court magistrate or justice of the peace having jurisdiction of the subject matter of the controversy in any county of the Commonwealth in which the corporation shall have its registered office or in the county in which the right of action arose When legal process against any such corporation has been served upon the Secretary of the Commonwealth he shall immediately send by mail postage prepaid one copy of such process directed to the corporation at its registered office The fee paid by the plaintiff to the Secretary of the Commonwealth at the time of the service shall be taxed in the plaintiff's costs if he prevails in the suit necessitating the service of the process The Secretary of the Commonwealth shall keep a record of the day and hour of the service of such process on him and a certified copy of such record shall be sufficient evidence thereof The service of process on the Secretary of the Commonwealth under this section shall be of the same legal force and validity as if the process had been served on the corporation and the authority for such service of process shall continue in force as long as any liability remains outstanding against the corporation in the Commonwealth Nothing herein contained shall limit or affect the right to serve any process notice or demand required or permitted by law to be served upon a foreign corporation in any other manner now or hereafter permitted by law

b Any foreign business corporation which shall have done any business in this Commonwealth without procuring a certificate of authority to do so from the Department of State shall be conclusively presumed to have designated the secretary of the Commonwealth as its true and lawful attorney authorized to accept on its behalf service of process in any action arising out of acts or omissions of such corporation within this Commonwealth on petition alleging conduct of business within the Commonwealth by any corporation not qualified by the secretary of the Commonwealth or having otherwise designated him as agent for the service of process the court of the county in which the action is instituted shall authorize service to be made upon the Secretary of the Commonwealth service shall be made by the sheriff of such county by transmitting to the Secretary of the Commonwealth and to the defendant at his last known residence or place of business by registered mail return receipt requested a copy of such process together with a copy of the petition and order of the court properly certified as such by the prothonotary the return receipt by the post office department shall be evidence of service under this act nothing herein contained shall limit or affect the right to serve any process notice or demand required or permitted by law to be served upon a foreign corporation in any other manner now or hereafter permitted by law

c For the purposes of the act the entry of any corporation into this Commonwealth for the doing of a series of similar acts for the purpose of thereby realizing pecuniary benefit or otherwise accomplishing an object or doing a

single act in this Commonwealth for such purpose with the intention of thereby initiating a series of such acts shall constitute "doing business"

Section 23 Section one thousand one hundred one of said act as last amended by the act approved the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1773) is hereby further amended to read as follows

Section 1101 Voluntary Dissolution by Incorporators The incorporators of a business corporation which has not commenced business or which has not issued any shares may effect the dissolution of the corporation by filing articles of dissolution with the Department of State The articles of dissolution shall be executed under the seal of corporation signed and verified by a majority of the incorporators and shall set forth

- (1) The name of the corporation
- (2) The address including street and number if any of its registered office
- (3) The date of its incorporation
- (4) That the corporation has not commenced business and that none of its shares has been issued
- (5) That the amount if any actually paid in on subscriptions to its shares less any part thereof disbursed for necessary expenses has been returned to those entitled thereto

- (6) That no debts of the corporation remain unpaid
- (7) That all the incorporators elect that the corporation be dissolved

The articles of dissolution shall be delivered to the Department of State If the Department of State finds that the articles conform to law it shall upon payment of the filing fee endorse its approval thereon [and shall file the articles] and issue a certificate of dissolution to the incorporators or their representative to which shall be attached [a copy of] the approved articles and shall make and retain a copy thereof Upon the approval of the articles of dissolution the existence of the corporation shall cease

Section 24 Section one thousand one hundred three of said act as amended by the act approved the second day of July one thousand nine hundred thirty-seven (P. L. 2828) is hereby further amended to read as follows

Section 1103 Certificate of Election to Dissolve Upon the execution by all the shareholders of a written agreement for the voluntary dissolution of a corporation or upon the adoption at a meeting of the shareholders of a resolution for the voluntary dissolution of a corporation as the case may be a certificate of election to dissolve shall be executed under the seal of the corporation signed and verified by two duly authorized officers of the corporation which shall set forth

- (1) The name of the corporation
- (2) The address including street and number if any of the registered office of the corporation in this Commonwealth

- (3) The names and respective addresses including street and number if any of its officers

- (4) The names and respective address including street and number if any of its directors

- (5) If the election to dissolve was by written agreement of all shareholders a statement that the agreement was signed by all shareholders of record of the corporation or signed in their names by their duly authorized attorneys

- (6) If the election to dissolve was by resolution adopted at a meeting of the shareholders the number of shares outstanding the number of shares entitled to vote in respect of the dissolution of the corporation and the number of shares voted for and against the voluntary dissolution of the corporation respectively and if the shares of any class are entitled to vote as a class the number of shares of such class and the number of shares of all other classes voted for and against the voluntary dissolution of the corporation

The certificate of election to dissolve shall be delivered to the Department of State If the Department of State finds that the certificate conforms to law it shall endorse



its approval thereon and when all fees required by law have been paid [shall file the certificate and] shall issue to the corporation or its representative [a copy of] the approved certificate and shall make and retain a copy thereof Upon the [filing] approval by the Department of State of a certificate of election to dissolve the corporation shall cease to carry on its business except in so far as may be necessary for the proper winding up thereof but its corporate existence shall continue until a certificate of dissolution has been issued by the Department of State or until a decree dissolving the corporation has been entered by a court of common pleas as elsewhere provided in this act

Section 25 Article XI of said act is hereby amended by adding after section one thousand one hundred three thereof a new section to read as follows

Section 1103.1 statement rescinding certificat of election to dissolve any business corporation which has heretofore elected to dissolve as provided in section 1102 of this act and has filed a certificate in evidence thereof in the Department of State as provided in section 1103 of this act may rescind such action in the same manner and by the same procedure as that provided in section 1102 of this act for the election of a corporation to dissolve voluntary and shall execute a statement rescinding certificate of election to dissolve under the seal of the corporation signed and verified by two duly authorized officers of the corporation which shall set forth

- (1) The name of the corporation
- (2) The address including street and number if any of the registered office of the corporation in this Commonwealth
- (3) The names and respective addresses including street and number if any of its officers
- (4) The names and respective addresses including street and number of any of its directors
- (5) The date of filing of certificate of election to dissolve in Department of State
- (6) If the election to rescind was by resolution adopted at a meeting of the shareholders the number of shares outstanding the number of shares entitled to vote in respect of the rescission of the election to dissolve the corporation and the number of shares voted for and against the rescission of dissolution of the corporation respectively and if the shares of any class are entitled to vote as a class the number of shares of such class and the number of shares of all other classes voted for and against the rescission of the election to dissolve the corporation

The statement rescinding certificate of election to dissolve shall be delivered to the Department of State if the Department of State finds that the statement conforms to law it shall endorse its approval thereon and when all fees required by law have been paid shall issue to the corporation of its representative the approved statement and shall make and retain a copy thereof upon the approval by the Department of State of a statement rescinding certificate of election to dissolve the election to dissolve shall be void

Section 26 Paragraph B of Section one thousand one hundred four of said act is hereby amended to read as follows

B After the [filing] approval by the Department of State of a certificate of election to dissolve the board of directors shall immediately cause notice of the winding up proceedings to be mailed to each known creditor and claimant and to be published once a week for two successive weeks in two newspapers published in the English language one of which shall be a newspaper of general circulation and the other the legal newspaper if any designated by the rules of court for the publication of legal notices otherwise in two newspapers of general circulation published in the county in which the registered office of the corporation is located Where there is but one newspaper of general circulation published in any county advertisement in such newspaper shall be sufficient

Section 27 Section one thousand one hundred five of

said act as last amended by the act approved the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1773) is hereby further amended to read as follows

Section 1105 Articles of Dissolution When all debts liabilities and obligations of the corporation have been paid and discharged or adequate provision shall have been made therefor and all of the remaining property and assets of the corporation shall have been distributed to its shareholders articles of dissolution shall be executed under the seal of the corporation and signed and verified by two duly authorized officers of the corporation which shall set forth

- (1) The name of the corporation
- (2) The address including street and number if any of the registered office of the corporation
- (3) A statement that the corporation has theretofore delivered to the Department of State a certificate of election to dissolve and the date on which the certificate was filed by the Department of State
- (4) A statement that all debts obligations and liabilities of the corporation have been paid and discharged or that adequate provision has been made therefor
- (5) A statement that all the remaining property and assets of the corporation have been distributed among its shareholders in accordance with their respective rights and interests
- (6) A statement that there are no suits pending against the corporation in any court or that adequate provision has been made for the satisfaction of any judgment or decree which may be obtained against the corporation in each such pending suit

The articles of dissolution proof of the advertisement required by the preceding section and a certificate or certificates from the proper department or departments evidencing payment by the corporation of all bonus taxes and charges as required by law shall be delivered to the Department of State If the Department of State finds that such articles conform to law and that the certificate delivered therewith evidencing payment of bonus or taxes or charges is in proper form it shall upon payment of the filing fee endorse its approval thereon and [shall file the articles and] issue to the corporation or its representative a certificate of dissolution to which shall be attached [a copy of] the approved articles and shall make and retain a copy thereof Upon the approval of the articles of dissolution the existence of the corporation shall cease

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

#### SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 365

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 365.

MBr. CROWE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Bane,	Haluska,	McPherson, Jr.	Stevenson,
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peelor,	Wade,
Byrne,	Lane,	Propert,	Wagner,
Chapman,	Leader,	Robinson,	Walker,
Crowe,	Letzler,	Rosenfeld,	Watkins,



Diehm,  
DiSilvestro,  
Fleming,  
Freed.

Mahany.  
Mallery,  
McCreesh,  
McGinnis,  
McMenamin.

Ruth.  
Scarlett,  
Silvert,  
Snowden.

Watson,  
Wolfe,  
Wood,  
Yosko.

### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

### BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 615, on concurrence in House amendments, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by increasing annual registration fees for certain commercial motor vehicles truck tractors trailers and semi-trailers prescribing additional equipment requirements for certain vehicles increasing the maximum gross weights and axle loads allowed for certain vehicles changing the requirements for weighing vehicles removal of excess loads and prescribing and changing penalties providing that certain penalties shall be enforced by liens upon vehicles and the sale of such vehicles free of all liens and encumbrances and imposing duties upon operators owners magistrates and sheriffs

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

### BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 703, as follows:

An Act authorizing the capture or destruction of unprotected birds in any city or borough in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Whenever the department or board of public health of any city or borough has determined that the presence of unprotected birds upon the streets parks buildings or other public places in such cities or boroughs is detrimental to public health such birds may be captured or destroyed by such department or board

Section 2 All acts and parts of acts are hereby repealed in so far as they are inconsistent with the provisions of this act

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

### SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 703

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 703.

Mr. TAYLOR. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

### YEAS—49

Bane,  
Barr,  
Barrett,  
Berger,  
Blass,  
Byrne,  
Chapman,  
Crowe,  
Diehm,  
DiSilvestro,  
Fleming,  
Freed,

Haluska,  
Hare,  
Holland,  
Kephart,  
Kessler,  
Lane,  
Leader,  
Letzler,  
Mahanay,  
Mallery,  
McCreesh,  
McGinnis,  
McMenamin,

McPherson, Jr.  
Meade,  
Neff,  
Pechan,  
Peelor,  
Probert,  
Robinson,  
Rosenfeld,  
Ruth,  
Scarlett,  
Silvert,  
Snowden,  
Stevenson,  
Stiefel,  
Taylor,  
Toole,  
Wade,  
Wagner,  
Walker,  
Watkins,  
Watson,  
Wolfe,  
Wood,  
Yosko.

### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

### THIRD READING CALENDAR

### BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 134, as follows:

An Act to amend further Section 5 of the act approved the thirteenth day of June one thousand eight hundred and thirty-six (P. L. 551) entitled "An act relating to roads highways and bridges" as amended by extending the width of a public road in the instance of multiple lane highways to increase the maximum width by the additional footage that shall be necessary in the judgment of the Secretary of Highways for center or dividing strips

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 5 of the act approved the thirteenth day of June one thousand eight hundred and thirty-six (P. L. 551) entitled "An act relating to roads highways and bridges" as last amended by the act approved the sixth day of August one thousand nine hundred and forty-one (P. L. 890) is hereby further amended to read as follows

Section 5 The breadth of a private road shall not in any case exceed twenty-five feet and the width of a public road shall not be less than thirty-three feet nor more than one hundred and twenty feet except that whenever the right of way for a public highway has been acquired solely by the Federal government the maximum width thereof may be two hundred feet and except in the instance of multiple lane highways the maximum



width shall be one hundred and twenty feet plus any additional footage that shall be necessary in the judgment of the Secretary of Highways for center or dividing strips between the multiple roadways Provided That the limits of width shall not be construed to include the width required for necessary slopes in cuts or fills when the limits of the road and the extra width required for such slopes exceed the limits of width herein specified but no appropriation of property as width required only for slopes shall be construed to prevent the owner from making any use of his property which is not inconsistent with the necessary support or protection of the highway all viewers shall hereafter be required to take into consideration the qualified nature of the easement in proceedings to assess damages for the taking of land for highway purposes And provided further That when the public road desired to be opened is in a built up section of any township of the second class of the type commonly known as an alley and is not an integral part of a through route the minimum width shall be fifteen feet And provided further That where the breadth of a public road shall hereafter be fixed at more than one hundred and twenty feet and the right of way of such public highway has been acquired solely by the Federal government and it shall become necessary to move or relocate any public service facilities the cost and expenses incident to such removal or relocation shall be paid by the Federal Government

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—48

Bane,	Hare,	McPherson, Jr.	Stevenson.
Barr,	Holland,	Meade,	Stiefel.
Barrett,	Kephart,	Neff,	Taylor.
Berger,	Kessler,	Pechan,	Toole.
Blass,	Lane,	Peelor,	Wade.
Byrne,	Leader,	Propert,	Wagner.
Crowe,	Letzler,	Robinson,	Walker.
Diehm,	Mahanay,	Rosenfeld,	Watkins.
DiSilvestro,	Mallery,	Ruth,	Watson.
Fleming,	McCreesh,	Scarlett,	Wolfe.
Freed,	McGinnis,	Silvert,	Wood.
Haluska,	McMenamin,	Snowden,	Yosko.

#### NAYS—1

Chapman.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 253, as follows:

An Act to further amend clause (2) of Section 12 of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employees serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by further pro-

viding for disability retirement allowances of persons able to engage in gainful occupations

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (2) of Section 12 of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employees serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as last amended by the act approved the twenty-fifth day of April one thousand nine hundred forty-nine (P. L. 743) is hereby further amended to read as follows

#### Disability Retirement

Section 12 Retirement upon disability shall be made and discontinued as follows

\* \* \* \* \*

(2) Once each six months and at such other times as may be deemed necessary the retirement board shall require any disability annuitant to undergo medical examination by a physician or physicians designated by the retirement board said examination to be made at the place of residence of said beneficiary or other place mutually agreed upon Should such physician or physicians thereupon report and certify to the retirement board that such disability beneficiary is no longer physically or mentally incapacitated for the performance of duty and should the retirement board concur in such report then the disability retirement allowance shall be discontinued or should such physician or physicians thereupon report and certify to the retirement board that such disability beneficiary is able to engage in a gainful occupation and should the retirement board concur in such report then the disability beneficiary's present salary or wages shall be ascertained and he shall continue to receive a disability retirement allowance but the sum of the disability retirement allowance and the disability beneficiary's present salary or wages shall in no event exceed three hundred [dollars (\$300)] fifty dollars (\$350) per month

(a) Each three months it shall be the duty of any disability annuitant to furnish a written statement of all earnings from his business occupation or profession from whatever source derived and information showing whether or not he is able to engage in a gainful occupation and such other information as may be required by the retirement board On failure neglect or refusal to furnish such information for the period of the preceding three months the retirement board may refuse to make further disability retirement allowance payments to the disability annuitant until he has furnished such information to the satisfaction of the retirement board and should such refusal continue for six months all his rights in or to the disability retirement allowance constituted by this act shall be forfeited

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Bane,	Haluska,	Meade,	Stevenson.
Barr,	Hare,	Neff,	Stiefel.
Barrett,	Holland,	McPherson, Jr.	Taylor.
Berger,	Kephart,	Pechan,	Toole.
Blass,	Kessler,	Peelor,	Wade.
Byrne,	Lane,	Propert,	Wagner.



Chapman,  
Crowe,  
Diehm,  
DiSilvestro,  
Fleming,  
Freed,

Leader,  
Letzler,  
Mahanay,  
Mallery,  
McCreesh,  
McGinnis,  
McMenamin,

Robinson,  
Rosenfeld,  
Ruth,  
Scarlett,  
Silvert,  
Snowden,

Walker,  
Watkins,  
Watson,  
Wolfe,  
Wood,  
Yosko,

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 356, as follows:

An Act to further amend the act approved the second day of May one thousand nine hundred forty-five (P. L. 382) entitled "An act providing for the incorporation as bodies corporate and politic of "Authorities" for municipalities counties and townships prescribing the rights powers and duties of such Authorities heretofore or hereafter incorporated authorizing such Authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the rights of the holders thereof conferring the right of eminent domain on such Authorities authorizing such Authorities to enter into contracts with and accept grants from the Federal Government or any agency thereof and conferring exclusive jurisdiction on certain courts over rates" by extending the provisions thereof to school districts for limited purposes changing provisions for incorporation withdrawal from and joinder in Authorities amendment of articles of incorporation boards of Authorities and citizenship of members thereof and providing for extensions of corporate existence transfer of existing facilities to Authorities and conveyances of projects upon termination or assumption of liabilities The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (f) of Section 2 of the act approved the second day of May one thousand nine hundred forty-five (P. L. 382) entitled "An act providing for the incorporation as bodies corporate and politic of "Authorities" for municipalities counties and townships prescribing the rights powers and duties of such Authorities heretofore or hereafter incorporated authorizing such Authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such Authorities authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof and conferring exclusive jurisdiction on certain courts over rates" as amended by the act approved the twelfth day of June one thousand nine hundred forty-seven (P. L. 571) is hereby further amended to read as follows

Section 2 Definitions The following terms whenever used or referred to in this act shall have the following meanings except in those instances where the context clearly indicates otherwise

\* \* \* \* \*

(f) The term "municipality" shall mean any county city town borough [or] township or school district of the Commonwealth of Pennsylvania

Section 2 Subsections A and C of Section 3 and subsection B of Section 3.1 of the said act are hereby amended to read as follows

Section 3 Method of Incorporation A Whenever the municipal authorities of any municipality singly or [one] two or more municipalities jointly shall desire to

organize an Authority under this act they shall adopt a resolution or ordinance signifying their intention to do so

[In the event that such resolution or ordinance sets forth the proposed articles of incorporation in full it shall not be required (any law to the contrary notwithstanding) in publishing such resolution or ordinance under the provisions of existing law to publish such proposed articles of incorporation in full but it shall be sufficient compliance with such law in such publication to set forth briefly the substance of such proposed articles of incorporation and to refer to the provisions of this act] Thereafter the municipal authorities of such municipality or municipalities shall cause a notice of such resolution or ordinance to be published at least one time in the legal periodical of the county or counties in which such Authority is to be organized and at least one time in a newspaper published and of general circulation in such county or counties Said notice shall contain a brief statement of the substance of said resolution or ordinance including the substance of such articles making reference to this act and shall state that on a day certain not less than three days after publication of said notice articles of incorporation of the proposed Authority will be filed with the Secretary of the Commonwealth of Pennsylvania No such municipality shall be required (any law to the contrary notwithstanding) to make any other publication of such resolution or ordinances under the provisions of existing law The aforesaid publication of such notice shall be sufficient compliance with such laws

\* \* \* \* \*

C If the Secretary of the Commonwealth finds that the articles of incorporation conform to law he shall forthwith but not prior to the day specified in the aforesaid notice endorse his approval thereon and when all proper fees and charges have been paid shall file the articles and issue a certificate of incorporation to which shall be attached a copy of the approved articles Upon the issuance of such certificate of incorporation by the Secretary of the Commonwealth the corporate existence of said Authority shall begin [when such certificate has been recorded in the office for the recording of deeds in the county where the principal office of the Authority is to be located] Said certificate of incorporation shall be conclusive evidence of the fact that such Authority has been incorporated but proceedings may be instituted by the Commonwealth to dissolve any Authority which shall have been formed without substantial compliance with the provisions of this section

Section 3.1 Municipalities Withdrawing from and Joining in Joint Authorities

\* \* \* \* \*

B On or before the day specified in the notice the municipal authorities shall file such application with the Secretary of the Commonwealth together with proof of publication of the notice hereby required In the case of a municipality seeking to become a member of the Authority the application shall set forth all of the information required in the case of original incorporation in so far as it applies to the incoming municipality including the name and address and term of office of the first member or members of the board of the Authority from the incoming municipality and if there is to be a reapportionment of representation or revision of the terms of office of the members of the board the names addresses and terms of office of all the members of the board as so reapportioned or revised The application in all cases shall be executed by the proper officers of the withdrawing or incoming municipality under its municipal seal and shall be joined in by the proper officers of the governing body of the Authority and in the case of a municipality seeking to become a member of the Authority also by the proper officers of each of the municipalities that are then members of the Authority pursuant to resolutions by the municipal authorities of such municipalities

Section 3 Subsection A of Section 3.2 of said act as added by the act approved the twenty-sixth day of April one thousand nine hundred forty-nine (P. L. 761) is hereby amended to read as follows

Section 3.2 Amendment of Articles A An Authority in



the manner hereinafter provided may from time to time amend its articles

(1) To adopt a new name

(2) To add a provision therein increasing its term of existence to a date not exceeding fifty years from the date of approval of the articles of amendments or to modify any provision thereof limiting its terms of existence by increasing such term to such a date

(3) To change add to or diminish its powers or purposes or to set forth different or additional powers or purposes

(4) To increase or decrease the number of members of the board of the Authority to reapportion the representation on the board of the Authority and to revise the terms of office of such members all in such manner as shall not be inconsistent with the provisions of section seven of this act

Section 4 Subsection A of Section 4 of said act as amended by the act approved the twelfth day of June one thousand nine hundred forty-seven (P. L. 571) is hereby further amended to read as follows

Section 4 Purposes and Powers General A Every Authority incorporated under this act shall be a body corporate and politic and shall be for the purpose of acquiring holding constructing improving maintaining and operating owning leasing either in the capacity of lessor or lessee projects of the following kind and character buildings to be devoted wholly or partially for public uses including public school buildings and for revenue-producing purposes transportation marketing shopping terminals bridges tunnels flood control projects highways parkways traffic distribution centers parking spaces airports and all facilities necessary or incident thereto parks recreation grounds and facilities sewers sewer systems or parts thereof sewage treatment works including works for treating and disposing of industrial waste steam heating plants and distribution systems incinerator plants waterworks water supply works water distribution systems swimming pools playgrounds lakes low head dams hospitals motor buses for public use when such motor buses are to be used within any municipality and subways Provided That an Authority created by a school district or school districts shall have the power only to acquire hold construct improve maintain operate and lease public school buildings and other school projects acquired constructed or improved for public school purposes The purpose and intent of this act being to benefit the people of the Commonwealth by among other things increasing their commerce and prosperity and not to unnecessarily burden or interfere with existing business by the establishment of competitive enterprises none of the powers granted by this act shall be exercised in the construction improvement maintenance extension or operation of any project or projects which in whole or in part shall duplicate or compete with existing enterprises serving substantially the same purposes The municipality or municipalities organizing such an Authority may in the resolution or ordinance signifying their intention so to do or from time to time by subsequent resolution or ordinance specify the project or projects to be undertaken by the said Authority and no other projects shall be undertaken by the said Authority than those so specified If the municipal authorities organizing an Authority fail to specify the project or projects to be undertaken then the Authority shall be deemed to have all the powers granted by this act

Section 5 Clause (a) of subsection B of Section 4 of said act as amended by the act approved the twelfth day of June one thousand nine hundred forty-seven (P. L. 571) is hereby further amended to read as follows

Section 4 Purposes and Powers General \* \* \* \*

B Every Authority is hereby granted and shall have and may exercise all powers necessary or convenient for the carrying out of the aforesaid purposes including but without limiting the generality of the foregoing the following rights and powers

(a) To have existence for a term of fifty years [as a

corporation] and for such further period or periods as may be provided in articles of amendment approved under subsection E of section three point two

Section 6 Subsection A of Section 7 of said act as amended by the act approved the twelfth day of June one thousand nine hundred forty-seven (P. L. 571) and as last amended in part by the act approved the second day of May one thousand nine hundred forty-nine (P. L. 850) is hereby further amended to read as follows

Section 7 Governing Body A The powers of each Authority shall be exercised by a governing body (herein called the "Board") composed as follows

(a) If the Authority is incorporated by one municipality the board shall consist of five members [each of whom shall be a citizen of such municipality] or in case of an Authority one or more projects of which extends or is to extend into or is leased or is to be leased to more than one municipality the board shall consist of such number of members not less than five as shall be set forth in the articles of incorporation or amendment thereto The governing body of such municipality shall appoint the members of the board whose terms of office shall commence on the date of appointment and one of whom shall serve for one year one for two years one for three years one for four years and one for five years from the January first next succeeding the date of incorporation and if there be more than five members of the board their terms shall be staggered in a similar manner Thereafter whenever a vacancy has occurred or is about to occur by reason of the expiration of a term of any member the said governing body shall appoint [as] a member of the board [a citizen of the municipality for which the Authority is created] for a term of five years to succeed the member whose term has expired or is about to expire

(b) If the Authority is incorporated by two or more municipalities the board shall consist of a number of members at least equal to the number of municipalities incorporating the Authority but in no event less than five When one or more additional municipalities join an existing Authority each of such joining municipalities shall have [one member on the board The first of such members shall be appointed immediately upon the admission of the municipality into the Authority for a full term of years equal to that fixed for the other members of the board] such membership on the board as the municipalities then members of the Authority and the joining municipalities may determine by appropriate resolutions Such member or members representing the joining municipality or municipalities shall be appointed immediately upon the admission of such municipality or municipalities into the Authority for the term of years provided in the application for membership required by section three point one of this act

The members of the board each of whom shall be a citizen of the municipality by which he is appointed or a citizen of a municipality into which one or more of the projects of the Authority extends or is to extend or to which one or more of said projects has been or is to be leased shall be appointed their terms staggered and vacancies filled and where [the number of] two or more municipalities [joining is less than five] are members of the Authority shall be apportioned in such manner as the articles of incorporation the amendments thereof or the application for membership required by section three point one of this act shall provide No member shall be appointed for a term longer than five years

Section 7 Subsection A of Section 9 Section 14 and subsection (B) of Section 18 of said act as amended by the act approved the twelfth day of June one thousand nine hundred forty-seven (P. L. 571) are hereby further amended to read as follows

Section 9 Transfer of Existing Facilities to Authority A Any municipality school district or owner may and they are hereby authorized to sell lease lend grant [or] convey transfer or pay over to any Authority with or without consideration any project or any part or parts thereof or any interest in real or personal property or any funds



available for building construction or improvement purposes including the proceeds of bonds previously or hereafter issued for building construction or improvement purposes which may be used by the Authority in the construction improvement maintenance or operation of any project Any municipality or school district is also authorized to transfer assign and set over to any Authority any contracts which may have been awarded by said municipality or school district for the construction of projects not begun or if begun not completed The territory being served by any project or the territory within which such project is authorized to render service at the time of the acquisition of such project by an Authority shall include the area served by the project and the area in which the project is authorized to serve at the time of acquisition and any other area into which the service may be extended subject to the limitations of subsection A of section four of this act

**Section 14 Termination of Authority** When any Authority shall have finally paid and discharged all bonds which together with the interest due thereon shall have been secured by a pledge of any of the revenues or receipts of a project it may (subject to any agreements concerning the operation or disposition of such project) convey such project to the municipality or municipalities creating the Authority or where the project is a public school [building] project to the school district [in which it is located] or school districts to which such project was leased When any Authority shall have finally paid and discharged all bonds issued and outstanding and the interest due thereon and settled all other claims which may be outstanding against it it may convey all its property to the municipality or municipalities or where any of such property is [a public school building] public school property then to the school district [in which it is located] or school districts to which the project was leased and may then terminate its existence A certificate requesting the termination of the existence of the Authority shall be [filed in the office of the Secretary of the Commonwealth] submitted to the municipality or municipalities creating the Authority If the certificate is approved by the municipality or municipalities [creating the Authority by its ordinance or ordinances] then the certificate endorsed with such approval shall be filed with the Secretary of the Commonwealth and thereupon the said secretary shall note the termination of existence on the record of incorporation and return the certificate with his approval shown thereon to the board which shall cause the same to be recorded in the office of the recorder of deeds of the county if the Certificate of Incorporation of such Authority shall have been recorded therein pursuant to the requirements of law in effect at the time of the incorporation of such Authority Thereupon the property of said Authority shall pass to the municipality or municipalities or the school district or districts as the case may be and the Authority shall cease to exist

**Section 18 Conveyance by Authorities to Municipalities or School Districts of Established Projects \* \* \* \* \***

(B) If a public school [building] project shall have been [established as a project] undertaken under this act and the school district [in which it is located desires] or school districts to which such project has been leased desire to acquire the same such school district or school districts may by appropriate resolution signify [its] a desire to do so and thereupon the Authority shall convey such public school [building] project to such school district or school districts by appropriate instrument upon the assumption by the latter of all the obligations incurred by the Authority with respect to that project

**Section 8** The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Bane,	Haluska,	McPherson, Jr.	Stevenson,
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peelor,	Wade,
Byrne,	Lane,	Propert,	Wagner,
Chapman,	Leader,	Robinson,	Walker,
Crowe,	Letzler,	Rosenfeld,	Watkins,
Diehm,	Mahany,	Ruth,	Watson,
DiSilvestro,	Mallery,	Scarlett,	Wolfe,
Fleming,	McCreesh,	Silvert,	Wood,
Freed,	McGinnis,	Snowden,	Yosko,
	McMenamin,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

#### BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 361, on third reading, entitled:

An Act to further amend section 6 of the act, approved the nineteenth day of June one thousand nine hundred eleven (P. L. 1055) entitled "An act authorizing the release on probation of certain convicts instead of imposing sentences the appointment of probation and parole officers and the payment of their salaries and expenses regulating the manner of sentencing convicts in certain cases and providing for their release on parole their conviction of crime during parole and their rearrest and reconviction for breach of parole and extending the powers and duties of boards of prison inspectors of penitentiaries" by further regulating the manner of sentencing of convicts in certain cases

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

#### BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 512, as follows:

An Act to amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorpo-



rated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by directing the issuance of special registration plates to war amputees and paralytics and exempting such persons from the payment of certain fees in connection with motor vehicles

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Article V of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" is hereby amended by adding after Section 501 thereof a new section to read as follows

Section 501.1 Special Plates for Veteran Amputees and Paralytics On the application of any veteran who served in the armed forces of the United States during any period of war or national emergency and who lost a limb or became paralyzed in such service the department shall issue such amputee or paralytic special registration plates designating the vehicle so licensed as belonging to a war amputee or paralytic and the plates shall read from left to right as follows D V (followed by such numbers as the department finds expedient) The department shall not issue registration plates so designated to any person other than a veteran amputee or paralytic

Penalty Any person who is not an amputee or paralytic as prescribed in this section and who wilfully and falsely represents himself as having the qualifications to obtain such vehicle registration plates in an attempt to procure the special plates prescribed by this section shall upon summary conviction before a magistrate be sentenced to pay a fine of fifty dollars (\$50) and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than ten (10) days

Section 2 Subsection (a) of Section 722 of said act as last amended by the acts approved the second day of May one thousand nine hundred forty-nine (P. L. 822) and the tenth day of May one thousand nine hundred forty-nine (P. L. 1072) is hereby further amended to read as follows

#### Section 722 Exemptions from Fees

(a) No fee shall be charged for a certificate of title or registration of motor vehicles fire department equipment trailers and semi-trailers owned by and used exclusively in the performance of the duties of (a) the Federal Government (b) any state other than Pennsylvania which issues titles or registrations to this Commonwealth without charge (c) the Commonwealth of Pennsylvania (a) and city borough incorporated town township county poor or school district of this Commonwealth (e) any duly authorized volunteer fire force in the extinguishment and prevention of fires or in rescue work hospital humane society of anti-cruelty society in this Commonwealth (f)

the American Red Cross (g) churches (h) Girl Scouts of America (i) Boy Scouts of America (j) Salvation Army (k) duly chartered post or organization of the American Legion Veterans of Foreign Wars American Veterans of World War II (AMVETS) the Marine Corps League Military Order of the Purple Heart Jewish War Veterans Catholic War Veterans Inc or United Spanish War Veterans of this Commonwealth or La Societe Des Forty Hommes et Eight Chevaus and organizations and units of the Pennsylvania National Guard (l) mine or industrial ambulances (m) ambassadors ministers foreign consuls general consuls and vice consuls who are nationals of the country appointing them and who are assigned to foreign consulates in this Commonwealth Provided That American consular officers of equal rank who are citizens of the United States and who exercise their official functions at American consulates in such foreign country are granted reciprocal exemptions No [fee] fees shall be charged for certificates of title or registration of motor vehicles owned and used by war amputees [which were obtained through the Veterans' Administration] or by war paralytics or for operators' licenses of such war amputees All such vehicles except those owned and used by the Federal Government shall be titled and registered and shall display registration plates as is now provided for privately owned motor vehicles trailers and semi-trailers

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Bane,	Haluska,	McPherson, Jr.	Stevenson,
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peelor,	Wade,
Byrne,	Lane,	Probert,	Wagner,
Chapman,	Leader,	Robinson,	Walker,
Crowe,	Letzler,	Rosenfeld,	Watkins,
Diehm,	Mahany,	Ruth,	Watson,
DiSilvestro,	Mallery,	Scarlett,	Wolfe,
Fleming,	McCreesh,	Silvert,	Wood,
Freud,	McGinnis,	Snowden,	Yosko,
	McMenamin,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 596, as follows:

An Act to amend Section 2 of the act approved the eighteenth day of April one thousand nine hundred twenty-three (P. L. 75) entitled "An act authorizing the courts of common pleas to change the name of persons prescribing the procedure and the effect of the decree thereon" by reducing the time in which the petition shall be heard

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 2 of the act approved the eighteenth day of April one thousand nine hundred twenty-three (P. L. 75) entitled "An act authorizing the courts of common pleas to change the name of persons prescribing the procedure and the effect of the decree thereon" is hereby amended to read as follows



Section 2 Any person desiring to change his or her name shall file a petition in the courts of common pleas of the county in which he or she shall reside setting forth such desire and intention and the reason therefor together with the residence of petitioner and his or her residence or residences for and during five years prior thereto Where the petitioner is a married person the other spouse may join as a party petitioner in which event upon compliance with the provisions of this act said spouse shall also be entitled to the provisions hereof The court shall thereupon enter an order directing that notice be given of the filing of said petition and of the day set for the hearing thereon which hearing shall be not less than [two months] one month or more than three months after the filing of said petition and said notice shall be published in two newspapers of general circulation in said county or county contiguous thereto one of which publications may be in the official paper for the publication of legal notices in said county

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Bane,	Haluaka,	McPherson, Jr.,	Stevenson,
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peelor,	Wade,
Byrne,	Lane,	Propert,	Wagner,
Chapman,	Leader,	Robinson,	Walker,
Crowe,	Letzler,	Rosenfeld,	Watkins,
Diehm,	Mahany,	Ruth,	Watson,
DiSilvestro,	Mallery,	Scarlett,	Wolfe,
Fleming,	McCreesh,	Silvert,	Wood,
Freed,	McGinnis,	Snowden,	Yosko,
	McMenamin,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 713, as follows:

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing boards of school directors to enter into contracts with and make appropriations to the county board of school directors for services further providing for the appointment and payment of a secretary and a treasurer of the county board of school directors and auditing the treasurer's accounts and providing for the assessment of school districts for special services furnished by the county board of school directors

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section five hundred eight of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" is hereby amended to read as follows

Section 508 Majority Vote Required Recording The affirmative vote of a majority of all the members of the board of school directors in every school district duly recorded showing how each member voted shall be required in order to taken action on the following subjects

Fixing length of school term

Adopting textbooks

Appointing or dismissing district superintendents assistant district superintendents associate superintendents principals and teachers

Appointing tax collectors and other appointees

Levying and assessing taxes

Purchasing selling or condemning land

Locating new buildings or changing the locations of old ones

Dismissing a teaching after a hearing

Creating or increasing any indebtedness

Adopting courses of study

Establishing additional schools or departments

Designating depositories for school funds

Entering into contracts of any kind including contracts for the purchase of fuel or any supplies where the amount involved exceeds one hundred dollars (\$100)

Fixing salaries or compensation of officers teachers or other appointees of the board of school directors

Entering into contracts with and making appropriations to the county board of school directors for the district's proportionate share of the cost of services provided or to be provided for by the county board

Failure to comply with the provisions of this section shall render such acts of the board of school directors void and unenforceable

Section 2 Article IX of said act is hereby amended by adding at the end thereof three new sections to read as follows

Section 927 Audits The accounts of the treasurer of the county board shall be audited annually in the manner following

(a) By three auditors elected by the School Director's Association of the county

(b) Section 928 Bond of Treasurer Every person elected treasurer of the county board of school directors shall furnish before entering upon the duties of his office a proper bond in such amount and with such surety or sureties as the county board of school directors may approve conditioned upon the faithful performance of his duties as treasurer The cost of said bond shall be paid for out of the funds of the county board of school directors

Section 929 Compensation of the secretary and treasurer The secretary and treasurer of the county board of school directors or either of them may receive for their services such compensation as the county board of school directors shall determine the amount of which shall be payable out of the funds of the county board and shall be reported annually to the Superintendent of Public Instruction and be printed in his report

Section 3 Section nine hundred twenty-five of said act as amended by the act approved the twentieth day of April one thousand nine hundred forty-nine (P. L. 622) is hereby further amended by adding at the end thereof two new clauses to read as follows

Section 925 Powers and duties the county board of school directors in respect to school districts under the supervision of the county superintendent shall have power and its duty shall be

\* \* \* \* \*

(14) To assess each school district under the jurisdiction of the county board for services and any school district not under the jurisdiction of the county superintendent which has contracted with the county board for services for such district's proportionate share of the cost of such services The proportionate share of a district shall be determined by multiplying the cost of the services by a fraction the numerator of which shall be the number of pupils in average daily membership in the district and the denominator of which shall be the total number of pupils in average daily membership in all districts to which such services will be furnished Provided That no



school district shall be liable for such assessment unless the county board shall have notified the secretary of the district in writing (forty (40) days prior to the county convention of school directors that action will be considered to provide such services

(15) Each school district subject to assessment for services furnished by the county board of school directors shall make payment of said assessment as provided by action of the county board of school directors. In the event any district fails to pay its assessment when due the same shall be withheld from State appropriations by the Superintendent of Public Instruction and paid over to the county board of school directors

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bane,	Haluska,	McPherson, Jr.,	Stevenson,
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peelot,	Wade,
Byrne,	Lane,	Propert,	Wagner,
Chapman,	Leader,	Robinson,	Walker,
Crowe,	Letzler,	Rosenfeld,	Watkins,
Diehm,	Mahany,	Ruth,	Watson,
DiSilvestro,	Mallery,	Scarlett,	Wolfe,
Fleming,	McCreesh,	Silvert,	Wood,
Freed,	McGinnis,	Snowden,	Yosko,
	McMenamin,		

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 791, as follows:

An Act to amend Section 1 of the act approved the fifteenth day of May one thousand nine hundred thirty-nine (P. L. 134) entitled "An act relating to fireworks defining fireworks prohibiting the sale offering or exposing for sale and use of fireworks except in certain cases authorizing cities boroughs towns and townships to issue permits for fireworks displays and to regulate the same imposing duties on the Pennsylvania Motor Police sheriffs police officers and constables and providing penalties" by prohibiting the sale offering or exposing for sale and use of devices by which missiles or projectiles are discharged

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1 of the act approved the fifteenth day of May one thousand nine hundred thirty-nine (P. L. 134) entitled "An act relating to fireworks defining fireworks prohibiting the sale offering or exposing for sale and use of fireworks except in certain cases authorizing cities boroughs towns and townships to issue permits for fireworks displays and to regulate the same imposing duties on the Pennsylvania Motor Police sheriffs police officers and constables and providing penalties" is hereby amended to read as follows

Section 1 The term "fireworks" shall mean and include any combustible or explosive composition or any substance or combination of substances or except as hereinafter provided any article prepared for the purpose of producing a visible or an audible effect by combustion

explosion deflagration or detonation and shall include blank cartridge and toy cannons in which explosives are used the type of balloons which require fire underneath to propel the same fire crackers torpedoes skyrockets Roman candles Daygo bombs sparklers or other fireworks of like construction and any fireworks containing any explosive or flammable compound or any tablets or other device containing any explosive substance and any device by which a missile or projectile is discharged by the force of the explosion of a paper cap or other explosive composition or substance regardless of the amount of explosive compound used

The term "fireworks" shall not include toy pistols toy canes toy guns or other devices in which paper caps containing twenty-five hundredth grains or less of explosive compound are used and from which no missile or projectile is discharged providing they are so constructed that the hand cannot come in contact with the cap when in place for the explosion and toy pistol paper caps which contain less than twenty hundredths grains of explosive mixture the sale and use of which shall be permitted at all times

The term "municipalities" shall include cities boroughs incorporated towns and townships

Section 2 The provisions of this act shall become effective thirty days after final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bane,	Haluska,	McPherson, Jr.,	Stevenson,
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peelot,	Wade,
Byrne,	Lane,	Propert,	Wagner,
Chapman,	Leader,	Robinson,	Walker,
Crowe,	Letzler,	Rosenfeld,	Watkins,
Diehm,	Mahany,	Ruth,	Watson,
DiSilvestro,	Mallery,	Scarlett,	Wolfe,
Fleming,	McCreesh,	Silvert,	Wood,
Freed,	McGinnis,	Snowden,	Yosko,
	McMenamin,		

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

## BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 795, entitled:

An Act vesting and confirming in cities of the second class all right title and interest of the Commonwealth in certain streets lanes and alleys situate within such cities.

And said bill having been read at length the third time, On the question,

Mr. WALKER. Mr. President, I asked unanimous consent to offer amendments on behalf of my colleague, Senator Barr.

The PRESIDENT. Is there objection??? The Chair hears none.



The Clerk read the amendments as follows:

Amend Section 1, Page 2, line 4 by inserting after the word "alleys" and the word "and" the following: "which are not being maintained by the Commonwealth"; amend Page 2, line 11 by inserting after the word "alleys" and before the word "as" the following: "which are not being maintained by the Commonwealth"; amend Section 2, Page 2, line 14 by inserting after the word "Commonwealth" and before the word "including" the following: "and not maintained by the Commonwealth."

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

### BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 795, on third reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

### BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 816, as follows:

An Act to facilitate vehicular traffic across the Commonwealth by providing for the construction operation and maintenance of a turnpike from a connection with the Pennsylvania Turnpike System at such point west of the Susquehanna River as the Pennsylvania Turnpike Commission may decide is most feasible and practicable to a point on or near the boundary line between the Commonwealth of Pennsylvania and the State of Maryland and conferring powers and imposing duties on the Pennsylvania Turnpike Commission authorizing the issuance of turnpike revenue bonds notes or other obligations of the Commonwealth payable solely from revenues of the Commission including tolls or from such funds as may be available to the Commission for that purpose to pay the cost of such turnpike providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act providing for the collection of tolls for the payment of such bonds notes or other obligations and for the cost of maintenance operation and repair of the turnpike making such turnpike bonds notes or other obligations exempt from taxation constituting such bonds legal investments in certain instances requiring suits against the Commission to be brought in Dauphin County prescribing conditions on which such turnpike shall become free providing for grade separations grade changes relocations restorations and vacation of public roads and State highways affected by the turnpike providing for the purchasing of condemnation of land and procedure for determining damages in condemnation granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the Commission and authorizing the issuance of turnpike revenue refunding bonds

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 This act shall be known and may be cited as the "Pennsylvania Turnpike Gettysburg Extension Act"

Section 2 In order to facilitate vehicular traffic in the southeastern section of the Commonwealth the Pennsylvania Turnpike Commission heretofore created by virtue of the provisions of the Act approved the 21st day of May

1937 (P. L. 774) and the supplements and amendments thereto is hereby authorized and empowered to construct operate and maintain a turnpike at such location as shall be approved by the Governor and the Department of Highways from a connection with the Pennsylvania Turnpike System at such point west of the Susquehanna River as the Pennsylvania Turnpike Commission may decide is most feasible and practicable and thence in a generally southerly direction to a point on or near the boundary line between the Commonwealth of Pennsylvania and the State of Maryland to connect with present traffic facilities or other traffic facilities to be provided by the State of Maryland or other governmental agencies together with connecting roads tunnels and bridges and further to issue turnpike revenue bonds of the Commonwealth notes or other obligations payable solely from revenues of the Commission including tolls or from such funds as may be available to the Commission for that purpose to pay the cost of any and all construction

Section 3 The Turnpike revenue bonds notes or other obligations issued under the provisions of this act shall not be deemed to be a debt of the Commonwealth or a pledge of the faith and credit of the Commonwealth but such bonds notes or other obligations shall be payable solely from revenues of the Commission including tolls or from such funds as may be available to the Commission for that purpose All such bonds notes or other obligations shall contain a statement on their face that the Commonwealth is not obligated to pay the same or the interest thereon except from revenues of the Commission including tolls or from such funds as may be available to the Commission for that purpose and that the faith and credit of the Commonwealth is not pledged to the payment of the principal or interest of such bonds notes or other obligations The issuance of turnpike revenue bonds notes or other obligations under the provisions of this act shall not directly or indirectly or contingently obligate the Commonwealth to levy or to pledge any form of taxation whatever therefor or to make any appropriation for their payment

Section 4 The following words and terms shall have the following meanings

(a) The word "commission" shall mean the Pennsylvania Turnpike Commission heretofore created by the act approved the twenty-first day of May one thousand nine hundred and thirty-seven (P. L. 774) or if said commission shall be abolished any board commission or officer succeeding to the principal functions thereof or upon whom the power and functions given by this act to said commission shall be given by law

(b) The word "owner" shall include all individuals copartnerships associations or corporations having any title or interest in any property rights easements or franchises authorized to be acquired by this act

(c) The words "the turnpike" shall mean the turnpike to be constructed as herein provided from a connection with the Pennsylvania Turnpike System west of the Susquehanna River to a point on or near the boundary line between the Commonwealth of Pennsylvania and the State of Maryland and may be constructed as a whole at one time or in sections from time to time as the commission shall determine and shall be deemed to include not only the turnpike and all connecting roads tunnels and bridges connected therewith but also all property rights easements and franchises relating thereto and deemed necessary or convenient for the construction or the operation thereof

(d) The term "cost of the turnpike" shall embrace the cost of constructing the turnpike and all connecting roads tunnels and bridges the cost of all lands property rights rights-of-way easements and franchises acquired which are deemed necessary or convenient for such construction the cost of all machinery and equipment financing charges interest prior to and during construction and for one year after completion of construction cost of traffic estimates and of engineering and legal expenses plans specifications surveys estimates of cost and of revenues other expenses necessary or incident to determining the feasibility or practicability of the enterprise administrative and



legal expense and such other expenses as may be necessary or incident to the financing herein authorized the construction of the turnpike and connecting roads tunnels and bridges the placing of the same in operation and the condemnation of property necessary for such construction and operation Any obligation or expense constructed for by the Commission with the Department of Highways of the Commonwealth of Pennsylvania or with the United States or any agency thereof for traffic surveys preparation of plans and specifications supervision of construction and other engineering administrative and legal services and expenses in connection with the construction of the turnpike or any of the connecting roads tunnels and bridges shall be regarded as a part of the cost of the turnpike and shall be reimbursed or paid out of the proceeds of the turnpike revenue bonds notes or other obligations hereinafter authorized Payment of any notes or other obligations shall be considered payment of the cost of the turnpike provided such notes or other obligations were issued for such purpose

Section 5 The exercise by the Commission of the powers conferred by this act in the construction operation and maintenance of the turnpike shall be deemed and held to be an essential governmental function of the Commonwealth

Section 6. The Commission shall have the following powers and duties

(a) It shall maintain a principal office at such place as shall be designated by the Commission

(b) The Commission may contract and be contracted with in its own name

(c) The Commission may sue and be sued in its own name plead and be impleaded Provided however That any and all actions at law or in equity against the Commission shall be brought only in the proper courts at the County of Dauphin

(d) The Commission shall have an official seal

(e) The Commission shall make necessary rules and regulations for its own government and shall have power and authority to acquire own use hire lease operate and dispose of personal property real property and interests in real property and to make and enter into all contracts and agreements necessary or incidental to the performance of its duties and the execution of its powers under this act and to employ engineering traffic architectural and construction experts and inspectors and attorney and such other employes as may in its judgment be necessary and fix their compensation Provided however That all contracts and agreements relating to the construction of the turnpike and connecting roads tunnels and bridges shall be approved by the Department of Highways and the turnpike and connecting roads tunnels and bridges shall be constructed under the supervision of the Department of Highways

(f) The turnpike when completed and opened to traffic shall be maintained and repaired by and under the control of the Commission through the Department of Highways of the Commonwealth and all charges and costs for such maintenance and repairs actually expended by said Department of Highways shall be paid to it by the Commission upon certification thereof out of the tolls Such turnpike shall also be policed and operated by such force of police tolltakers and other operating employes as the Commission may in its discretion employ

(g) The Commission shall have authority at its own cost to provide grade separations with respect to all public roads and State highways intersected by the turnpike and to change and adjust the lines and grades thereof so as to accommodate the same to the design of such grade separation Provided however That the damages incurred in changing and adjusting the lines and grades of such public roads and State highways shall be ascertained and paid by the Commission in the same manner as is provided for by this act in regard to the location and construction of the turnpike

(h) If the Commission shall find it necessary to provide a grade separation or change the site of any portion of any State highway or public road or vacate the same

it shall cause it to be reconstructed and restored forthwith at the Commission's own proper expense on the most favorable location and in as satisfactory a manner as the original road or vacate it as the case may be Provided That the method of acquiring the right-of-way and determining damages incurred in changing the location of or vacating such road or State highway shall be ascertained and paid for by the Commission in the same manner as is provided for by this act in regard to the location and construction of the turnpike In such cases the plan of such reconstruction and restoration or vacation shall be submitted to the supervisors of the proper township for approval and in the event of failure of the supervisors to approve the plan then it shall be submitted to the Department of Highways for final approval In the case of State highways the plan shall be submitted to the Department of Highways for its approval

(i) The Commission shall also have authority to petition the court of quarter sessions of the county where is situate any public road or part thereof affected by the location therein of the turnpike for the vacation relocation or supply of the same or any part thereof with the same force and effect as is now given by existing laws to the inhabitants of any township of such county and the proceedings upon such petition whether it be for the appointment of viewers or otherwise shall be the same as provided by existing law for similar proceedings upon such petitions

(j) The Commission shall otherwise have all of the powers and perform all of the duties prescribed by the act approved the twenty-first day of May one thousand nine hundred and thirty-seven (P. L. 774) and any supplements or amendments thereto

(k) Adequate compensation shall be made by the Commission out of funds provided under the authority of this act for damages to all public or private property taken injured or destroyed in carrying out the powers granted by this act or such property may be restored or repaired and placed in its original condition as nearly as practicable as the Commission may deem it expedient in any particular case

Section 7 (a) Each member of the Commission shall be reimbursed for the necessary expenses incurred in the performance of the duties performed under the provisions of this act

(b) All expenses incurred in carrying out the provisions of this act shall be paid solely from funds provided under the authority of this act and sufficient funds shall be provided under the authority of this act to meet any liability or obligation incurred in carrying out the provisions of this act

(c) Before the issuance of any turnpike revenue bonds notes or other obligations under the provisions of this act each appointed member of the commission shall execute a bond in the penalty of twenty-five thousand dollars (\$25,000) and the secretary and treasurer shall execute a bond in the penalty of fifty thousand dollars (\$50,000) each such bond to be approved by the Governor and to be conditioned upon the faithful performance of the duties of his office under the provisions of this act which bonds shall be filed in the office of the Secretary of the Commonwealth

Section 8 (a) The Commission is hereby authorized and empowered to condemn by resolution any lands interests in lands property rights rights-of-way franchises easements and other property deemed necessary or convenient for the construction and efficient operation of the turnpike or necessary in the restoration or relocation of public or private property damaged or destroyed and the date of such resolution shall be the effective date of condemnation

(b) The Commission is hereby authorized and empowered to acquire by purchase whenever it shall deem such purchase expedient any lands interests in lands property rights rights-of-way franchises easements and other property deemed necessary or convenient for the construction and efficient operation of the turnpike or necessary in the restoration or relocation of public or private property damaged or destroyed whether the same



had theretofore been condemned or otherwise upon such terms and at such price as may be considered by it to be reasonable and can be agreed upon between the Commission and the owner thereof and to take title thereto in the name of the Commission

Section 9 (a) Whenever a reasonable sum representing the damages cannot be agreed upon or whenever the owner is legally incapacitated or unable to convey valid title or is absent or unknown either the Commission acting through the Department of Justice or any owner or owners shall apply to the court of common pleas of the county in which the property is located or in the case of property located in two or more counties then in any one of such counties for the appointment of viewers to determine as hereinafter provided the amount of damages resulting from the taking Whereupon said court or any law judge thereof shall appoint three disinterested freeholders to view such property and estimate the value thereof None of the freeholders shall be a resident of the county wherein such application shall be made The court shall fix a time not less than twenty nor more than thirty days thereafter when the viewers shall meet upon the property and view the same The viewers shall cause at least ten days' personal notice of the time and place of such meeting to be given to the Attorney General to the Commission and to the owner or owners if resident within said county If the owner is a corporation such notice shall be given to the president secretary or treasurer thereof if such officer resides within said county If neither owner nor any of such officers reside within the county or cannot be found therein or is unknown notice of such first meeting shall be given as the court may direct The viewers having been duly sworn or affirmed faithfully and impartially to perform the duties required of them under the provisions of this act shall at the time fixed for the first meeting proceed to ascertain as accurately as may be the value of such land property rights rights-of-way easements or franchises and to that end may require the attendance of any person whose testimony may be pertinent thereto and production of any such books or papers as the viewers may deem necessary if any person shall refuse to appear and testify before such viewers or refuse to produce such books and papers when they are required then the court or any judge thereof shall on application of the viewers or a quorum thereof make such order therein as may be necessary Whenever the viewers shall have ascertained the value of the lands property rights rights-of-way easements or franchises they shall prepare a full report of their labors Upon the completion of the report the viewers shall fix a time when they shall meet and exhibit same Ten days written notice of the time and place of such meeting together with a copy of said report shall be given to the Commission to the Attorney General and to the owner or owners of the property condemned At the time and place mentioned in such notice the viewers shall meet and publicly exhibit the report and hear all exceptions thereto After making any changes in such report as they may deem necessary the same shall be filed in the court Within thirty days after the filing of the report in the court the Commission acting through the Department of Justice or any person interested may file exceptions thereto Whereupon the court shall either confirm the report absolutely or modify it or refer it back to the same or to any viewers with like powers and duties of the former viewers Within thirty days after the final action on the report by the court the Commission acting through the Department of Justice or any person interested may demand a trial by jury From the action of the court on exceptions or from any judgment after a jury trial an appeal may be taken by any party to the Supreme or Superior Court Each of the viewers shall receive a sum not exceeding ten dollars for each day actually and necessarily employed in the performance of the duties herein prescribed and all necessary expenses actually incurred in the performance of his duties Title to any property condemned by the Commission shall be taken in the name of the Commission Prior to physical entry upon the land the Commission shall be under no obligation to accept and pay for any property condemned or

any costs incidental to any condemnation proceeding. Provided however That in any condemnation proceedings the court having jurisdiction of the suit action or proceeding may make such orders as may be just to the commission and to the owners of the property to be condemned and may require an undertaking or other security to secure such owners against any loss or damage by reason of the failure of the Commission to enter upon accept and pay for the property but neither such undertaking or security nor any act or obligation of the Commission shall impose any liability upon the Commonwealth except such as may be paid from the funds provided under the authority of this act

The Commission in its discretion may vacate any portion or all of the land condemned either prior to or after physical entry upon the land or any part thereof and prior to final determination of damages In such cases the Commission shall be under no obligation to accept and pay for any property condemned and subsequently vacated Provided however That in any such case the court having jurisdiction of the suit action or proceeding may make such orders as may be just to the Commission and to the owners of the property and may require an undertaking or other security to secure such owners against any and all loss or damages occasioned to the owner from the time of the original condemnation to the time of the modification thereof but neither such undertaking or security nor any act or obligation of the Commission shall impose any liability upon the Commonwealth except such as may be paid from the funds provided under the authority of this act

(b) In addition to the foregoing powers the Commission and its authorized agents and employes may enter upon any lands waters and premises in the State for the purpose of making surveys soundings drillings and examinations as it may deem necessary or convenient for the purpose of this act and such entry shall not be deemed a trespass nor shall an entry for such purposes be deemed an entry under any condemnation proceedings which may be then pending Provided however That the Commission shall make reimbursement for any actual damages resulting to such lands waters and premises as a result of such activities

(c) All counties cities boroughs townships and other political subdivisions and municipalities and all public agencies and commissions of the Commonwealth of Pennsylvania notwithstanding any contrary provision of law are hereby authorized and empowered to lease lend grant or convey to the Commission upon its request upon such terms and conditions as the proper authorities of such counties cities boroughs townships other political subdivisions and municipalities or public agencies and commissions of the Commonwealth of Pennsylvania may deem reasonable and fair and without the necessity for any advertisement order of court or other action or formality other than the regular and formal action of the authorities concerned any real property which may be necessary or convenient to the effectuation of the authorized purposes of the Commission including public roads and other real property already devoted to public use

Section 10 Whenever the Commission has condemned any lands rights rights-of-way easements and franchises or interests therein as hereinbefore provided and has tendered a bond or other security to secure the owner or owners for damages and the same has been accepted or if the acceptance of said bond has been refused and the same has been filed in and approved by the court of common pleas of the county in which the property is located or in the case of property located in two or more counties then in any one of such counties the Commission shall have the right to immediate possession of the property covered by the bond and may enter thereon in the name of the Commission If the owner lessee or occupier of any of said premises or any building or structure thereon shall refuse to remove his personal property therefrom or give up possession thereof the Commission may proceed to obtain possession in the manner now provided by law for the obtaining possession by the Secretary of Highways of occupied structures



Section 11 (a) The Commission is hereby authorized to provide by resolution at one time or from time to time for the issuance of turnpike revenue bonds of the Commonwealth for the purpose of paying the cost as hereinabove defined of the turnpike which resolution shall recite an estimate of such cost The principal and interest of such bonds shall be payable solely from revenues of the Commission including tolls or from such funds as may be available to the Commission for that purpose The bonds shall be dated shall bear interest at such rate or rates not exceeding six per centum per annum payable semi-annually shall mature at such time or times not exceeding forty years from their date or dates as may be determined by the Commission and may be made redeemable before maturity at the option of the Commission at such price or prices and under such terms and conditions as may be fixed by the Commission prior to the issuance of the bonds Provided however That the amount of premium on any bonds shall not cause the yield to be more than six per centum per annum from the date of such bonds to the date of their redemption The bonds may be issued in series with varying provisions as to rates of interest maturity and other provisions not inconsistent with this act but all bonds of whatever series shall share ratably in the tolls hereinafter pledge as security therefor The principal and interest of such bonds may be made payable in any lawful medium The Commission shall determine the form of bonds including any interest coupons to be attached thereto and shall fix the denomination or denominations of the bonds and the place or places of payment of principal and interest thereof which may be at any bank or trust company within or without the Commonwealth The bonds shall bear the facsimile signatures of the Governor and of the chairman of the Commission and the facsimile of the official seal of the Commission shall be affixed thereto attested by the secretary and treasurer of the Commission and any coupons attached thereto shall bear the facsimile signature of the chairman of the Commission In case any officer whose signature shall appear on any bonds or coupons shall cease to be such officer before the delivery of such bonds such signature shall nevertheless be valid and sufficient for all purposes the same as if he had remained in office until such delivery All turnpike revenue bonds issued under the provisions of this act shall have and are hereby declared to have all the qualities and incidents of negotiable instruments under the negotiable instruments law of the Commonwealth The bonds may be issued in coupon or in registered form or both as the Commission may determine and provision may be made for the registration of any coupon bond as to principal alone and also as to both principal and interest and registered and coupon bonds shall be interchangeable The Commission may sell such bonds in such manner and for such price as it may determine to be for the best interest of the Commonwealth but no such sale shall be made at a price so low as to require the payment of interest on the money received therefor at more than six per centum per annum computed with relation to the absolute maturity of the bonds in accordance with standard tables of bond values The proceeds of such bonds shall be used solely for the payment of the cost of the turnpike and shall be disbursed upon requisition of the chairman of the Commission under such restrictions if any as the resolution authorizing the issuance of the bonds or in the trust indenture hereinafter mentioned may provide If the proceeds of such bonds by error of calculation or otherwise shall be less than the cost of the turnpike additional bonds may in like manner be issued to provide the amount of such deficit and unless otherwise provided in the resolution authorizing the issuance of the bonds or in the trust indenture shall be deemed to be of the same issue and shall be entitled to payment from the same fund without preference or priority of the bonds first issued If the proceeds of the bonds shall exceed the cost of the turnpike the surplus shall be paid into the fund hereinafter provided for the payment of principal and interest of such bonds Prior to the preparation of definitive bonds the Commission may under like restrictions issue temporary bonds

with or without coupons exchangeable for definitive bonds upon the issuance of the latter The Commission may also provide for the replacement of any bond which shall become mutilated or be destroyed or lost Such turnpike revenue bonds may be issued without any other proceedings or the happening of any other conditions or things than those proceedings conditions and things which are specified and required by this act

Such bonds are hereby made securities in which all State and municipal officers and administrative departments boards and commissions of the Commonwealth all banks bankers savings banks trust companies saving and loan associations investment companies and other persons carrying on a banking business all insurance companies insurance associations and other persons carrying on an insurance business and all administrators executors guardians trustees and other fiduciaries and all other persons whatsoever who now or may hereafter be authorized to invest in bonds or other obligations of the Commonwealth may properly and legally invest any funds including capital belonging to them or within their control and said bonds are hereby made securities which may properly and legally be deposited with and received by any State or municipal officers or agency of the Commonwealth for any purpose for which the deposit of bonds or other obligations of the Commonwealth is now or may hereafter be authorized by law

(b) The Commission is hereby authorized to provide by resolution from time to time for the issuance of turnpike revenue notes or other revenue obligations of the Commonwealth to provide for preliminary or interim financing up to but not exceeding the estimated total cost of the turnpike and to pledge as collateral for such notes turnpike revenue bonds issued under the provisions of this act All such notes or other obligations shall contain a statement on their face that the Commonwealth is not obligated to pay the same or interest thereon except from revenues of the Commission including tolls or from such funds as may be available to the Commission for that purpose and that the faith and credit of the Commonwealth is not pledged to the payment of the principal or interest of such notes or other obligations The issuance of turnpike notes or other obligations under the provisions of this act shall not directly or indirectly or contingently obligate the Commonwealth to levy or to pledge any form of taxation therefor or make any appropriation for their payment

Section 12 All moneys received from any bonds notes or other obligations issued pursuant to this act shall be applied solely to the payment of the cost of the turnpike or to the appurtenant fund and there shall be and hereby is created and granted a lien upon such moneys until so applied in favor of holders of such bonds notes or other obligations or the trustee hereinafter provided for in respect of such bonds notes or other obligations

Section 13 In the discretion of the Commission such bonds notes or other obligations may be secured by a trust indenture by and between the Commission and a corporate trustee which may be any trust company or bank having the powers of a trust company within or outside of the Commonwealth Such trust indenture may pledge or assign tolls and revenue to be received but shall not convey or mortgage the turnpike or any part thereof Either the resolution providing for the issuance of such bonds notes or other obligations or such trust indenture may contain such provisions for protecting and enforcing the rights and remedies of the bondholders or holders of notes or other obligations as may be reasonable and proper and not in violation of law including covenants setting forth the duties of the Commission in relation to the acquisition of properties and the construction maintenance operation and repair and insurance of the turnpike and the custody safeguarding and application of all moneys It shall be lawful for any bank or trust company incorporated under the laws of this Commonwealth to act as depository of the proceeds of bonds notes or other obligations or revenues and to furnish such indemnity bonds or to pledge such securities as may be required by the Commission Such indenture may set forth the rights and



remedies of the bondholders or holders of notes or other obligations and of the trustee and may restrict the individual right of action of bondholders or holders of notes or other obligations as is customary in trust indentures securing bonds debentures of corporations notes or other obligations. In addition to the foregoing such trust indenture may contain such other provisions as the Commission may deem reasonable and proper for the security of bondholders or holders of notes or other obligations. All expenses incurred in carrying out such trust indenture may be treated as part of the cost of maintenance operation and repair of the turnpike.

Section 14 The accomplishment by the Commission of the authorized purposes stated in this act being for the benefit of the people of the Commonwealth and for the improvement of their commerce and prosperity in which accomplishment the Commission will be performing essential governmental functions the Commission shall not be required to pay any taxes or assessments on any property acquired or used by it for the purposes provided in this act and the bonds notes or other obligations issued by the Commission their transfer and the income therefrom including any profits made on the sale thereof shall at all times be free from taxation within the Commonwealth.

Section 15 The Commission is hereby authorized to fix and to revise from time to time tolls for the use of the turnpike and the different parts or sections thereof and to charge and collect the same and to contract with any person partnership association or corporation desiring the use of any part thereof including the right-of-way adjoining the paved portion for placing thereon telephone telegraph electric light or power lines gas stations garages stores hotels restaurants and advertising signs or for any other purpose except for tracks for railroad or railway use and to fix the terms conditions rents and rates of charges for such use. Such tolls shall be so fixed and adjusted as to provide a fund at least sufficient with other revenues of the turnpike if any to pay (a) the cost of maintaining repairing and operating the turnpike and (b) the bonds notes or other obligations and the interest thereon and all sinking fund requirements and other requirements provided by the resolution authorizing the issuance of the bonds notes or other obligations or by the trust indenture as the same shall become due. Such tolls shall not be subject to supervision or regulation by any other State commission board bureau or agency. The tolls and all other revenues derived from the turnpike except such part thereof as may be required to pay the cost of maintaining repairing and operating the turnpike and to provide such reserves therefor as may be provided for in the resolution authorizing the issuance of the bonds notes or other obligations or in the trust indenture shall be set aside at such regular intervals as may be provided in such resolution or such trust indenture in a sinking fund which is hereby pledged to and charged with the payment of (1) the interest upon such bonds notes or other obligations as such interest shall fall due (2) the principal of the bonds notes or other obligations as the same shall fall due (3) the necessary fiscal agency charges for paying principal and interest and (4) any premium upon bonds retired by call or purchase as herein provided. The use and disposition of such sinking fund shall be subject to such regulations as may be provided in the resolution authorizing the issuance of bonds notes or other obligations or in the trust indenture but except as may otherwise be provided in such resolution or trust indenture such sinking fund shall be a fund for the benefit of all bonds notes or other obligations issued hereunder without distinction or priority of one over another. Subject to the provisions of the resolutions authorizing the issuance of bonds notes or other obligations or of the trust indenture any moneys in such sinking fund in excess of an amount equal to one year's interest on all bonds notes or other obligations then outstanding may be applied to the purchase or redemption of bonds notes or other obligations. All bonds notes or other obligations so purchased or redeemed shall forthwith be cancelled and shall not again be issued.

Section 16 The Commission is hereby authorized to

provide by resolution for the issuance of turnpike revenue refunding bonds of the Commonwealth for the purpose of refunding any turnpike revenue bonds notes or other obligations issued under the provisions of this act and then outstanding. The issuance of such turnpike revenue refunding bonds the maturities and other details thereof the rights of the holders thereof and the duties of the Commonwealth and of the Commission in respect to the same shall be governed by the foregoing provisions of this act in so far as the same may be applicable and by the following provisions:

(a) No turnpike revenue refunding bonds shall be delivered unless delivered in exchange for turnpike revenue bonds notes or other obligations to be refunded thereby except in the amount necessary to provide for the payment of matured or redeemable turnpike revenue bonds notes or other obligations or turnpike revenue bonds notes or other obligations maturing or redeemable within three months including any redemption premium thereon.

(b) No turnpike revenue refunding bonds shall be issued unless issued to refund turnpike revenue bonds notes or other obligations which have matured or will mature within three months or unless the interest rate of the turnpike revenue refunding bonds shall be at least one-fourth of one per centum less than the interest rate borne by the turnpike revenue bonds notes or other obligations to be refunded.

Section 17 Any holder of bonds notes or other obligations issued under the provisions of this act or any of the coupons attached thereto and the trustee under the trust indenture if any except to the extent the rights herein given may be restricted by resolution passed before the issuance of the bonds notes or other obligations or by the trust indenture may either at law or in equity by suit action mandamus or other proceedings protect and enforce any and all rights granted hereunder or under such resolution or trust indenture and may enforce and compel performance of all duties required by this act or by such resolution or trust indenture to be performed by the commission or any officer thereof including the fixing charging and collecting of tolls for the use of the turnpike.

Section 18 When all bonds notes or other obligations and the interest thereon shall have been paid or sufficient amount for the payment of all bonds notes or other obligations and the interest to maturity thereon shall have been set aside in trust for the benefit of the holders of such bonds notes or other obligations and shall continue to be held for that purpose the turnpike and the connecting roads tunnels and bridges shall become a part of the system of State highways and shall be maintained by the Department of Highways free of tolls and thereupon the Commission shall be dissolved and all funds of the Commission not required for the payment of the bonds notes or other obligations and all machinery equipment and other property belonging to the Commission shall be vested in the Department of Highways.

Section 19 The foregoing sections of this act shall be deemed to provide an additional and alternative method for the doing of things authorized thereby and shall be regarded as supplemental and additional to powers conferred by other laws and shall not be regarded as in derogation of any powers now existing. Such sections being necessary for the welfare of the Commonwealth and its inhabitants shall be liberally construed to effect the purposes thereof.

Section 20 The provisions of this act are severable and if any of its provisions shall be held unconstitutional by any court of competent jurisdiction the decision of such court shall not affect or impair any of the remaining provisions. It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provisions not been included therein.

Section 21 All acts and parts of acts inconsistent with this act are hereby repealed.

Section 22 This act shall become effective immediately upon its final enactment.



And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bane,	Haluska,	McPherson, Jr.	Stevenson,
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peelor,	Wade,
Byrne,	Lane,	Probert,	Wagner,
Chapman,	Leader,	Robinson,	Walker,
Crowe,	Letzler,	Rosenfeld,	Watkins,
Diehm,	Mahanay,	Ruth,	Watson,
DiSilvestro,	Mallery,	Scarlett,	Wolfe,
Fleming,	McCreesh,	Silvert,	Wood,
Freed,	McGinnis,	Snowden,	Yosko,
	McMenamin,		

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 822, as follows:

An Act to amend clause (7) of Section 2401 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for appointment of school auditors to fill vacancies in such office in union school districts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (7) of Section 2401 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" is hereby amended to read as follows

Section 2401 By Whom Audited The finances of every school district in every department thereof together with the accounts of all school treasurers school depositories teachers' retirement funds teachers' institute funds directors' association funds sinking funds and other funds belonging to or controlled by the district shall be properly audited as follows

(7) In union school districts the court of common pleas of the county in which the district is located upon petition of the board of school directors of such union school district shall as soon as convenient after the creation of the district appoint three persons to audit the financial accounts of the district The auditors so appointed shall on the first Monday of July at the time of organization or within five days thereafter and within thirty days carefully audit and adjust the financial accounts of the school district for the preceding school year At the first municipal election after a union school district is created there shall be elected three school auditors one for a term of two years one for a term of four years and one for a term of six years and their successors thereafter shall be elected for terms of six years each When a vacancy occurs in the office of auditor in any union school district by reason of death resignation removal from the school district or otherwise the court of common pleas of the

county in which the district is located upon petition of the board of school directors of such union school district shall appoint a person to hold such office for the unexpired term of the person whose place he is appointed to fill The compensation of both the appointed and elected auditors shall be five dollars (\$5) per day for each day necessarily spent by each auditor The total expense of such auditing including the cost of filing the report advertising and other necessary costs shall be paid by the union school district

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bane,	Haluska,	McPherson, Jr.	Stevenson,
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peelor,	Wade,
Byrne,	Lane,	Probert,	Wagner,
Chapman,	Leader,	Robinson,	Walker,
Crowe,	Letzler,	Rosenfeld,	Watkins,
Diehm,	Mahanay,	Ruth,	Watson,
DiSilvestro,	Mallery,	Scarlett,	Wolfe,
Fleming,	McCreesh,	Silvert,	Wood,
Freed,	McGinnis,	Snowden,	Yosko,
	McMenamin,		

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

## BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 823, on third reading, entitled:

An Act to amend the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating hereto" by providing for the payment of service increments to such employees in addition to their retirement allowances

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND  
FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1064, as follows:

An Act to amend Section 1132 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by conferring jurisdiction on the County Court of Allegheny County in certain cases of appeal from decisions of the Superintendent of Public Instruction The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1132 of the act approved the tenth day of March one thousand nine hundred forty-nine



(P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" subsection (b) of which was amended by the act approved the ninth day of May one thousand nine hundred forty-nine (P. L. 939) is hereby amended to read as follows

Section 1132 Appeals to Court (a) The ruling or decision of the Superintendent of Public Instruction shall be final unless within thirty (30) days after receipt by registered mail or written notice of the decision or order of the Superintendent of Public Instruction an appeal which may be taken by either party is taken therefrom to the court of common pleas of the county in which the district is located except in Allegheny County where the appeal shall be to County Court of Allegheny. A copy of such appeal shall be filed in writing in the office of the prothonotary and a copy shall be served on the Superintendent of Public Instruction either by filing it in the office of the Superintendent of Public Instruction or by delivering the same to the Superintendent of Public Instruction

(b) When appeal is taken from the decision of the Superintendent of Public Instruction to the court of common pleas of the county in which the district is located or to County Court of Allegheny County the judge of the court [of common pleas] to whom such petition is presented shall fix a date for hearing by the court which shall be not sooner than ten (10) days nor more than twenty (20) days after the presentation of such petition. If the professional employe aggrieved shall so request in his petition such hearing shall be de novo. Upon the hearing of said petition the court shall make whatever order it considers just either affirming or reversing the action of the Superintendent of Public Instruction and stating plainly whether the professional employe is to be discharged or is to be retained

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

#### YEAS—49

Bane,	Haluska,	McPherson, Jr.	Stevenson,
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peelot,	Wade,
Byrne,	Lane,	Propert,	Wagner,
Chapman,	Leader,	Robinson,	Walker,
Crowe,	Letzler,	Rosenfeld,	Watkins,
Diehm,	Mahany,	Ruth,	Watson,
DiSilvestro,	Mallery,	Scarlett,	Wolfe,
Fleming,	McCreesh,	Silvert,	Wood,
Freed,	McGinnis,	Snowden,	Yosko,
	McMenamin,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

#### BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1185, on third reading, entitled:

An Act to further amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing school

directors of the third class to elect an associate superintendent in lieu of a district superintendent prescribing his powers and duties and fixing his compensation

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

#### BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1237, as follows:

An Act to amend section 1 of the act approved the sixth day of May one thousand nine hundred twenty-nine (P. L. 1557) entitled "An act premitting the sale of mortgaged real estate under a judgment upon the bond accompanying such mortgage to be made by the sheriff upon a writ of fieri facias without inquisition and without any other writ" by extending the provisions thereof to promissory notes accompanying mortgages

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1 of the act approved the sixth day of May one thousand nine hundred twenty-nine (P. L. 1557) entitled "An act permitting the sale of mortgaged real estate under a judgment upon the bond accompanying such mortgage to be made by the sheriff upon a writ of fieri facias without inquisition and without any other writ" is hereby amended to read as follows

Section 1 Be it enacted &c That no inquisition shall be necessary in connection with the sale of real estate by the sheriff upon a writ of fieri facias issued upon a judgment entered upon a bond or promissory note accompanying a mortgage secured upon the real estate to be sold and the sheriff may after giving notice in the manner now provided by law in cases of sales under writs of venditioni exponas proceed to sell such real estate upon the said writ of fieri facias without any other writ whatever

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—47

Bane,	Haluska,	Meade,	Stiefel,
Barr,	Holland,	Neff,	Taylor,
Barrett,	Kephart,	Pechan,	Toole,
Berger,	Kessler,	Peelot,	Wade,
Blass,	Leader,	Propert,	Wagner,
Byrne,	Letzler,	Robinson,	Walker,
Chapman,	Mahany,	Rosenfeld,	Watkins,
Crowe,	Mallery,	Ruth,	Watson,
Diehm,	McCreesh,	Scarlett,	Wolfe,
DiSilvestro,	McGinnis,	Silvert,	Wood,
Fleming,	McMenamin,	Snowden,	Hare,
Freed,	McPherson, Jr.	Stevenson,	Presiding Officer

#### NAYS—2

Lane, Yosko,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1318, as follows:



An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of Clarion State Teachers College to acquire certain tracts of land for the use of Clarion State Teachers College and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Property and Supplies with the approval of the Governor and the Board of Trustees of Clarion State Teachers College is hereby authorized to purchase in the name of the Commonwealth of Pennsylvania for use by the Clarion State Teachers College certain tracts of land in Clarion County together with any buildings or improvements erected thereon located adjacent to the property of the Clarion Teachers' College in the Borough of Clarion Pennsylvania comprising in the aggregate a triangular-shaped section of land containing all the vacant lots between the following boundaries the college campus Wilson Avenue and Wood Street

Section 2 Said tracts of land when purchased shall be added to the lands of the Clarion State Teachers College The deed of conveyance shall be deposited with the Secretary of Internal Affairs Said land shall not be acquired until the title thereto has been approved by the Department of Justice

Section 3 The sum of nineteen thousand seven hundred dollars (\$19,700) or as much thereof as may be necessary is hereby appropriated to the Department of Property and Supplies for the payment of the purchase price of said tract of land and the expenses incidental thereto including title searches

Section 4 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Bane,	Haluska,	McPherson, Jr.	Stevenson,
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peelor,	Wade,
Byrne,	Lane,	Propert,	Wagner,
Chapman,	Leader,	Robinson,	Walker,
Crowe,	Letzler,	Rosenfeld,	Watkins,
Diehm,	Mahany,	Ruth,	Watson,
DiSilvestro,	Mallery,	Scarlett,	Wolfe,
Fleming,	McCreesh,	Silvert,	Wood,
Freud,	McGinnis,	Snowden,	Yosko,
	McMenamin,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1431, as follows:

An Act providing for the licensure and regulation of commercial boarding homes for the aged conferring certain powers and duties upon the Department of Welfare imposing license fees and providing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 It shall be unlawful for any person copartnership association or corporation to operate for profit within this Commonwealth a commercial boarding home for the

aged without a license as hereinafter required but this act shall not be construed to apply to any State or State-aided institution or any institution licensed by the Department of Welfare or the Department of Health under other statutes

Section 2 Definitions as used in this act

(a) "Commercial boarding home for the aged" shall mean any institution however named which is operated for profit and advertised announced or maintained for the express or implied purpose of providing service or domiciliary care for three or more elderly people who are not ill or in need of nursing care

(b) A "boarder" shall mean any active individual who needs no service or care other than room and board and who is able to go up and down stairs unassisted and able to bathe and dress without assistance or supervision who is domiciled in a commercial boarding home for the aged

Section 3 Every person copartnership association or corporation desiring to operate for profit such a commercial boarding home for the aged shall file an application for a license with the Department of Welfare The application shall be on a form prescribed prepared and furnished by the Department of Welfare and together with such other information as the department shall require shall state

(a) The name and address of the applicant and the person to be in charge of said home If the applicant is a copartnership association or corporation the application shall state the names and addresses of all the partners and officers as the case may be

(b) The location of the commercial boarding home for the aged and if the applicant is a corporation association or partnership the state of incorporation or organization

(c) The facilities of the commercial boarding home for the aged for domiciliary care or providing service for boarders including sanitary and fire protection facilities

Section 4 Any person or any or all officers or partners of any partnership association or corporation maintaining or operating for profit within this Commonwealth a commercial boarding home for the aged without a license required by this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars (\$1000) or to undergo imprisonment not exceeding one year or both

No person who because of inability to satisfy the character requirements deemed necessary by the department has been refused a license shall thereafter be in any way connected with any commercial boarding home for the aged licensed pursuant to the provisions of this act

Section 5 Upon receipt of an application for a license the Department of Welfare shall cause a thorough investigation to be made as to the character and qualifications of the applicant and if the applicant is a partnership association or corporation of all the officers or partners as the case may be and of the person who is to have the general management of the commercial home for the aged the adequacy of the facilities of the home to furnish the type of care and service specified in the application the sanitary and fire protection facilities and any other matter or thing which the department may deem proper

Section 6 The Department of Welfare may with the approval of the State Welfare Commission make and enforce reasonable rules and regulations for the issuance and renewal of such licenses for the proper maintenance operation and conduct of such commercial boarding homes for the aged and for the visitation examination and inspection of all such homes The Department of Welfare or its duly authorized representative shall have free and full access to the grounds premises and buildings and to the records of any home licensed under this act and full opportunity to interrogate or interview any boarder thereof and all persons connected with any such home as officers or charged with the management thereof are hereby directed to give the Department of Welfare or its duly authorized representatives such means facilities and opportunity for such visitation examination and interrogation as is hereby provided and required or as the department by its duly ordained rules or regulations may require



Section 7 Whenever the Department of Welfare shall upon inspection investigation or sworn complaint learn of any violation of rules or regulations adopted by the department or any failure to establish provide or maintain standards and facilities required by the department it shall give written notice thereof to the offending licensee. The department may revoke the license of said licensee if such violations do not cease or such standards and facilities are not established or brought in conformity with those prescribed by the department two months after such written notice.

Section 8 The Department of Welfare shall when satisfied that the applicant or applicants for such license are proper and responsible persons that the place sought to be used as a commercial boarding home for the aged is a suitable place for such purpose and is properly equipped therefor and when all the requirements of this act and the rules and regulations of the department have been complied with issue a license to the applicant upon the payment of a license fee of ten dollars (\$10.00) which shall be paid into the State Treasury through the Department of Revenue.

All licenses issued by the department under this act shall expire one year next following the day on which issued shall be on a form prescribed by the department shall not be transferable shall be issued only for the premises named in the application shall be posted in a conspicuous place on the applicant's premises and may be renewed from year to year upon application investigation and payment of license fee as in the procurement of an original license.

Section 9 The provisions of this act shall become effective immediately upon final enactment.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bane,	Haluska,	McPherson, Jr.,	Stevenson,
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blase,	Leader,	Peelor,	Wade,
Byrne,	Kessler,	Probert,	Wagner,
Chapman,	Lane,	Robinson,	Watkins,
Crowe,	Letzler,	Rosenfeld,	Watson,
Diehm,	Mahany,	Ruth,	Wolfe,
DiSilvestro,	Mallery,	Scarlett,	Wood,
Fleming,	McCreesh,	Silvert,	Yoeko,
Freed,	McGinnis,	Snowden,	
	McMenamin,		

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1482, as follows:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire by gift suitable ground and buildings to be used by the Department of Welfare as a State training school for female juvenile delinquents.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1 The Department of Property and Supplies with the approval of the Governor is hereby authorized

to acquire by gift in the name of the Commonwealth suitable ground together with any and all buildings thereon erected for use by the Department of Welfare in carrying out the provisions of the act approved the fifteenth day of May one thousand nine hundred forty-five (P. L. 574) entitled "An act authorizing a State training school for female juvenile delinquents creating a board of trustees to supervise and manage such institution making the admission and cost of care and maintenance of such juvenile delinquents."

Section 2 The provisions of this act shall become effective immediately upon final enactment.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bane,	Haluska,	McPherson, Jr.,	Stevenson,
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blase,	Kessler,	Peelor,	Wade,
Byrne,	Lane,	Probert,	Wagner,
Chapman,	Leader,	Robinson,	Walker,
Crowe,	Letzler,	Rosenfeld,	Watkins,
Diehm,	Mahany,	Ruth,	Watson,
DiSilvestro,	Mallery,	Scarlett,	Wolfe,
Fleming,	McCreesh,	Silvert,	Wood,
Freed,	McGinnis,	Snowden,	Yoeko,
	McMenamin,		

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1484, as follows:

An Act to facilitate vehicular traffic across the Commonwealth by providing for the construction operation and maintenance of a turnpike from a connection with the Pennsylvania Turnpike System at such point east of the Susquehanna River as the Pennsylvania Turnpike Commission may decide is most feasible and practicable to a point on or near the boundary line between the Commonwealth of Pennsylvania and the State of New York between the Susquehanna and Delaware Rivers and conferring powers and imposing duties on the Pennsylvania Turnpike Commission authorizing the issuance of turnpike revenue bonds notes or other obligations of the Commonwealth payable solely from revenues of the Commission including tolls or from such funds as may be available to the Commission for that purpose to pay the cost of such turnpike providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act providing for the collection of tolls for the payment of such bonds notes or other obligations and for the cost of maintenance operation and repair of the turnpike making such turnpike bonds notes or other obligations exempt from taxation constituting the same legal investments in certain instances requiring suits against the Commission to be brought in Dauphin County prescribing conditions on which such turnpike shall become free providing for grade separations grade changes relocations restorations and vacation of public roads and State highways affected by the turnpike providing for the purchasing or condemnation of land and procedure for



determining damages in condemnation granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the Commission and authorizing the issuance of turnpike revenue refunding bonds

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 This act shall be known and may be cited as the "Pennsylvania Turnpike Northeastern Extension Act"

Section 2 In order to facilitate vehicular traffic across the Commonwealth and to provide additional traffic facilities to the industrial communities of the northeastern section of the Commonwealth the Pennsylvania Turnpike Commission heretofore created by virtue of the provisions of the Act approved the 21st day of May 1937 (P. L. 774) and the supplements and amendments thereto is hereby authorized and empowered to construct operate and maintain a turnpike at such location as shall be approved by the Governor and the Department of Highways from a connection with the Pennsylvania Turnpike System at such point east of the Susquehanna River as the Pennsylvania Turnpike Commission may decide is most feasible and practicable to a point on or near the boundary line between the Commonwealth of Pennsylvania and the State of New York between the Susquehanna River at Sayre and the Delaware River together with connecting roads tunnels and bridges and further to issue turnpike revenue bonds of the Commonwealth notes or other obligations payable solely from revenues of the Commission including tolls or from such funds as may be available to the Commission for that purpose to pay the cost of any and all construction

Section 3 The turnpike revenue bonds notes or other obligations issued under the provisions of this act shall not be deemed to be a debt of the Commonwealth or a pledge of the faith and credit of the Commonwealth but such bonds notes or other obligations shall be payable solely from revenues of the Commission including tolls or from such funds as may be available to the Commission for that purpose All such bonds notes or other obligations shall contain a statement on their face that the Commonwealth is not obligated to pay the same or the interest thereon except from revenues of the Commission including tolls or from such funds as may be available to the Commission for that purpose and that the faith and credit of the Commonwealth is not pledged to the payment of the principal or interest of such bonds notes or other obligations The issuance of turnpike revenue bonds notes or other obligations under the provisions of this act shall not directly or indirectly or contingently obligate the Commonwealth to levy or to pledge any form of taxation whatever therefor or to make any appropriation for their payment

Section 4 The following words and terms shall have the following meanings

(a) The word "commission" shall mean the Pennsylvania Turnpike Commission heretofore created by the act approved the twenty-first day of May one thousand nine hundred and thirty-seven (P. L. 774) or if said commission shall be abolished any board commission or officer succeeding to the principal functions thereof or upon whom the power and functions given by this act to said commission shall be given by law

(b) The word "owner" shall include all individuals copartnerships associations or corporations having any title or interest in any property rights easements or franchises authorized to be acquired by this act

(c) The words "the turnpike" shall mean the turnpike to be constructed as hereinafter provided from a connection with the Pennsylvania Turnpike System east of the Susquehanna River to a point on or near the boundary line between the Commonwealth of Pennsylvania and the State of New York between the Susquehanna River at Sayre and the Delaware River and may be constructed as a whole at one time or in sections from time to time as the commission shall determine and shall be deemed to include not only the turnpike and all connecting roads tunnels and bridges connected therewith but also all

property rights easements and franchises relating thereto and deemed necessary or convenient for the construction or the operation thereof

(d) The term "cost of the turnpike" shall embrace the cost of constructing the turnpike and all connecting roads tunnels and bridges the cost of all lands property rights rights of way easements and franchises acquired which are deemed necessary or convenient for such construction the cost of all machinery and equipment financing charges interest prior to and during construction and for one year after completion of construction cost of traffic estimates and of engineering and legal expenses plans specifications surveys estimates of cost and of revenues other expenses necessary or incident to determining the feasibility or practicability of the enterprise administrative and legal expense and such other expenses as may be necessary or incident to the financing herein authorized the construction of the turnpike and connecting roads tunnels and bridges the placing of the same in operation and the condemnation of property necessary for such construction and operation Any obligation or expense contracted for by the Commission with the Department of Highways of the Commonwealth of Pennsylvania or with the United States or any agency thereof for traffic surveys preparation of plans and specifications supervision of construction and other engineering administrative and legal services and expenses in connection with the construction of the turnpike or any of the connecting roads tunnels and bridges shall be regarded as a part of the cost of the turnpike and shall be reimbursed or paid out of the proceeds of the turnpike revenue bonds notes or other obligations hereinafter authorized Payment of any notes or other obligations shall be considered payment of the cost of the turnpike provided such notes or other obligations were issued for such purpose

Section 5 The exercise by the Commission of the powers conferred by this act in the construction operation and maintenance of the turnpike shall be deemed and held to be an essential governmental function of the Commonwealth

Section 6 The Commission shall have the following powers and duties

(a) It shall maintain a principal office at such place as shall be designated by the Commission

(b) The Commission may contract and be contracted with in its own name

(c) The Commission may sue and be sued in its own name plead and be impleaded Provided however That any and all actions at law or in equity against the Commission shall be brought only in the proper courts at the County of Dauphin

(d) The Commission shall have an official seal

(e) The Commission shall make necessary rules and regulations for its own government and shall have power and authority to acquire own use hire lease operate and dispose of personal property real property and interests in real property and to make and enter into all contracts and agreements necessary or incidental to the performance of its duties and the execution of its powers under this act and to employ engineering traffic architectural and construction experts and inspectors and attorneys and such other employees as may in its judgment be necessary and fix their compensation Provided however That all contracts and agreements relating to the construction of the turnpike and connecting roads tunnels and bridges shall be approved by the Department of Highways and the turnpike and connecting roads tunnels and bridges shall be constructed under the supervision of the Department of Highways

(f) The turnpike when completed and opened to traffic shall be maintained and repaired by and under the control of the Commission through the Department of Highways of the Commonwealth and all charges and costs for such maintenance and repairs actually expended by said Department of Highways shall be paid to it by the Commission upon certification thereof out of tolls Such turnpike shall also be policed and operated by such force of police tolltakers and other operating employees as the Commission may in its discretion employ



(g) The Commission shall have authority at its own cost to provide grade separations with respect to all public roads and State highways intersected by the turnpike and to change and adjust the lines and grades thereof so as to accommodate the same to the design of such grade separation. Provided however That the damages incurred in changing and adjusting the lines and grades of such public roads and State highways shall be ascertained and paid by the Commission in the same manner as is provided for by this act in regard to the location and construction of the turnpike.

(h) If the Commission shall find it necessary to provide a grade separation or change the site of any portion of any State highway or public road or vacate the same it shall cause it to be reconstructed and restored forthwith at the Commission's own proper expense on the most favorable location and in as satisfactory a manner as the original road or vacate it as the case may be. Provided That the method of acquiring the right-of-way and determining damages incurred in changing the location of or vacating such road or State highway shall be ascertained and paid for by the Commission in the same manner as is provided for by this act in regard to the location and construction of the turnpike. In such cases the plan of such reconstruction and restoration or vacation shall be submitted to the supervisors of the proper township for approval and in the event of failure of the supervisors to approve the plan then it shall be submitted to the Department of Highways for final approval. In the case of State highways the plan shall be submitted to the Department of Highways for its approval.

(i) The Commission shall also have authority to petition the court of quarter sessions of the county wherein is situate any public road or part thereof affected by the location therein of the turnpike for the vacation, relocation or supply of the same or any part thereof with the same force and effect as is now given by existing laws to the inhabitants of any township of such county and the proceedings upon such petition whether it be for the appointment of viewers or otherwise shall be the same as provided by existing law for similar proceedings upon such petitions.

(j) The Commission shall also have authority to petition and perform all of the duties prescribed by the act approved the twenty-first day of May one thousand nine hundred and thirty-seven (P. L. 774) and any supplements or amendments thereto.

(k) Adequate compensation shall be made by the Commission out of funds provided under the authority of this act for damages to all public or private property taken injured or destroyed in carrying out the powers granted by this act or such property may be restored or repaired and placed in its original condition as nearly as practicable as the Commission may deem it expedient in any particular case.

Section 7 (a) Each member of the Commission shall be reimbursed for the necessary expenses incurred in the performance of the duties performed under the provisions of this act.

(b) All expenses incurred in carrying out the provisions of this act shall be paid solely from funds provided under the authority of this act and sufficient funds shall be provided under the authority of this act to meet any liability or obligation incurred in carrying out the provisions of this act.

(c) Before the issuance of any turnpike revenue bonds notes or other obligations under the provisions of this act each appointed member of the commission shall execute a bond in the penalty of twenty-five thousand dollars (\$25,000) and the secretary and treasurer shall execute a bond in the penalty of fifty thousand dollars (\$50,000) each such bond to be approved by the Governor and to be conditioned upon the faithful performance of the duties of his office under the provisions of this act which bonds shall be filed in the office of the Secretary of the Commonwealth. Provided however That if the turnpike as defined in this act shall be designated by the commission as part of the Pennsylvania Turnpike System as provided in the act approved the ..... day of ..... one

thousand nine hundred and fifty-one (Act No. ....) the bonds provided for under this section shall no longer be required and if previously delivered may be cancelled.

Section 8 (a) The Commission is hereby authorized and empowered to condemn by resolution any lands interest in lands property rights rights of way franchises easements and other property deemed necessary or convenient for the construction and efficient operation of the turnpike or necessary in the restoration or relocation of public or private property damaged or destroyed and the date of such resolution shall be the effective date of condemnation.

(b) The Commission is hereby authorized and empowered to acquire by purchase whenever it shall deem such purchase expedient any lands interests in lands property right rights of way franchises easements and other property deemed necessary or convenient for the construction and efficient operation of the turnpike or necessary in the restoration or relocation of public or private property damaged or destroyed whether the same had theretofore been condemned or otherwise upon such terms and at such price as may be considered by it to be reasonable and can be agreed upon between the Commission and the owner thereof and to take title thereto in the name of the Commission.

Section 9 (a) Whenever a reasonable sum representing the damages cannot be agreed upon or whenever the owner is legally incapacitated or unable to convey valid title or is absent or unknown either the Commission acting through the Department of Justice or any owner or owners shall apply to the court of common pleas of the county in which the property is located or in the case of property located in two or more counties then in any one of such counties for the appointment of viewers to determine as hereinafter provided the amount of damages resulting from the taking. Whereupon said court or any law judge thereof shall appoint three disinterested freeholders to view such property and estimate the value thereof. None of the freeholders shall be a resident of the county wherein such application shall be made. The court shall fix a time not less than twenty nor more than thirty days thereafter when the viewers shall meet upon the property and view the same. The viewers shall cause at least ten days' personal notice of the time and place of such meeting to be given to the Attorney General to the Commission and to the owner or owners if resident within said county. If the owner is a corporation such notice shall be given to the president secretary or treasurer thereof if such officer resides within said county. If neither owner nor any of such officers reside within the county or cannot be found therein or is unknown notice of such first meeting shall be given as the court may direct. The viewers having been duly sworn or affirmed faithfully and impartially to perform the duties required of them under the provisions of this act shall at the time fixed for the first meeting proceed to ascertain as accurately as may be the value of such land property rights rights of way easements or franchises and to that end may require the attendance of any person whose testimony may be pertinent thereto and production of any such books or papers as the viewers may deem necessary if any person shall refuse to appear and testify before such viewers or refuse to produce such books and papers when they are required then the court or any judge thereof shall on application of the viewers or a quorum thereof make such order therein as may be necessary. Whenever the viewers shall have ascertained the value of the lands property rights right of way easements or franchise they shall prepare a full report of their labors. Upon the completion of the report the viewers shall fix a time when they shall meet and exhibit same. Ten days written notice of the time and place of such meeting together with a copy of said report shall be given to the Commission to the Attorney General and to the owner or owners of the property condemned. At the time and place mentioned in such notice the viewers shall meet and publicly exhibit the report and hear all exceptions thereto. After making any changes in such report as they may deem necessary the same shall be filed in the court. Within thirty days after the filing of the report in the court the Commission acting through the De-



partment of Justice or any person interested may file exceptions thereto Whereupon the court shall either confirm the report absolutely or modify it or refer it back to the same or to any viewers with like powers and duties of the former viewers Within thirty days after the final action on the report by the court the Commission acting through the Department of Justice or any person interested may demand a trial by jury From the action of the court on exceptions or from any judgment after a jury trial an appeal may be taken by any party to the Supreme or Superior Court Each of the viewers shall receive a sum not exceeding ten dollars for each day actually and necessarily employed in the performance of the duties herein prescribed and all necessary expenses actually incurred in the performance of his duties Title to any property condemned by the Commission shall be taken in the name of the Commission Prior to physical entry upon the land the Commission shall be under no obligation to accept and pay for any property condemned or any costs incidental to any condemnation proceedings Provided, however That in any condemnation proceedings the court having jurisdiction of the suit action or proceeding may make such orders as may be just to the commission and to the owners of the property to be condemned and may require an undertaking or other security to secure such owners against any loss or damage by reason of the failure of the Commission to enter upon accept and pay for the property but neither such undertaking or security nor any act or obligation of the Commission shall impose any liability upon the Commonwealth except such as may be paid from the funds provided under the authority of this act

The Commission in its discretion may vacate any portion or all of the land condemned either prior to or after physical entry upon the land or any part thereof and prior to final determination of damages In such cases the Commission shall be under no obligation to accept and pay for any property condemned and subsequently vacated Provided however That in any case the court having jurisdiction of the suit action or proceeding may make such orders as may be just to the Commission and to the owners of the property and may require an undertaking or other security to secure such owners against any and all loss or damages occasioned to the owner from the time of the original condemnation to the time of the modification thereof but neither such undertaking or security nor any act or obligation of the Commission shall impose any liability upon the Commonwealth except such as may be paid from the funds provided under the authority of this act

(b) In addition to the foregoing powers the Commission and its authorized agents and employes may enter upon any lands waters and premises in the State for the purpose of making surveys soundings drillings and examinations as it may deem necessary or convenient for the purpose of this act and such entry shall not be deemed a trespass nor shall an entry for such purposes be deemed an entry under any condemnation proceedings which may be then pending Provided however That the Commission shall make reimbursement for any actual damages resulting to such lands waters and premises as a result of such activities

(c) All counties cities boroughs townships and other political subdivisions and municipalities and all public agencies and commissions of the Commonwealth of Pennsylvania notwithstanding any contrary provision of law are hereby authorized and empowered to lease lend grant or convey to the Commission upon its request upon such terms and conditions as the proper authorities of such counties cities boroughs townships other political subdivisions and municipalities or public agencies and commissions of the Commonwealth of Pennsylvania may deem reasonable and fair and without the necessity for any advertisement order of court or other action or formality other than the regular and formal action of the authorities concerned any real property which may be necessary or convenient to the effectuation of the authorized purposes of the Commission including public roads and other real property already devoted to public use

Section 10 Whenever the Commission has condemned any lands rights of way easements and franchises or interests therein as hereinbefore provided and has tendered a bond or other security to secure the owner or owners for damages and the same has been accepted or if the acceptance of said bond has been refused and the same has been filed in and approved by the court of common pleas of the county in which the property is located or in the case of property located in two or more counties then in any one of such counties the Commission shall have the right to immediate possession of the property covered by the bond and may enter thereon in the name of the Commission If the owner lessee or occupier of any of said premises or any building or structure thereon shall refuse to remove his personal property therefrom or give up possession thereof the Commission may proceed to obtain possession in the manner now provided by law for the obtaining possession by the Secretary of Highways of occupied structures

Section 11 (a) The Commission is hereby authorized to provide by resolution at one time or from time to time for the issuance of turnpike revenue bonds of the Commonwealth for the purpose of paying the cost as hereinabove defined of the turnpike which resolution shall recite an estimate of such cost. The principal and interest of such bonds shall be payable solely from revenues of the Commission including tolls or from such funds as may be available to the Commission for that purpose The bonds shall be dated shall bear interest at such rate or rates not exceeding six per centum per annum payable semi-annually shall mature at such time or times not exceeding forty years from their date or dates as may be determined by the Commission and may be made redeemable before maturity at the option of the Commission at such price or prices and under such terms and conditions as may be fixed by the Commission prior to the issuance of the bonds Provided however That the amount of premium on any bonds shall not cause the yield to be more than six per centum per annum from the date of such bonds to the date of their redemption The bonds may be issued in series with varying provisions as to rates of interest maturity and other provisions not inconsistent with this act but all bonds of whatever series shall share ratably in the tolls hereinafter pledged as security thereof The principal and interest of such bonds may be made payable in any lawful medium The Commission shall determine the form of bonds including any interest coupons to be attached thereto and shall fix the denomination or denominations of the bonds and the place or places of payment of principal and interest thereof which may be at any bank or trust company within or without the Commonwealth The bonds shall bear the facsimile signatures of the Governor and of the chairman of the Commission and the facsimile of the official seal of the Commission shall be affixed thereto and attested by the secretary and treasurer of the Commission and any coupons attached thereto shall bear the facsimile signature of the chairman of the Commission In case any officer whose signature or a facsimile of whose signature shall appear on any bonds or coupons shall cease to be such officer before the delivery of such bonds such signature or such facsimile shall nevertheless be valid and sufficient for all purposes the same as if he had remained in office until such delivery All turnpike revenue bonds issued under the provisions of this act shall have and are hereby declared to have all the qualities and incidents of negotiable instruments under the negotiable instruments law of the Commonwealth The bonds may be issued in coupon or in registered form or both as the Commission may determine and provision may be made for the registration of any coupon bond as to principal alone and also as to both principal and interest and registered and coupon bonds shall be interchangeable The Commission may sell such bonds in such manner and for such price as it may determine to be for the best interest of the Commonwealth but no such sale shall be made at a price so low as to require the payment of interest on the money received therefor at more than six per centum per annum computed with relation to the absolute maturity of the



bonds in accordance with standard tables of bond values. The proceeds of such bonds shall be used solely for the payment of the cost of the turnpike and shall be disbursed upon requisition of the chairman of the Commission under such restrictions if any as the resolution authorizing the issuance of the bonds or the trust indenture hereinafter mentioned may provide. If the proceeds of such bonds by error of calculation or otherwise shall be less than the cost of the turnpike additional bonds may in like manner be issued to provide the amount of such deficit and unless otherwise provided in the resolution authorizing the issuance of the bonds or in the trust indenture shall be deemed to be of the same issue and shall be entitled to payment from the same fund without preference or priority of the bonds first issued. If the proceeds of the bonds shall exceed the cost of the turnpike the surplus shall be paid into the fund hereinafter provided for the payment of principal and interest of such bonds. Prior to the preparation of definite bonds the Commission may under like restrictions issue temporary bonds with or without coupons exchangeable for definitive bonds upon the issuance of the latter. The Commission may also provide for the replacement of any bond which shall become mutilated or be destroyed or lost. Such turnpike revenue bonds may be issued without any other proceedings or the happening of any other conditions or things than those proceedings conditions and things which are specified and required by this act.

Such bonds are hereby made securities in which all State and municipal officers and administrative departments boards and commissions of the Commonwealth all banks bankers savings banks trust companies saving and loan associations investment companies and other persons carrying on a banking business all insurance companies insurance associations and other persons carrying on an insurance business and all administrators executors guardians trustees and other fiduciaries and all other persons whatsoever who now or may hereafter be authorized to invest in bonds or other obligations of the Commonwealth may properly and legally invest any funds including capital belonging to them or within their control and said bonds are hereby made securities which may properly and legally be deposited with and received by any State or municipal officers or agency of the Commonwealth for any purpose for which the deposit of bonds or other obligations of the Commonwealth is now or may hereafter be authorized by law.

(b) The Commission is hereby authorized to borrow money from time to time at an interest rate not exceeding six per centum per annum to provide for preliminary or interim financing up to but not exceeding the estimated total cost of the turnpike and to evidence such borrowing by the issuance of turnpike revenue notes or other revenue obligations of the Commonwealth and in its discretion to pledge as collateral for such notes or other obligations turnpike revenue bonds issued under the provisions of this act and to renew any such notes or other obligations from time to time and the payment or retirement of such notes or other obligations shall be considered to be payment of the cost of such project. All such notes or other obligations shall be executed by the same persons in the same manner and with the same effect as provided herein for the execution of revenue bonds. All such notes or other obligations shall contain a statement on their face that the Commonwealth is not obligated to pay the same or interest thereon except from revenues of the Commission including tolls or from such funds as may be available to the Commission for that purpose and that the faith and credit of the Commonwealth is not pledged to the payment of the principal or interest of such notes or other obligations. The issuance of turnpike notes or other obligations under the provisions of this act shall not directly or indirectly or contingently obligate the Commonwealth to levy or to pledge any form of taxation therefor or make any appropriation for their payment.

All state and municipal officers and administrative departments boards and commissions of the Commonwealth all banks bankers savings banks trust companies saving and loan associations investment companies and other

persons carrying on a banking business all insurance companies insurance associations and other persons carrying on an insurance business may properly and legally invest any funds including capital belonging to them or within their control in such notes or other obligations or loan any such funds and accept as evidence of the same such notes or other obligations.

All such notes or other obligations shall have and are hereby declared to have all the qualities and incidents of negotiable instruments under the negotiable instruments law of the Commonwealth.

Section 12 All moneys received from any bonds notes or other obligations issued pursuant to this act shall be applied solely to the payment of the cost of the turnpike or to the appurtenant fund and there shall be and hereby is created and granted a lien upon such moneys until so applied in favor of holders of such bonds notes or other obligations or the trustee hereinafter provided for in respect of such bonds notes or other obligations.

Section 13 In the discretion of the Commission such bonds notes or other obligations may be secured by a trust indenture by and between the Commission and a corporate trustee which may be any trust company or bank having the powers of a trust company within or outside of the Commonwealth. Such trust indenture may pledge or assign tolls and revenue to be received but shall not convey or mortgage the turnpike or any part thereof. Either the resolution providing for the issuance of such bonds notes or other obligations or such trust indenture may contain such provisions for protecting and enforcing the rights and remedies of the bondholders or holders of notes or other obligations as may be reasonable and proper and not in violation of law including covenants setting forth the duties of the Commission in relation to the acquisition of properties and the construction maintenance operation and repair and insurance of the turnpike and the custody safeguarding and application of all moneys. It shall be lawful for any bank or trust company incorporated under the laws of this Commonwealth to act as depository of the proceeds of bonds notes or other obligations or revenues and to furnish such indemnity bonds or to pledge such securities as may be required by the Commission. Such indenture may set forth the rights and remedies of the bondholders or holders of notes or other obligations and of the trustee and may restrict the individual right of action of bondholders or holders of notes or other obligations as is customary in trust indentures securing bonds debentures of corporation notes or other obligations. In addition to the foregoing such trust indenture may contain such other provisions as the Commission may deem reasonable and proper for the security of bondholders or holders of notes or other obligations. All expenses incurred in carrying out such trust indenture may be treated as part of the cost of maintenance operation and repair of the turnpike.

Section 14 The accomplishment by the Commission of the authorized purposes stated in this act being for the benefit of the people of the Commonwealth and for the improvement of their commerce and prosperity in which accomplishment the Commission will be performing essential governmental functions the Commission shall not be required to pay any taxes or assessments on any property acquired or used by it for the purposes provided in this act and the bonds notes or other obligations issued by the Commission their transfer and the income therefrom including any profits made on the sale thereof shall at all times be free from taxation within the Commonwealth.

Section 15 The Commission is hereby authorized to fix and to revise from time to time tolls for the use of the turnpike and the different parts or sections thereof and to charge and collect the same and to contract with any person partnership association or corporation desiring the use of any part thereof including the right of way adjoining the paved portion for placing thereon telephone telegraph electric light or power lines gas stations garages stores hotels restaurants and advertising signs or for any other purpose except for tracks for railroad or railway use and to fix the terms conditions rents and rates of



charges for such use Such tolls shall be so fixed and adjusted as to provide a fund at least sufficient with other revenues of the turnpike if any to pay (a) the cost of maintaining repairing and operating the turnpike and (b) the bonds notes or other obligations and the interest thereon and all sinking fund requirements and other requirements provided by the resolution authorizing the issuance of the bonds notes or other obligations or by the trust indenture as the same shall become due Such tolls shall not be subject to supervision or regulation by any other State commission board bureau or agency The tolls and all other revenues derived from the turnpike except such part thereof as may be required to pay the cost of maintaining repairing and operating the turnpike and to provide such reserves therefor as may be provided for in the resolution authorizing the issuance of the bonds notes or other obligations or in the trust indenture shall be set aside at such regular intervals as may be provided in such resolution or such trust indenture in a sinking fund which is hereby pledged to and charged with the payment of (1) the interest upon such bonds notes or other obligations as such interest shall fall due (2) the principal of the bonds notes or other obligations as the same shall fall due (3) the necessary fiscal agency charges for paying principal and interest and (4) any premium upon bonds retired by call or purchase as herein provided The use and disposition of such sinking fund shall be subject to such regulations as may be provided in the resolution authorizing the issuance of bonds notes or other obligations or in the trust indenture but except as may otherwise be provided in such resolution or trust indenture such sinking fund shall be a fund for the benefit of all bonds notes or other obligations issued hereunder without distinction or priority of one over another Subject to the provisions of the resolutions authorizing the issuance of bonds notes or other obligations or of the trust indenture any moneys in such sinking fund in excess of an amount equal to one year's interest on all bonds notes or other obligations then outstanding may be applied to the purchase or redemption of bonds notes or other obligations All bonds notes or other obligations so purchased or redeemed shall forthwith be cancelled and shall not again be issued

Section 16 The Commission is hereby authorized to provide by resolution for the issuance of turnpike revenue refunding bonds of the Commonwealth for the purpose of refunding any turnpike revenue bonds notes or other obligations issued under the provisions of this act and then outstanding The issuance of such turnpike revenue refunding bonds the maturities and other details thereof the rights of the holders thereof and the duties of the Commonwealth and of the Commission in respect to the same shall be governed by the foregoing provisions of this act in so far as the same may be applicable

Section 17 Any holder of bonds notes or other obligations issued under the provisions of this act or any of the coupons attached thereto and the trustee under the trust indenture if any except to the extent he rights herein given may be restricted by resolution passed before the issuance of the bonds notes or other obligations or by the trust indenture may either at law or in equity by suit action mandamus or other proceedings protect and enforce any and all rights granted hereunder or under such resolution or trust indenture and may enforce and compel performance of all duties required by this act or by such resolution or trust indenture to be performed by the commission or any officer thereof including the fixing charging and collecting of tolls for the use of the turnpike

Section 18 When all bonds notes or other obligations and the interest thereon shall have been paid or a sufficient amount for the payment of all bonds notes or other obligations and the interest to maturity thereon shall have been set aside in trust for the benefit of the holders of such bonds notes or other obligations and shall continue to be held for that purpose the turnpike and the connecting roads tunnels and bridges shall become a part of the system of State highways and shall be maintained by the Department of Highways free of tolls and thereupon the

Commission shall be dissolved and all funds of the Commission not required for the payment of the bonds notes or other obligations and all machinery equipment and other property belonging to the Commission shall be vested in the Department of Highways

Section 19 The foregoing sections of this act shall be deemed to provide an additional and alternative method for the doing of things authorized thereby and shall be regarded as supplemental and additional to powers conferred by other laws and shall not be regarded as in derogation of any powers now existing Such sections being necessary for the welfare of the Commonwealth and its inhabitants shall be liberally construed to effect the purposes thereof

Section 20 The provisions of this act are severable and if any of its provisions shall be held unconstitutional by any court of competent jurisdiction the decision of such court shall not affect or impair any of the remaining provisions It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provisions not been included therein

Section 21 The act approved the ninth day of May one thousand nine hundred forty-nine (P. L. 1050) and all acts and parts of acts inconsistent with this act are hereby repealed

Section 22 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Bane,	Haluska,	McPherson, Jr.	Stevenson,
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peelor,	Wade,
Byrne,	Lane,	Probert,	Wagner,
Chapman,	Leader,	Robinson,	Walker,
Crowe,	Letzler,	Rosenfeld,	Watkins,
Diehm,	Mahany,	Ruth,	Watson,
DiSilvestro,	Mallery,	Scarlett,	Wolfe,
Fleming,	McCreesh,	Silvert,	Wood,
Freed,	McGinnis,	Snowden,	Yosko,
	McMenamin,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1507, as follows:

An Act to further amend section seven hundred six and subsection (c) of section nine hundred three of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways



peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns township within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by increasing the fee for annual registration and the maximum gross weight allowed for certain two-wheeled semi-trailers

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section seven hundred six of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as amended by the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 751) is further amended to read as follows

Section 706 Trailers and Semi-Trailers Trailers and semi-trailers equipped with pneumatic or solid rubber or cushion rubber tires approved by the Secretary of Highways shall be divided into seven (7) classes and the fee for annual registration of such vehicles in each of the respective classes based on the combined weight of chassis and body if so constructed or the gross weight of the trailer or semi-trailer exclusive of the load to be transported shall be as follows

Two-Wheeled Class	Semi-Trailer Weight in Pounds	Fee		
		Tire Equipment		
		Pneumatic	Cushion	Solid
A Less than 1000		\$5.00	\$6.00	\$8.00
B 1000 and over				
but less than 2000	[8.00]	10.00	10.00	15.00
C 2000 and over but less than 3000		15.00	20.00	25.00
D 3000 and over but less than 4000		25.00	30.00	35.00
E 4000 and over but less than 5000		30.00	40.00	50.00
F 5000 and over but less than 6000		45.00	60.00	75.00
G 6000 and over		75.00	85.00	100.00

Four-Wheeled (2 Axles) Trailer or Semi-Trailer Class	Weight in Pounds	Fee		
		Tire Equipment		
		Pneumatic	Cushion	Solid
A Less than 1000		\$5.00	\$6.00	\$8.00
B 1000 and over but less than 2000		8.00	10.00	15.00
C 2000 and over but less than 3000		15.00	20.00	25.00
D 3000 and over but less than 4000		25.00	30.00	35.00
E 4000 and over but less than 5000		30.00	40.00	50.00
F 5000 and over but less than 6000		45.00	60.00	75.00
G 6000 and over		75.00	85.00	100.00

Six-Wheeled (3 Axles) Trailer Class	Weight in Pounds	Fee		
		Tire Equipment		
		Pneumatic	Cushion	Solid

AZ Less than 3000	\$40.00	\$45.00	\$50.00
BZ 3000 and over but less than 4000	45.00	50.00	60.00
CZ 4000 and over but less than 5000	50.00	60.00	70.00
DZ 5000 and over but less than 6000	60.00	75.00	90.00
EZ 6000 and over but less than 7000	75.00	100.00	125.00
FZ 7000 and over but less than 9000	85.00	110.00	135.00
GZ 9000 and over	100.00	125.00	150.00

Section 2 Subsection (c) of section nine hundred three of said act as last amended by the act approved the twenty-seventh day of April one thousand nine hundred forty-five (P. L. 328) and as amended in part by the act approved the eighteenth day of May one thousand nine hundred forty-nine (P. L. 1412) is further amended to read as follows

#### Section 903 Weight of Vehicles and Load

\* \* \* \* \*

(c) Trailers and semi-trailers except trailers designed and used exclusively for living quarters shall not be used or operated on any highway with gross weight exceeding those specified for the several classes as follows

Four-Wheeled (2 Axles) Trailer or Semi-Trailer Class	Weight in Pounds	Maximum Gross Weight in Pounds	
A Less than 1000			3000
B 1000 and over but less than 2000			6000
C 2000 and over but less than 3000			10000
D 3000 and over but less than 4000			16000
E 4000 and over but less than 5000			20000
F 5000 and over but less than 6000			24000
G 6000 and over			26000
Six-Wheeled (3 Axles) Trailer Class	Weight in Pounds	Maximum Gross Weight in Pounds	
AZ Less than 3000			12000
BZ 3000 and over but less than 4000			15000
CZ 4000 and over but less than 5000			20000
DZ 5000 and over but less than 6000			26000
EZ 6000 and over but less than 7000			30000
FZ 7000 and over but less than 9000			34000
GZ 9000 and over			36000
Two-Wheeled (1 Axle) Semi-Trailer Class	Weight in Pounds	Maximum Gross Weight in Pounds	
A Less than 1000			3000
B 1000 and over but less than 2000			[6000]8000
C 2000 and over but less than 3000			10000
D 3000 and over but less than 4000			12000
E 4000 and over but less than 5000			14000
F 5000 and over but less than 6000			16000
G 6000 and over			18000

Section 3 Section one of this act shall become effective on the first day of the registration year beginning in one thousand nine hundred fifty-two Section two of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Bane,	Haluska,	McPherson, Jr.	Stevenson,
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peel,	Wade,
Byrne,	Lane,	Probert,	Wagner,
Chapman,	Leader,	Robinson,	Walker,
Crowe,	Letzler,	Rosenfeld,	Watkins,
Diehm,	Mahany,	Ruth,	Watson,
DiSilvestro,	Mallery,	Scarlett,	Wolfe,
Fleming,	McCreesh,	Silvert,	Wood,
Freed,	McGinnis,	Snowden,	Yosko,
	McMenamin,		



NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.  
Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,  
The Senate proceeded to the third reading and consideration of House Bill No. 1526, as follows:

An Act authorizing the Department of Property and Supplies to exchange certain lands located in Penn Township Snyder County Pennsylvania necessary for the better administration of the Selinsgrove State Colony for Epileptics

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Property and Supplies as agent for the Department of Welfare and the Board of Trustees of the Selinsgrove State Colony for Epileptics and subject to the approval of the Governor is hereby authorized to convey the following tract or parcel of land situate in Penn Township Snyder County Pennsylvania being a part of land now owned by the Commonwealth of Pennsylvania and more fully described as beginning at a stake at the southeast corner of the intersection of a public township road T443 and the State Highway Route 54042 thence south 88 degrees 53' west 330.7 feet to a stake thence 31 degrees 44' west 169.2 feet to a stake thence north 39 degrees 18' west 188.9 feet to a monument thence south 83 degrees 51' east 461.1 feet to a monument at the east right of way line of State Highway Route thence along the right of way of State Highway south 17 degrees 36' east 345.7 feet to the stake said point being the point of being containing an area of 2.2 acres more or less in exchange for a grant and conveyance of a tract or parcel of land situate in Penn Township Snyder County Pennsylvania being a parcel or tract now or formerly owned by the Salem Evangelical Lutheran and Reformed Church of Selinsgrove Pennsylvania and being more fully described as beginning at a monument which is on a line north 8 degrees 56' east and 33 feet distance from the monument marking the southeastern corner of present institution property thence south 83 degrees 51' east 175.3 feet to a point thence south 80 degrees 05' east 603.9 feet to a monument thence along the line of H D Moyer property south 80 degrees 19' west 817 feet to a stake thence north 8 degrees 56' east 263 feet to the monument said point being the point of being containing an area of 2.3 acres more or less said exchange being necessary for the better administration of the said Selinsgrove State Colony for Epileptics

Section 2 Before such exchange of conveyances is made the Department of Property and Supplies shall enter into a written agreement with the parties involved subject to the approval of the Governor

Section 3 The title of the tract to be acquired by the Commonwealth shall be approved by the Department of Justice

Section 4 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,  
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McPherson, Jr.	Stevenson,
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peelor,	Wade,

Byrne,	Lane,	Proper,	Wagner,
Chapman,	Lawler,	Robinson,	Watkins,
Crowe,	Letzler,	Rosenfeld,	Watson,
Diehm,	Mahany,	Ruth,	Wolfe,
DiSilvestro,	Mallery,	Scarlett,	Wood,
Fleming,	McCreesh,	Silvert,	Yosko,
Fried,	McGinnis,	Snowden,	Presiding Officer
	McMenamin,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,  
The Senate proceeded to the third reading and consideration of House Bill No. 1552, as follows:

An Act to amend subsection (d) of section 4 and section 9.1 of the act approved the thirty-first day of March one thousand nine hundred forty-nine (P. L. 372) entitled "An act to promote the welfare of the people of the Commonwealth creating The General State Authority as a body corporate and politic with power to construct improve equip furnish and operate projects and to lease the same and to fix fees rentals and charges for the use thereof authorizing and regulating the issuance of bonds for said Authority and providing for the payment of such bonds and the rights of the holders thereof and to enter into agreements with the Government of the United States or any Federal agency and authorizing the Department of Property and Supplies to grant assign convey or lease to the Authority lands of the Commonwealth and interests therein and to acquire lands therefor granting the right of eminent domain empowering The General State Authority to sell and convey projects and property to the Commonwealth and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act" by authorizing the leasing of wholly or partially completed projects of the General State Authority

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (d) of section 4 and section 9.1 of the act approved the thirty-first day of March one thousand nine hundred forty-nine (P. L. 372) entitled "An act to promote the welfare of the people of the Commonwealth creating The General State Authority as a body corporate and politic with power to construct improve equip furnish and operate projects and to lease the same and to fix fees rentals and charges for the use thereof authorizing and regulating the issuance of bonds for said Authority and providing for the payment of such bonds and the rights of the holders thereof and to enter into agreements with the Government of the United States or any Federal agency and authorizing the Department of Property and Supplies to grant assign convey or lease to the Authority lands of the Commonwealth and interests therein and to acquire lands therefor granting the right of eminent domain empowering the General State Authority to sell and convey projects and property to the Commonwealth and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act" are hereby amended to read as follows

Section 4 Purposes and Powers General The Authority is created for the purpose of constructing improving equipping furnishing maintaining acquiring and operating sewers sewer systems and sewage treatment works for State institutions of every kind and character (heretofore or hereafter constructed) public buildings for the use of the Commonwealth an official residence in the City of Harrisburg which shall thereafter be used as the official residence of the Governor of the Commonwealth State arsenals armories and military reserves State airports and landing



fields State institutions of every kind and character (heretofore or hereafter constructed) additions and improvements to land grant colleges school buildings and the furnishings and equipment thereof for the use of the public schools State highways and bridges toll bridges tunnels and traffic circles on State highways swimming pools and lakes on State land low head dams improvements to river embankments desilting dams impounding basins (any and all the foregoing being herein called "projects") Provided however That the purpose and intent of this act being to benefit the people of the Commonwealth by among other things increasing their commerce and prosperity and not to unnecessarily burden or interfere with existing business by the establishment of competitive enterprises none of the powers granted hereby (other than for the construction improvement and maintenance of bridges) shall be exercised in the construction improvement maintenance extension or operation of any project or projects which in whole or in part shall duplicate or compete with existing enterprises serving substantially the same purposes and the Authority is hereby granted and shall have and may exercise all powers necessary or convenient for the carrying out of the aforesaid purposes including but without limiting the generality of the foregoing the following rights and powers

(d) To acquire purchase hold and use any property real personal or mixed tangible or intangible or any interest therein necessary or desirable for carrying out the purposes of the Authority and (without limitation of the foregoing) to lease as lessee with the approval of the Governor any property real personal or mixed or any interest therein for a term not exceeding ninety-nine (99) years at a nominal rental or at such annual rental as may be determined and with the approval of the Governor to lease as lessor to the Commonwealth of Pennsylvania and any city county school district or other political subdivision or any agency department or public body of the Commonwealth or land grant college any project at any time constructed by the Authority whether wholly or partially completed and any property real personal or mixed tangible or intangible or any interest therein at any time acquired by the Authority whether wholly or partially completed and with the approval of the Governor to sell transfer and convey to the Commonwealth of Pennsylvania any project at any time constructed by the Authority and any property real personal or mixed tangible or intangible or any interest therein at any time acquired by the Authority

Section 9.1 Contracts to Lease and Leases by Department from Authority The department shall have power and authority with the approval of the Governor to enter into contracts with the Authority to lease as lessee from the Authority any or all of the projects undertaken by the Authority for a term with respect to each project [constructed] not exceeding thirty (30) years at such rental or rentals as may be determined by the Authority and upon the completion of the said projects or when said projects are used or occupied by the Commonwealth the department shall have power and authority with the approval of the Governor to lease as lessee any or all of the projects [completed by the Authority] for a term with respect to each project leased not exceeding thirty (30) years at such rental or rentals as may be determined by the Authority The use and occupancy by the Commonwealth of any project prior to its completion shall not be construed as a release to the Authority or its designated contractor from its duty to complete said project

The department shall also have power and authority with the approval of the Governor to lease as lessee any equipment and furnishings from the Authority required for the use and occupancy of any project previously leased by the department where such prior lease did not include such equipment and furnishings

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Bane,	Haluska,	McPherson, Jr.	Stevenson.
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blaas,	Kessler,	Peelor,	Wade,
Byrne,	Lane,	Probert,	Wagner,
Chapman,	Leader,	Robinson,	Walker,
Crowe,	Letzler,	Rosenfeld,	Watkins,
Diehm,	Mahanay,	Ruth,	Watson,
DiSilvestro,	Mallery,	Scarlett,	Wolfe,
Fleming,	McCreech,	Silvert,	Wood,
Freed,	McGinnis,	Snowden,	Yosko,
	McMenamin,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1628, as follows:

An Act to amend the title and certain sections of and to add new sections to the act approved the thirtieth day of June one thousand nine hundred forty-seven (P. L. 1154) entitled "An act to prohibit the manufacture and sale of oleomargarine or butterine and other similar products when colored in imitation of yellow butter to provide for license fees to be paid by manufacturers wholesale and retail dealers and by proprietors of hotels restaurants dining-rooms and boarding-houses for the manufacture or sale of oleomargarine butterine or other similar products not colored in imitation of yellow butter to regulate the manufacture sale and advertising of oleomargarine butterine or other similar products not colored in imitation of yellow butter and prevent and punish fraud and deception in such manufacture sale and advertising as an imitation butter to prescribe penalties and punishment for violation of this act and the means and method of procedure for its enforcement to regulate certain matters of evidence in such procedure and to prescribe certain powers and duties of the Department of Agriculture" by permitting the manufacture and except in certain cases the sale of colored oleomargarine butterine and similar products The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title of the act approved the thirtieth day of June one thousand nine hundred forty-seven (P. L. 1154) entitled "An act to prohibit the manufacture and sale of oleomargarine or butterine and other similar products when colored in imitation of yellow butter to provide for license fees to be paid by manufacturers wholesale and retail dealers and by proprietors of hotels restaurants dining-rooms and boarding-houses for the manufacture or sale of oleomargarine butterine or other similar products not colored in imitation of yellow butter to regulate the manufacture sale and advertising of oleomargarine butterine or other similar products not colored in imitation of yellow butter and prevent and punish fraud and deception in such manufacture sale and advertising as an imitation butter to prescribe penalties and punishment for violation of this act and the means and method of procedure for its enforcement to regulate certain matters of evidence in such procedure and to prescribe certain powers and duties of the Department of Agriculture" is hereby amended to read as follows



## AN ACT

To [prohibit] regulate the manufacture [and] sale transportation possession use and advertising of oleomargarine [or] butterine and other similar products and to prohibit the sale possession or use thereof in certain cases [when colored in imitation of yellow butter] to provide for license fees to be paid by manufacturers wholesale and retail dealers and by proprietors of hotels restaurants dining-rooms and boarding-houses [for the manufacture or sale of oleomargarine butterine or other similar products not colored in imitation of yellow butter] to regulate the manufacture sale and advertising of oleomargarine butterine or other similar products not colored in imitation of yellow butter and] to prevent and punish fraud and deception in such manufacture sale use and advertising [as an imitation butter] to prescribe penalties and punishment for violation of this act and the means and method of procedure for its enforcement to regulate certain matters of evidence in such procedure and to prescribe certain powers and duties of the Department of Agriculture

Section 2 Sections 1 2 3 and 4 of said act are hereby amended to read as follows

## Section 1 Definitions

The following words and terms as used in this act shall be construed as follows

"Department" means Department of Agriculture of the Commonwealth of Pennsylvania its agents employees attorneys and representatives

"Secretary" means the Secretary of the Department of Agriculture of the Commonwealth of Pennsylvania

"Wholesale Dealer" means all persons firms and corporations who shall sell to dealers and persons who shall buy to sell again and all persons firms and corporations who make sales in quantities of ten pounds and over at any time

"Retail Dealer" means all persons firms and corporations who shall sell in quantities of less than ten pounds

"Hotel Restaurant dining room or boarding house" shall mean any public restaurant lunch room public institution or other place where food is served to the public inmates or employees for a consideration whether such consideration be in the form of cash service or otherwise

"Serve or use" shall not only include the serving of oleomargarine or butterine but shall include its use in the preparation of food in eating places as herein defined

"Premises" shall mean and include all buildings or structures used for the preparation storage or serving of food

Section headings shall not be construed to affect in any manner the scope or meaning of any section of this act

The singular shall be construed to include the plural the masculine shall be construed to include the feminine and the neuter and conversely the neuter shall be construed to include the masculine and the feminine

## Section 2 Manufacture and Sale of Oleomargarine Regulated

No person firm or corporation shall by himself herself or themselves or by his her or their agent or servant nor shall any officer agent servant or employee of any person firm or corporation manufacture sell ship consign offer for sale expose for sale or have in possession with intent to sell oleomargarine butterine or any similar substance article product or compound made wholly or partly out of any fats oils or oleaginous substances or compound thereof not produced from pure unadulterated milk or cream from the same without the admixture or addition of any fat foreign to the said milk or cream [and which shall be in imitation of yellow butter produced from pure unadulterated milk or cream of the same with or without coloring matter] unless such person firm or corporation shall have first obtained a license and paid a license fee as hereinafter provided [nor unless the said article product or compound so manufactured shipped consigned offered for sale exposed for sale or had in possession with intent to sell shall be made and kept free from all coloration or ingredients causing it to look like butter of any shade of yellow as hereinafter described] nor unless the same shall be kept

and presented in a separate and distinct form and in such manner as will advise the purchaser and consumer of its real character nor unless such person firm or corporation shall in all other respects comply with and observe the provisions of this act For the purpose of this act oleomargarine butterine or similar substance shall be deemed to look like be in resemblance of or in imitation of butter of a shade of yellow when it has a tint or shade containing more than one and six-tenths degrees of yellow or of yellow and red collectively but with an excess of yellow over red as measured in the terms of the Lovibond tintometer scale or its equivalent

## Section 3 License and Fee [Prohibition Against Sale of Colored Oleomargarine]

Every person firm or corporation and every agent of such person firm or corporation desiring to manufacture sell or offer or expose for sale or have in possession with intent to sell oleomargarine butterine or any similar substance [not made or colored so as to look like yellow butter] shall make application for a license so to do in such form as shall be prescribed by the department which application in addition to other matters which may be required to be stated therein by the department shall contain an accurate description of the place where the proposed business is intended to be carried on and the name and style under which it is proposed to conduct the said business If the said application is satisfactory to the department it shall issue to the applicant or applicants a license authorizing him her or them to engage in the manufacture or sale of oleomargarine or butterine or any similar substance [which shall not contain any coloration or ingredient that causes it to resemble yellow butter] for which said license the applicant or applicants shall first pay if a manufacturer if a wholesaler if a retailer if a proprietor of a hotel restaurant or dining-room and if the proprietor of a boarding-house the annual sum of two dollars and the said license fee when received by the department shall be immediately paid into the State Treasury Such licenses shall not authorize the manufacture sale exposing for sale or having in possession with intent to sell oleomargarine butterine or any similar substance at any other place than that designated in the application and license and the said license shall [not] authorize the manufacture use sale exposing for sale or having in possession with intent to sell [any] oleomargarine butterine or any similar substance either uncolored or made or colored so as to look like yellow butter [as herein] except as hereinafter provided

All licenses under this act shall expire on the thirty-first day of December of each year Such licenses may be transferred by the department upon the application in writing of the person firm or corporation to which the same has been granted Provided That the transferee shall comply with the regulations made by the department in regard to the said transfer and shall thereafter comply with the provisions of this act

## Section 4 Display of Licenses Placards and Menu Cards

After obtaining the license required by this act the person firm or corporation obtaining the same shall before beginning any business under the said license hang up and display in a conspicuous place on the walls of the room or store in which the oleomargarine butterine or other similar substance is manufactured sold or exposed for sale the license so obtained as aforesaid Every proprietor of a hotel restaurant dining-room or boarding-house shall also have placed upon every counter or table at which food meals or refreshments are served to customers a placard or menu card plainly printed stating that uncolored oleomargarine is used and served to customers

Section 3 Said act is hereby amended by adding immediately after Section 4 two new sections to read as follows

Section 4.1 Unlawful to Serve Colored Oleomargarine Etc in Public Eating Places It shall be unlawful for any hotel restaurant public dining-room or public boarding-house to serve to customers or to have on the premises any oleomargarine butterine or other similar substance made or colored so as to look like yellow butter as provided by this act



**Section 4.2 Sale of Colored Oleomargarine Etc** It shall be unlawful for any person to sell or offer for sale colored oleomargarine colored butterine or when colored other similar substance unless (a) such oleomargarine butterine or other similar substance is packaged (b) the net weight of the contents of any package sold by a retail dealer is one pound or less (c) there appears on the label of the package (1) the word "oleomargarine" or "butterine" in type or lettering at least as large as any other type or lettering on such label and (2) a full and accurate statement of all the ingredients contained in the contents of such package (d) each part of the contents of the package is contained in a wrapper which bears the word "oleomargarine" or "butterine" in type or lettering not smaller than 20-point type

**Section 4** Sections 6 7 and 8 of said act are hereby amended to read as follows

**Section 6 Records**

Every licensed manufacturer of oleomargarine butterine or other similar product [not in imitation of yellow butter] and every licensed wholesale dealer therein shall keep a book in which shall be entered accurately every sale and shipment the quantity the person to whom sold and shipped and the place to which shipped which book shall be kept at the place of business for which the license is issued and which shall always be open to the examination of the department Every licensed retail dealer in oleomargarine butterine or similar substance [not in imitation of yellow butter] shall keep an accurate account in a book open to the examination of the department in which shall be entered the date of the receipt of all purchases of oleomargarine butterine or similar substance made by such retail dealer stating therein where when and from whom purchased and the quantity and the said books so to be kept by manufacturers wholesale and retail dealers shall be in such form as the department shall direct Each licensed wholesale dealer in oleomargarine butterine or other similar product [not in imitation of yellow butter] shall deliver to the department on or before the fifteenth of each month a list of sales of oleomargarine for the preceding month showing the name and address including the county of each purchaser and the quantity of such sale

**Section 7 Penalty for Violation of Act [Recovery Appeal Disposition of Fines]**

Every person firm or corporation and every officer agent servant and employee of such person firm or corporation who shall manufacture sell or offer or expose for sale or serve to customers or have in possession [with intent to sell] oleomargarine butterine or any similar substance in violation of any of the provisions of this act or who shall sell oleomargarine butterine or any similar substance as or for butter or shall fail to keep a book in accordance with the last preceding section or who shall in any other respect violate any of the provisions of this act [shall for every such offense forfeit and pay the sum of one hundred dollars which shall be recoverable with the costs as debts of like amount are by law recoverable and justices of the peace and aldermen throughout this Commonwealth shall have jurisdiction to hear and determine all actions for recovery of said penalties with the right to either party to appeal to the court of common pleas as provided in existing laws in suits for penalties and all penalties imposed and recovered under the provisions of this act shall be paid to the department and by it immediately paid into the State Treasury] or any rule regulation or order made pursuant to this act shall for the first or second offense upon conviction thereof in a summary proceeding be sentenced to pay a fine of not less than sixty dollars nor more than one hundred dollars and costs of prosecution and in default of payment of such fine and costs shall be sentenced to undergo imprisonment in the county jail for not more than thirty days and for a third or subsequent offense shall be guilty of a misdemeanor and shall upon conviction thereof be sentenced to pay a fine or not less than five hundred dollars nor more than one thousand dollars or to undergo imprisonment not exceeding one year or both in the discretion of the court

**Section 8 [Violation of act penalty]**

In addition to the above penalty every person firm or corporation and every officer agent servant or employee of such person firm or corporation who violates any of the provisions of this act shall also be guilty of a misdemeanor and upon conviction thereof shall be punished for the first offense by a fine of not less than one hundred dollars nor more than five hundred dollars or by imprisonment in the county jail for not more than three months or both at the discretion of the court and upon conviction of any subsequent offense shall be punished by a fine of not less than five hundred dollars nor more than one thousand dollars and by imprisonment in the county jail for not less than six months nor more than twelve months] proceedings by attorney general based on violation of act the attorney general at the request of the Department of Agriculture may in the name of the Commonwealth institute proceedings in equity in the court of common pleas of Dauphin county for the purpose of enjoining any person violating any of the provisions of this act from selling oleomargarine butterine or any similar substance in this Commonwealth and for such purpose jurisdiction is hereby conferred upon said court in such cases the attorney general shall not be required to give bond

**Section 5** The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

**YEAS—42**

Bane,	Holland,	Meade,	Stiefel,
Barr,	Kephart,	Neff,	Taylor,
Barrett,	Kessler,	Pechan,	Toole,
Blass,	Lane,	Peelor,	Wade,
Byrne,	Leader,	Propert,	Wagner,
Diehm,	Letzler,	Rosenfeld,	Walker,
DiSilvestro,	Mahanay,	Ruth,	Watkins,
Fleming,	McCreesh,	Scarlett,	Watson,
Freed,	McGinnis,	Silvert,	Wood,
Haluska,	McMenamin,	Snowden,	Yosko,
Hare,	McNerson, Jr.		

**NAYS—7**

Berger,	Crowe,	Robinson,	Wolf,
Chapman,	Mallery,	Stevenson,	

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**BILL INTRODUCED AND REFERRED**

Mr. CHAPMAN. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CHAPMAN read in place and presented to the Chair Senate Bill No. 836, entitled:

An Act making an appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first, one thousand nine hundred fifty-one.

Which was committed to the Committee on Appropriations.



## BILLS SIGNED

The President (Lieutenant-Governor Lloyd H. Wood) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 365, entitled:

An Act to further amend the act approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 364), entitled: "An act relating to business corporations; defining and providing for the organization, merger, consolidation, reorganization, winding up and dissolution of such corporation; conferring certain rights, powers, duties, and immunities upon them and their officers and shareholders; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the second class within the provisions of this act; prescribing the terms and conditions upon which foreign business corporations may be admitted, or may continue, to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, and certain State departments, commissions, officers and authorizing certain State departments, boards, commissions, or officers to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," by permitting the Department of State to copy and destroy or return certain documents; permitting directors to fill vacancies in the board of directors resulting from an increase in the number of directors; deleting certain requirements as to the appointment, compensation and duties of agents; providing that meetings of shareholders at which directors are to be elected may be adjourned for periods of fifteen days each; fixing the method of cumulative voting in cases where directors are elected separately by the holders of different classes of shares; providing that courts having jurisdiction over trustees who are evenly divided as to how shares shall be voted may direct the voting of such shares; deleting requirements as to the voting of shares of foreign corporations owned by other corporations; providing that articles of incorporation may be amended to eliminate preemptive rights of shareholders, and providing for the purchase of and payment for shares of any shareholders who dissent therefrom; specifying cases of merger or consolidation of which sixty days' notice to shareholders must be given; providing that shareholders of a parent corporation shall have no right to dissent from a merger or consolidation of such parent and one or more wholly-owned subsidiaries thereof, provided the state of incorporation and relative rights and preferences of the shareholders of the parent corporation are not changed thereby by; providing that foreign corporations which shall have done business in Pennsylvania without procuring a certificate of authority to do so shall be conclusively presumed to have appointed the Secretary of the Commonwealth their agent to accept service of process in cases arising out of acts of omissions of such corporation in the Commonwealth, and specifying the duties of the Secretary upon receipt of such process.

Senate Bill No. 703, entitled:

An Act authorizing the capture or destruction of birds in any city in certain cases.

Senate Bill No. 734, entitled:

An Act to amend sections one and two of the act approved the twentieth day of May one thousand nine hundred forty-nine (P. L. 1511) entitled "An act defining cold storage requiring licenses to operate cold storage warehouses and locker plants requiring records reports marking wrapping protecting limiting time of storage disposition sale return or transfer of foods in

cold storage conferring powers on the Department of Agriculture including adoption of rules and regulations special permits for storage of feeding stuffs for animal use and providing penalties for violation of this act" by redefining the term "Cold Storage Warehouse" and reducing the license fee

Whereupon,

The President (Lieutenant-Governor Lloyd H. Wood) in the presence of the Senate signed the same.

## SENATE BILL No. 407 TAKEN FROM TABLE

Mr. WALKER. Mr. President, I call from the table Senate Bill No. 407, returned by the Governor, for reconsideration at this time.

RECONSIDERATION OF SENATE BILL No. 407  
RECALLED FROM THE GOVERNOR

Mr. WALKER. Mr. President, I move that the Senate do now reconsider the vote by which Senate Bill No. 407 entitled:

An Act to further amend the title and section one of the act, approved the third day of May, one thousand nine hundred and nine (P. L. 424), entitled as amended, "An act providing that in all counties of the first, second, third, fourth, fifth, and sixth class, advertisements and notices required by law or rules of court to be published in newspapers of general circulation, unless dispensed with by special order of court, shall be published in the legal newspaper, issued at least weekly, of the proper county, designated by rules of court for the publication of court or other legal notices," by extending the provisions of the said act to all counties, and further defining publications excepted from its operation.

passed finally.

The PRESIDENT. How did the Senator vote?

Mr. WALKER. Mr. President, I voted with the majority.

Mr. FLEMING. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. FLEMING. Mr. President, I voted with the majority.

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. WALKER. Mr. President, I move to reconsider the vote by which the bill passed third reading.

The PRESIDENT. How did the Senator vote?

Mr. WALKER. Mr. President, I voted with the majority.

Mr. FLEMING. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. FLEMING. Mr. President, I voted with the majority.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. WALKER. Mr. President, I would like to have the bill appear on tomorrow's Third Reading Calendar.

The PRESIDENT. The bill will appear on tomorrow's Third Reading Calendar.

## SECOND READING CALENDAR

## BILL OVER IN ORDER.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 177, on second reading, entitled:



An Act to further amend sections two hundred three and two hundred four of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled as amended "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers and employees' mutual banking associations defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and employees' mutual banking associations and of the officers directors trustees shareholders attorneys and other employees of all such corporations employees' mutual banking associations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by further restricting changes in location of principal places of business of banking institutions and by limiting the establishment and maintenance of branch banks to counties in which the principal places of business of banking institutions are located.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

### BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 620, entitled:

An Act to amend clause (b) of Section 207 of the act approved the twelfth day of April one thousand nine hundred fifty-one (Act No. 21) entitled "An act relating to alcohol liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State Liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" by further providing for the fixing of sale prices for Pennsylvania liquor stores.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 634, on second reading, entitled:

An Act to amend the act approved the first day of June one thousand nine hundred fifteen (P. L. 701) entitled "An act regulating the payment of persons in the employ of the Commonwealth" by providing for pay-days every two weeks.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

### BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 745, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments, boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" by creating the Pennsylvania Library Council prescribing its powers and duties providing for a State librarian and for certification of libraries and librarians and for minimum standards for public library service.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILL RECOMMITTED

Mr. WALKER. Mr. President, I move that House Bill No. 811, on second reading, entitled:

An Act to add section 1501.1 to the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by empowering township supervisors to compel connection with and use of sewer systems constructed by municipal authorities to impose penalties to enforce regulations and orders and to connect properties of owners failing or neglecting to make connection.

be recommitted to the Committee on Local Government.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

### BILL ON SECOND READING AMENDED

Agreeably to order.

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 959, entitled:

An Act to amend the act approved the twelfth day of April one thousand nine hundred fifty-one (Act No. 21) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and



restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" by further regulating and limiting the issuance of distributors' and importing distributors' licenses.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. MALLERY offered the following amendment:

Amend Sec. 1 (Sec. 431), page 5, line 4, by inserting after the word "application" the following: Provided, That stock inherited by an individual nonresident from a deceased resident owner thereof, and stock held by an individual or corporate trustee, for the benefit of any individual, who is a beneficiary of a trust which is valid under the laws of this Commonwealth shall for the purposes of this subsection be considered as being owned by a resident of the Commonwealth of Pennsylvania so long as it is actually owned by such individual nonresident inheritor or held by such trustee.

It was agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. MALLERY offered the following amendment:

Amend Sec. 2, page 5, line 15, by inserting after the word "Section" where it appears the second time, the following: "437."

It was agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. MALLERY offered the following amendment:

Amend Title, page 2, last line of title, by inserting after the word "licenses" the following: "and changing residence requirements for stock ownership in corporations licensed as malt and brewed beverage manufacturers, distributors and importing distributors."

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 976, entitled:

An Act to amend Section 1 of the act approved the twentieth day of May one thousand nine hundred forty-nine (P. L. 1489) entitled "An act providing for a two-platoon system for firemen employed and paid by cities of the second class A and fixing the maximum hours of service in any one day or week for such platoons, with

certain exceptions" by further prescribing the maximum hours of service for such employes in any one week.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1027, entitled:

An Act to amend subsection (b) of Section 4 of the act approved the twenty-third day of May one thousand nine hundred forty-five (P. L. 903) entitled "An act authorizing cities of the third class to establish an optional retirement system for officers and employes independently of any pension system or systems existing in such cities" limiting rights to involuntary retirement and providing for the reinstatement of certain persons to the pension rolls of certain cities.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1030, entitled:

An Act to further amend Section 643 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by prohibiting minors from delivering liquor or malt and brewed beverages.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1039, entitled:

An Act to amend sections 401 and 406 of the act approved the twelfth day of April one thousand nine hundred fifty-one (Act No. 21) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" by permitting certain sales of liquor for consumption off the premises.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.



Agreeably to order.

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1056, entitled:

An Act to further amend clause (q) of section seven hundred thirty-one of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by changing certain penal provisions.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1060, entitled:

An Act to amend the act approved the twelfth day of April one thousand nine hundred fifty-one (Act No. 21) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" by making the serving of food optional with certain licensees and changing certain requirements relating to the serving of food.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1085, entitled:

An Act to amend the act approved the twelfth day of April one thousand nine hundred fifty-one (Act No. 21) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" by making the establishment and operation of Pennsylvania Liquor Stores and the granting of malt and brewed beverage distributors licenses subject to local

option and providing where tie vote occurs on local option question the status quo obtains.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1100, entitled:

An Act to amend section 464 and 471 of the act approved the twelfth day of April one thousand nine hundred fifty-one (Act No. 21) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" by further defining the powers of courts on appeal.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1196, entitled:

An Act to amend clause (15) of the second paragraph of Section 493 of the act approved the twelfth day of April one thousand nine hundred fifty-one (Act No. 21) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" by making the cashing receiving handling or negotiating of Public Assistance checks or the cashing of payroll checks by licensees of the Pennsylvania Liquor Control Board an unlawful act.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

## BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1205, on second reading, entitled:



An Act defining analytical-biochemical-biological laboratories regulating the operation of the same requiring such laboratories to obtain permits and to be operated under the direct supervision of qualified persons imposing certain duties upon the Department of Health and providing penalties.

go over in its order, temporarily.

The PRESIDENT. Is there objection? The Chair hears none.

### BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1286, entitled:

An Act authorizing the Commonwealth to negotiate temporary emergency loans to defray current and other expenses of the State government during any fiscal biennium evidenced by tax anticipation notes secured by and payable from current revenues of any current biennium levied assessed collectible and accruing during such fiscal biennium defining the powers and duties of the Governor the Auditor General and the State Treasurer in relation thereto providing for the payment of interest on and the repayment of such loans and making an appropriation.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1326, on second reading, entitled:

An Act to further amend the act approved the nineteenth day of March one thousand nine hundred nine (P. L. 46) entitled "An act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing of osteopaths in this State and to provide penalties for the violation of this act" by providing for the licensing without examination of persons licensed by the provinces of the Dominion of Canada in certain cases.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

### BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1351, entitled:

An Act to further amend subsection C of Section 1 of the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 1145) entitled "An act empowering cities of the second class cities of the second class A cities of the third class boroughs towns townships of the first class school districts of the second class school districts of the third class and school districts of the fourth class to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes and permitting penalties to be imposed and enforced providing an ap-

peal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court by temporarily excluding under certain conditions taxes imposed on real property transfers in certain school districts in determining tax limitations.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1356, on second reading, entitled:

An Act to amend sections one eight and thirteen of the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 940) entitled "An act relating to boarding houses for children providing for the licensing and inspection thereof and the adoption of rules and regulations for the maintenance operation and conduct thereof by the Department of Welfare defining offenses and prescribing penalties" by redefining "boarding houses for children" providing for an advisory committee with which the department shall confer in adopting rules and regulations and increasing penalties.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1357, on second reading, entitled:

An Act to amend the act approved the fourteenth day of April one thousand nine hundred and twenty-five (P. L. 234) entitled "An act relating to Boarding Houses for Infants providing for the licensing thereof and the adoption of rules and regulations for the maintenance operation and conduct thereof by the Department of Welfare and fixing penalties by redefining "boarding houses for infants" eliminating license fees providing for an advisory committee with which the department shall confer in adopting rules and regulations and increasing penalties."

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1378, on second reading, entitled:

An Act providing for the examination licensure and registration of persons firms or corporations engaged in the business or work of plumbing or house and building drainage and prescribing certain rules regulations and requirements for the construction of plumbing house and building drainage and cesspools in cities of the second class second class A and third class and imposing fines penalties and forfeitures for violation thereof and providing for administration of this act by county departments of health or joint-county departments of health in cities of the second class second class A and third class which are within the jurisdiction of such departments of health and repealing certain laws.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1505, on second reading, entitled:

An Act to amend the act approved the twelfth day of June one thousand nine hundred thirty-one (P. L. 510) entitled "An act providing for the licensure and regulation of certain private nursing homes and private hospitals conferring certain powers and duties upon the Depart-



ment of Welfare and providing penalties" by further providing for the licensure and regulation of such nursing homes and hospitals.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

### BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1506, entitled:

An Act to amend the act approved the twelfth day of April one thousand nine hundred fifty-one (P. L. 90) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" by further providing for transfers of certain retail liquor and retail dispenser licenses and changing the quota provisions.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1508, entitled:

An Act to amend Section 3 of the act approved the twenty-eighth day of July one thousand nine hundred forty-one (P. L. 535) entitled "An act providing for the redemption of real property purchased by political subdivisions at tax sales upon the payment of the amount charged against the same and costs by installment payments and prescribing the procedure therefor" by providing that default in the payment of any installment when due or payment of current taxes shall terminate the right of redemption.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1513, entitled:

An Act to amend Section 412 of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1242) entitled "An act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto" by defining the estate of substitute rights of way

for public service companies and requiring conveyance thereof.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1562, entitled:

An Act to amend sections one and two of the act approved the twenty-third day of May one thousand nine hundred forty-five (P. L. 926) entitled "An act for the protection of the public health by regulating the conduct and operation of public eating and drinking places within this Commonwealth requiring their licensing imposing certain duties on the Department of Health of this Commonwealth and on the local health authorities and providing penalties" by providing for the licensing of public eating or drinking places by county departments of health or joint-county departments of health in certain political subdivisions.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1577, entitled:

An Act fixing the salary of the Director of the Legislative Reference Bureau.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1645, entitled:

An Act transferring money from the World War II Veterans' Compensation Fund to the World War II Veterans' Compensation Sinking Fund for the purpose of meeting interest and sinking fund requirements on World War II Veterans' Compensation Bonds:

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### REPORT FROM COMMITTEE

Mr. CHAPMAN. Mr. President I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CHAPMAN, from the Committee on Appropriations, reported as committed, Senate Bill No. 836, entitled:

An Act making an appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first, one thousand nine hundred fifty-one.



## HOUSE BILL No. 1205 CALLED UP

Mr. WALKER. Mr. President, I call up at this time House Bill No. 1205, which went over in its order temporarily.

## BILL ON SECOND READING AMENDED

Agreeably to order.

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1205, entitled:

An Act defining analytical-biochemical-biological laboratory regulating the operation of the same requiring such laboratories to obtain permits and to be operated under the direct supervision of qualified persons imposing certain duties upon the Department of Health and providing penalties.

The first and second sections were read and agreed to. The third section was read.

On the question,

Will the Senate agree to the section?

Mr. ROSENFELD offered the following amendment:

Amend Section 3, Page 4, by adding after line 16 the following clause: "5 The foregoing limitations shall not apply to those persons operating an analytical biochemical and biological laboratory prior to the effective date of this Act."

It was agreed to.

The section was agreed to as amended.

The fourth, fifth, sixth, seventh, eighth, ninth, tenth, eleventh, twelfth, thirteenth, fourteenth, fifteenth and sixteenth sections and title were read and agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

## BILLS ON FIRST READING

Mr. WALKER. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 652, entitled:

An Act to further amend the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "An act establishing a public school employees' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employees, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employees; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by providing credit for retirement purposes for out-of-state service in certain cases.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 828, entitled:

An Act to further amend Section 1 of the act, approved the eighteenth day of June, one thousand nine hundred forty-one (P. L. 136), entitled "An act authorizing certain officers on active duty with the armed forces of the United States to act as notaries public, and requiring certification of their authority," changing the provisions of said act in order to make it conform in certain respects to certain Acts of Congress.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 836, entitled:

An Act making an appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first, one thousand nine hundred fifty-one.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1554, entitled:

An Act to authorize the Secretary of Public Assistance of the Commonwealth of Pennsylvania to apply to the Secretary of Agriculture of the United States for the return of assets of the former Pennsylvania Rural Rehabilitation Corporation to receive deposit and administer such assets for rural rehabilitation or other authorized purposes and to enter into agreements with the Secretary of Agriculture of the United States with respect to the future administration of said assets.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

## HOUSE MESSAGE

## HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL NO. 1310

The Clerk of the House of Representatives being introduced, presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1310, entitled:

An Act to improve local health administration throughout the Commonwealth by providing for the creation, establishment and administration of single-county or joint-county departments of health in all counties except counties of the first class; abolishing local boards or departments of health and the offices of health officer in political subdivisions which become subject to the jurisdiction of single-county or joint-county departments of health; excepting cities of the first and second class from jurisdiction of single-county or joint-county departments of health providing for State grants to counties which establish departments of health and to cities of the first and second class if they meet certain requirements; conferring powers and duties upon the State Department of Health in connection with the creation establishment and administration of single-county or joint-county departments of health the administration of the health laws in certain boroughs not subject to the jurisdiction of single-county or joint-county departments of health the administration of State grants and repealing acts which provide for cooperation between political subdivisions in health matters and which confer health powers upon counties of the first class.



## BILL SIGNED

The President (Lieutenant-Governor Lloyd H. Wood) announced that the Chief Clerk having reported that the following bill had passed both houses of the General Assembly and the same being correct, the title was publicly read as follows:

House Bill No. 1310, entitled:

An Act to improve local health administration throughout the Commonwealth by providing for the creation, establishment and administration of single-county or joint-county departments of health in all counties except counties of the first class; abolishing local boards or departments of health and the offices of health officer in political subdivisions which become subject to the jurisdiction of single-county or joint-county departments of health; excepting cities of the first and second class from jurisdiction of single-county or joint-county departments of health providing for State grants to counties which establish departments of health and to cities of the first and second class if they meet certain requirements; conferring powers and duties upon the State Department of Health in connection with the creation establishment and administration of single-county or joint-county departments of health, the administration of the health laws in certain boroughs not subject to the jurisdiction of single-county or joint-county departments of health, the administration of State grants and repealing acts which provide for cooperation between political subdivisions in health matters and which confer health powers upon counties of the first class.

Whereupon,

The President (Lieutenant-Governor Lloyd H. Wood) in the presence of the Senate signed the same.

## HOUSE MESSAGE

## HOUSE CONCURS IN RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL NO. 739

The Clerk of the House of Representatives being introduced presented communication from the House of Representatives informing the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate, August 20, 1951.

Resolved (If the House of Representatives concur) That Senate Bill No. 739, entitled:

An Act creating Mercy-Douglas State Hospital in Philadelphia County and authorizing the Department of Property and Supplies to sublease said Hospital to Mercy-Douglass Hospital, and providing for the management thereof by the Board of Trustees of Mercy-Douglass Hospital.

be recalled from the Governor for the purpose of amendment.

## ADJOURNMENT

Mr. WALKER. Mr. President, I move that the Senate do now adjourn until Tuesday, August 21, 1951, at 12:00 o'clock, m., Eastern Standard Time.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 8:47 o'clock, p. m., Eastern Standard Time, until Tuesday, August 21, 1951, at 12:00 o'clock, m., Eastern Standard Time.

## HOUSE OF REPRESENTATIVES

MONDAY, August 20, 1951.

The House met at 3.30 p. m. EST.

The SPEAKER (Herbert P. Sorg) in the Chair.

## PRAYER

The Chaplain, Reverend William Hugh Fryer, offered the following prayer:

Almighty God, who dost hold us to account for the use of all our powers and privileges, Guard us always from distractions and dissensions and grant that we may do well the work Thou givest us to do. Especially we pray Thee to guide these Thy servants, that by wise legislation and faithful administration the rights of all may be protected and our state be enabled to fulfill Thy purpose, through Jesus Christ our Lord. Amen.

## JOURNAL APPROVED

The SPEAKER. Are there any corrections to the Journal of Wednesday, August 15, 1951? It not, and without objection, the Journal is approved.

## BILLS INTRODUCED AND REFERRED

By Mr. WARGO.

HOUSE BILL No. 1675.

An Act to amend the act, approved the twenty-fifth day of April, one thousand nine hundred thirty-three (P. L. 74), entitled "An act relating to baseball and football on Sunday; prohibiting baseball and football on Sunday during certain, and also during certain other hours unless the electors of a municipality are in favor of the same and, in certain cases, a license has first been secured from the municipal authorities; providing for referendums to ascertain the will of the electors, and for the enactment and repeal of licensing ordinances and resolutions in accordance therewith; providing penalties; and repealing inconsistent laws," by extending the period during which baseball and football may be played on Sunday.

Referred to the Committee on Law and Order.

By Mr. KELLER.

HOUSE BILL No. 1676.

An Act to further amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by empowering boards of school directors with the approval of the Superintendent of Public Instruction to alter the prescribed number, hours and days of classes in certain emergencies for a limited period of time.

Referred to the Committee on Education.

By Messrs. JOHN C. MILLER and DALRYMPLE.

HOUSE BILL No. 1677.

An Act to promote the welfare of the people of this Commonwealth; creating Port Authorities to function in counties of the fourth class as bodies corporate and palitic with power to plan, acquire, construct, maintain and operate facilities and projects for the improvement and development of the port district, and to borrow money and issue bonds therefor; providing for the payment of such bonds and prescribing the rights of the holders; conferring the right of eminent domain on the Authorities; authorizing the Authorities to enter into contracts with and to accept grants from the Federal government or any agency thereof and conferring exclusive jurisdiction on



certain courts over rates and services; requiring the approval of the General Assembly for any acquisition of a facility or project by an Authority and authorizing the Authorities to collect tolls, fares, fees, rentals and charges for the use of facilities; defining the authorities' powers and duties and defining the port districts.

Referred to the Committee on Counties.

By Mr. BOWER.

HOUSE BILL No. 1678.

An Act to further amend the act, approved the twenty-first day of January, one thousand nine hundred forty-seven (P. L. 3) entitled "An act relating to officers and employees of the General Assembly; fixing the number, qualifications, compensation, mileage and duties of the officers and employees of the Senate and of the House of Representatives; providing for their election or appointment, term of office, or of service, removal, and manner of filling vacancies; and making appropriations to the Senate, House of Representatives and Legislative Reference Bureau," by providing for compensation on a daily basis for certain employees of the General Assembly when a regular biennial session of the General Assembly remains in session beyond the fifteenth day of June; making appropriations.

Referred to the Committee on State Government.

By Mr. HAUDENSHIELD and Mrs. MARKLEY.

HOUSE BILL No. 1679.

An Act to further amend the last paragraph of subsection (c) of Section 507 of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employees in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments, boards and commissions shall be determined," by authorizing departments, boards and commissions to contract for utility services furnished by political subdivisions and authorities.

Referred to the Committee on State Government.

## SENATE MESSAGE

### SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 290.

An Act providing for a referendum to determine the will of the electorate in regard to constitutional convention.

Referred to the Committee on Elections and Apportionment.

SENATE BILL No. 658.

An Act authorizing council of cities of the second class to fix the salaries of the mayor and the council members

of such cities and to provide for the assessment and retention of fines for absence of councilmen from meetings.

Referred to the Committee on Cities and County—Second Class.

SENATE BILL No. 789.

An Act to further amend clause (b) of Section 507 and clause (c) of Section 2403 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" by making special provision for the purchase of coal for use in any State hospital or any other State institution.

Referred to the Committee on State Government.

SENATE BILL No. 813.

An Act to further amend the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by further regulating the preparation of the budget and fiscal affairs of counties.

Referred to the Committee on Counties.

SENATE BILL No. 815.

An Act providing for the payment into Orphans' Court and the State Treasury of money or other property due a legatee distributee or beneficiary of a trust when it appears such person would not have the benefit use or control of such money or other property.

Referred to the Committee on Judiciary.

SENATE BILL No. 818.

An Act to further amend Section 3062 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by further regulating publication of notice of land subdivision ordinances.

Referred to the Committee on Townships.

SENATE BILL No. 819.

An Act to further amend the act approved the first day of June one thousand nine hundred forty-five (P. L. 1358) entitled "An act relating to chattel mortgages of any chattel or chattels of any kind or description including but not limited to livestock poultry farm machinery farm equipment and crops grown growing or to be grown designating the operation and effect of the lien of such mortgages providing for the filing indexing and docketing



of such mortgages and related instruments in prothonotaries' offices and prescribing prothonotaries' fees providing for the filing in Pennsylvania of similar lien instruments originally filed or recorded in other states regulating the assignment release satisfaction and extension of the lien of such mortgages prescribing methods of foreclosure defining defaults and violations and fixing penalties" by providing that chattel mortgages may be given as security for principal obligations other than bonds or notes eliminating the requirement of witnesses providing additional remedies to mortgages as against third persons and providing that the provisions of the act be liberally construed.

Referred to the Committee on Judiciary.

### COMMUNICATION FROM GOVERNOR

The Secretary to the overnor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS No. 534, 556, 624, 631, 801, 820, 850, 851, 859, 881, 950, 951, 962, 966, 1067, 1089, 1098, 1154, 1179, 1373, 1477 and 1487.

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, August 17, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 534, Printer's No. 840, entitled "An Act to further amend Section 1304 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled 'An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto' by changing the provisions relating to admission of beginners."

JOHN S. FINE.

August 17, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 556, Printer's No. 427, entitled "An Act to amend Section 625 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled 'An act to consolidate amend and revise the penal laws of the Commonwealth' by authorizing municipalities to grant special permits for the discharge of flobert rifles and other types of firearms in such municipalities for particular purposes."

JOHN S. FINE.

August 17, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 624, Printer's No. 225, entitled "An Act to amend subsection (b) and (c) of section one thousand two hundred three of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled 'An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all

agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth' and to add thereto new subsections (d) and (e) so as to except therefrom the transfer of stock not subject to the transfer inheritance tax owned by deceased residents of an area listed by the Department of Revenue as entitled by law to such exemption and stock formerly owned by the entireties by resident spouses one of whom shall have died and to require the Department of Revenue to list such areas."

JOHN S. FINE.

August 17, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 631, Printer's No. 226, entitled "An Act to repeal an obsolete act relating to transfer of stock standing in the name of a decedent or in the joint names of a decedent and one or more other persons or in trust for a decedent."

JOHN S. FINE.

August 17, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 801, Printer's No. 572, entitled "An Act to amend Section 931 of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled 'An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto' by providing that certain county roads when abandoned shall become township, borough or city roads as their location shall determine."

JOHN S. FINE.

August 17, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 820, Printer's No. 481, entitled "A Supplement to the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled 'An act establishing a State employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employees serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties' by permitting certain members to obtain credit for military service who were not eligible members at time of entry into military service."

JOHN S. FINE.

August 17, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day



approved and signed House Bill No. 850, Printer's No. 435, entitled "An Act to amend Section 2001 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled 'An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto' by changing the name of the Cheyney Training School for Teachers."

JOHN S. FINE.

August 17, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 851, Printer's No. 436, entitled "An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled 'An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined' by changing the name of the Cheyney Training School for Teachers."

JOHN S. FINE.

August 17, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 859, Printer's No. 665, entitled "An Act to further amend the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled 'An act relating to cities of the third class and amending revising and consolidating the law relating thereto' by making drivers of fire-fighting apparatus or ambulances for certain volunteer fire companies eligible to the pension fund."

JOHN S. FINE.

August 17, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 881, Printer's No. 236, entitled "An Act to further amend Clause L of Section 1202 of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled 'An act concerning boroughs and revising amending and consolidating the law relating to boroughs' by authorizing increase of appropriations for burial ground maintenance."

JOHN S. FINE.

August 17, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 950, Printer's No. 710, entitled "An Act to amend section 1 of the act approved

the thirtieth day of March one thousand nine hundred seventeen (P. L. 21) entitled 'An act defining optometry and relating to the right to practice optometry in the Commonwealth of Pennsylvania and making certain exceptions and providing a Board of Optometrical Education Examination and Licensure and means and methods whereby the right to practice optometry may be obtained and providing for the means to carry out the provisions of this act and providing for revocation or suspension of licenses given by said board and providing penalties for violations thereof and repealing all acts or parts of acts inconsistent by further defining the practice of optometry and defining 'optometrist.'"

JOHN S. FINE.

August 17, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 951, Printer's No. 319, entitled "An Act to add Section 11.1 to the act approved the thirtieth day of March one thousand nine hundred seventeen (P. L. 21) entitled 'An act defining optometry and relating to the right to practice optometry in the Commonwealth of Pennsylvania and making certain exceptions and providing a Board of Optometrical Education Examination and Licensure and means and methods whereby the right to practice optometry may be obtained and providing for the means to carry out the provisions of this act and providing for revocation or suspension of licenses given by said board and providing penalties for violations thereof and repealing all acts or parts of acts inconsistent therewith' by providing for acceptance of testimony of licensed optometrists by agencies and political subdivisions of the Commonwealth and providing for payment for services of optometrists."

JOHN S. FINE.

August 17, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 962, Printer's No. 453, entitled "An Act authorizing the Supreme Court and the Superior Court to appoint and fix the compensation of reporters of their decisions and assistants and employees and repealing certain acts."

JOHN S. FINE.

August 16, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 966, Printer's No. 437, entitled "An Act to authorize school districts of the first class to furnish free milk to pupils in the kindergarten and first grade."

JOHN S. FINE.

August 16, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1067, Printer's No. 777, entitled "An Act to add Section 1072.1 to and to further amend Section 1073 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled 'An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto' by providing for the discontinuance of the office of district superintendent in any district of the third class."

JOHN S. FINE.



August 17, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1089, Printer's No. 380, entitled "An Act fixing the minimum pensions of policemen and firemen in certain cities."

JOHN S. FINE.

August 17, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1098, Printer's No. 624, entitled "An Act to further amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled 'An act concerning townships of the first class amending revising consolidating and changing the law relating thereto' by authorizing the shade tree commission to require the cutting and removal of trees afflicted with the Dutch elm of other disease which threatens to injure or destroy shade trees and to levy and collect the cost thereof from the owner of the property by action in assumpsit or by the filing of a municipal claim therefor."

JOHN S. FINE.

August 16, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1154, Printer's No. 709, entitled "An Act making an appropriation to provide funds for the Bushy Run Battlefield Park."

JOHN S. FINE.

August 17, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1179, Printer's No. 537, entitled "An Act to amend Section 330.17 of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled 'An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto' by authorizing the assignment of county police to inside or special duties in certain cases and prescribing the manner in which such assignments shall be made."

JOHN S. FINE.

August 17, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1373, Printer's No. 774, entitled "An Act to further amend the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled 'An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth' by reclassifying chubs as bait-fish."

JOHN S. FINE.

August 17, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1487, Printer's No. 866, entitled "An Act to further amend Section 1 of the act

approved the thirtieth day of March one thousand nine hundred fifteen (P. L. 34) entitled 'An act to promote the health and efficiency of firemen in cities of the second class by providing for a two-platoon system for firemen in the department of public safety of such cities' by further regulating the hours of duty of firemen in cities of the second class."

JOHN S. FINE.

August 15, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1487, Printer's No. 866, entitled "An Act to provide for the expenses of the Joint State Government Commission of the General Assembly beginning June first one thousand nine hundred and fifty-one and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and fifty-one."

JOHN S. FINE.

## SENATE MESSAGE

## HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1605.

An Act authorizing allocations the Treasury Department and the Department of the Auditor General from the appropriation to the Department of Public Assistance Act 27-A approved June thirtieth one thousand nine hundred fifty-one for the administrative expenses in auditing and disbursing the appropriations made by said act during the month of August one thousand nine hundred fifty-one

HOUSE BILL No. 1611.

An Act making an appropriation to the Department of Welfare for the purpose of administering the "Pennsylvania Hospital Survey and Construction Act of 1947"

HOUSE BILL No. 1612.

An Act making an appropriation for the payment of expenses incurred by the State Council of Civil Defense

HOUSE BILL No. 1613.

An Act making an appropriation to the Department of Public Instruction including proceeds of publications sold for the purpose of revising the curricula of elementary secondary and vocational schools

HOUSE BILL No. 1614.

An Act making an appropriation to the State Tax Equalization Board for payment of necessary expenses

HOUSE BILL No. 1615.

An Act making an appropriation to the State Veterans' Commission for the expenses of the commission furnishing certain assistance to needy Pennsylvania veterans of any war or their dependents for participation in certain defense activities for the rehabilitation and care of veterans including the acquisition of land by purchase condemnation or gift and construction of buildings for such purpose

HOUSE BILL No. 1616.

An Act making an appropriation to the Department of Mines for the purpose of administering the provisions of "The Coal Mine Sealing Act of 1947"



## HOUSE BILL No. 1617.

An Act making an appropriation for the maintenance repair and improvement of the Port of Philadelphia

## HOUSE BILL No. 1618.

An Act making an appropriation to aid certain school districts

## HOUSE BILL No. 1619.

An Act making an appropriation to the Department of Labor and Industry to meet the obligation of the Commonwealth to pay a part of the compensation payable for certain occupational diseases

## HOUSE BILL No. 1620.

An Act making an appropriation to the Department of Labor and Industry for the payment of additional workmen's compensation in cases of second injuries

## HOUSE BILL No. 1621.

An Act making an appropriation to The Brandywine Battlefield Park Commission for the payment of necessary expenses

With the information that the Senate has passed the same without amendment.

## BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

## HOUSE BILL No. 1605.

An Act authorizing allocations to the Treasury Department and the Department of the Auditor General from the appropriation to the Department of Public Assistance Act 27-A approved June thirtieth one thousand nine hundred fifty-one for the administrative expenses in auditing and disbursing the appropriations made by said act during the month of August one thousand nine hundred fifty-one

## HOUSE BILL No. 1611.

An Act making an appropriation to the Department of Welfare for the purpose of administering the "Pennsylvania Hospital Survey and Construction Act of 1947"

## HOUSE BILL No. 1612.

An Act making an appropriation for the payment of expenses incurred by the State Council of Civil Defense

## HOUSE BILL No. 1613.

An Act making an appropriation to the Department of Public Instruction including proceeds of publications sold for the purpose of revising the curricula of elementary secondary and vocational schools

## HOUSE BILL No. 1614.

An Act making an appropriation to the State Tax Equalization Board for payment of necessary expenses

## HOUSE BILL No. 1615.

An Act making an appropriation to the State Veterans' Commission for the expenses of the commission furnishing certain assistance to needy Pennsylvania veterans of any war or their dependents for participation in certain defense activities for the rehabilitation and care of veterans including the acquisition of land by purchase

condemnation or gift and construction of buildings for such purpose

## HOUSE BILL No. 1616.

An Act making an appropriation to the Department of Mines for the purpose of administering the provisions of "The Coal Mine Sealing Act of 1947"

## HOUSE BILL No. 1617.

An Act making an appropriation for the maintenance repair and improvement of the Port of Philadelphia

## HOUSE BILL No. 1618.

An Act making an appropriation to aid certain school districts

## HOUSE BILL No. 1619.

An Act making an appropriation to the Department of Labor and Industry to meet the obligation of the Commonwealth to pay a part of the compensation payable for certain occupational diseases

## HOUSE BILL No. 1620.

An Act making an appropriation to the Department of Labor and Industry for the payment of additional workmen's compensation in cases of second injuries

## HOUSE BILL No. 1621.

An Act making an appropriation to The Brandywine Battlefield Park Commission for the payment of necessary expenses

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

## SENATE MESSAGES

## HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 228.

An Act to amend section 733 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by providing for an alternate procedure in desertion and nonsupport cases

## HOUSE BILL No. 878.

An Act to amend the act approved the thirteenth day of June one thousand nine hundred eleven (P. L. 903) entitled "An act to prevent frauds against carriers of passengers for hire within this Commonwealth and prescribing penalties for the breach of the provisions hereof" by changing penalties and defining magistrate

## HOUSE BILL No. 1057.

An Act to add Section 6.1 to the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1216) entitled "An act to define real estate brokers and real estate salesmen and providing for the licensing regulation and supervision of resident and nonresident real estate brokers and real estate salesmen and their business" by authorizing the issuance of limited real estate brokers' and salesmen's licenses exclusively within the limited field or branch of the real estate business applying to cemetery lots plots and mausoleum spaces or openings and conferring powers and imposing duties upon



the Department of Public Instruction and the State Real Estate Commission with respect to examination for and the issuance of such licenses

#### HOUSE BILL No. 1068.

An Act to further amend Section 2405 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of the State Normal School or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" by permitting delivery of unserviceable property to Superintendent of Public Instruction without charge for assignment to school districts

#### HOUSE BILL No. 1108.

An Act to repeal the act approved the sixth day of June one thousand nine hundred thirteen (P. L. 452) entitled "An act to amend an act 'Providing for the appointment of a board of visitation for institutions societies and associations caring for dependent neglected or delinquent children' approved the twenty-sixth day of February Anno Domini one thousand nine hundred and three and making it the duty of the board of visitation to visit all institutions within the county which receive their inmates from more than one county and are in whole or in part supported and managed by the Commonwealth and all institutions which are wholly supported and managed by any county city borough or township of the poor district of the Commonwealth and providing for the making of nominations of appointment on the boards of visitation"

#### HOUSE BILL No. 1346.

An Act to amend the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty of the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from exaction and judicial process and providing penalties" by clarifying certain provisions thereof and correcting grammatical and typographical errors therein

#### HOUSE BILL No. 1347.

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by making corrections and conforming certain provisions to existing practice

#### HOUSE BILL No. 1379.

An Act to authorize the revival of judgments entered in favor of the Commonwealth of Pennsylvania by filing a suggestion of nonpayment

#### HOUSE BILL No. 1380.

An Act to further amend the title and section of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2045) entitled as amended "An act relating to the support of indigent persons providing for the support of such persons by certain relatives and for the recovery of public moneys expended for care and assistance from the property and estates of such persons providing for guardians of the person and property of such persons providing for the arrest and seizure and sale of the property of deserters and providing procedure" by further defining the liability of property for expenses incurred for support maintenance assistance and burial

#### HOUSE BILL No. 1432.

An Act to further amend Section 1 of the act approved the eleventh day of July one thousand nine hundred twenty-three (P. L. 1032) entitled "An act providing for the abatement of nuisances caused by the improper grading or defective paving or encroaching fences in alleys in cities of the first class for the establishment of lines and grades for and the grading paving or repaving of said alleys and the grading of private alleys hereafter laid out and for apportioning the cost and for the filing of liens therefor" by giving property owners a longer period of time in which to abate nuisances

#### HOUSE BILL No. 1463.

An Act to repeal the act approved the twenty-sixth day of February one thousand nine hundred three (P. L. 8) entitled "An act providing for the appointment of boards of visitation for institutions societies and associations caring for dependent neglected and delinquent children"

#### HOUSE BILL No. 1470.

An Act to repeal the act approved the thirteenth day of April one thousand eight hundred sixty-eight (P. L. 1017) entitled "An act to provide for the collection of state county poor and military taxes in the county of Bedford" so far as it relates to Bedford County

#### HOUSE BILL No. 1476.

An Act to further amend Article III of the act approved the seventh day of March one thousand nine hundred one (P. L. 20) entitled "An act for the government of cities of the second class" by fixing maximum hours of service for patrolman and providing for compensation for extra services in emergencies

#### HOUSE BILL No. 1504.

An Act to amend the act approved the twenty-sixth day of May one thousand nine hundred forty-nine (P. L. 1828) duties of guardians committees trustees and other fiduciaries entitled "An act concerning the investment powers and aries except personal representatives and prescribing the nature and kind of investments which may be made and retained by such fiduciaries" by declaring the obligation of Redevelopment Authorities issued pursuant to the law of Pennsylvania to be legal investments for fiduciaries

#### HOUSE BILL No. 1512.

An Act relating to records of governmental departments or agencies or private businesses institutions professions or calling authorizing the reproduction or recording thereof by any photographic photostatic microfilm micro-card miniature photographic or other similar process pro-



viding for the admissibility of such reproductions in evidence and the disposition of the original records

#### HOUSE BILL No. 1535.

An Act to amend clauses (r) and (s) of subsection B of section four of the act approved the second day of May one thousand nine hundred forty-five (P. L. 382) entitled "An act providing for the incorporation as bodies corporate and politic of "Authorities" for municipalities counties and townships prescribing the rights powers and duties of such Authorities heretofore or hereafter incorporated authorizing such Authorities to acquire construct improve maintain and operate proects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such Authorities authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof and conferring exclusive jurisdiction on certain courts over rates" by clarifying and correcting the provisions of said clauses authorizing Authorities to charge the cost of sewer construction against properties benefited improved or accommodated thereby and providing for the enforcement of such charges

#### HOUSE BILL No. 1578.

An Act to further amend Section 4 of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1019) entitled "An act relating to statutory laws prescribing an enacting clause for statutes fixing the effective date and time of statutes hereafter enacted providing for notice of application for local and special legislation for the correction of errors in statutes and for the printing and publication of statutes prescribing rules for the interpretation of statutes defining certai words and phrases when used in statutes and proscribing rules for the construction and operation of amendments reenactments and repeals of statues' by changing the effective date of laws in certain cases

With information that the Senate has passed the same without amendment.

#### REPORT FROM COMMITTEE

Mr. McKINNEY from the Committee on Judiciary, reported as amended, Senate Bill No. 172, entitled:

An Act to amend the act approved the fourth day of June one thousand nine hundred forty-five (P. L. 1388) entitled "An act relating to the practice procedure regulations and adjudications of departments departmental administrative boards and commissions independent administrative boards and commissions officers and other administrative agencies of this Commonwealth and judicial review thereof and preserving equitable jurisdiction in certain cases" by redefining "regulation" changing provisions governing promulgation of regulations imposing duties on the Department of State requiring all appeals to be taken to the Superior Court and enumerating the agencies affected and the extent to which they are affected.

#### SENATE MESSAGE

#### AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

#### HOUSE BILL No. 1133.

An Act to further amend section five seven eleven and twenty-one and to add section twenty-one poin one to the act approved the sixth day of August one thousand nine

hundred forty-one (P. L. 861) entitled "An act to create a uniform and exclusive system for the administration of parole in this Commonwealth establishing the 'Pennsylvania Board of Parole' conferring and defining its jurisdiction duties powers and functions including the supervision of persons placed upon probation in certain designated cases providing for the method of appointment of its members regulating the appointment removal and discharge of its officers clerks and employes dividing the Commonwealth into administrative districts for purposes of parole fixing the salaries of members of the board and of certain other officers and employes thereof making violations of certain provisions of this act misdemeanors providing penalties therefor and for other cognate purposes and making an appropriation" by increasing the salaries of the chairman and the other members of the board increasing the ceiling on salaries of the secretary of the board and of district supervisors making the amount of such salaries subject to the determination of the board in conformity with the rules of the Executive Board and by further defining the jurisdiction duties powers and functions of the Pennsylvania Board of Parole

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the title, Page 2, line 8, by inserting after the word "appropriation" the words "by increasing the salaries of the chairman and the other members of the board"; page 2, line 10, by striking out after the word "board" the words "by removing" and inserting in lieu thereof the word "increasing"; page 2, line 13, by inserting after the second word "the" the words "board in conformity with the rules of the".

Amend Section 1, page 3, line 1, by striking out after the word "Section" the word "seven" and inserting in lieu thereof the word "five"; page 3, line 15, by striking out after the word "the" the words "twenty-seventh day of May" and inserting in lieu thereof the words "thirty day of July"; page 3, line 16, by striking out after the word "hundred" the words "forty-three" and inserting in lieu thereof the word "forty-seven"; page 3, line 17, by striking out after the figure "17" the figures "767" and inserting in lieu thereof the figure "1248".

Amend the bill, page 3, by inserting after line 17 the words "Section 5 the chairman of the board shall receive a salary of [eleven]"; page 3, line 19, by striking out after the word and brackets "[eleven]" the word "fourteen" and inserting in lieu thereof the words "twelve thousand five hundred dollars[(\$11,000)]"; page 3, line 20, by striking out after the figures in brackets "[(\$11,000)]" the figures in brackets "(\$14,000)" and inserting in lieu thereof the following "'(12,500) per annum and each of the other members of the board shall receive a salary of [ten]"; page 4, line 2, by striking out after the word in bracket "[ten]" the word "thirteen" and inserting in lieu thereof the words "eleven thousand five hundred dollars [(\$10,000)]"; page 4, line 4, by striking out the figures and brackets "(\$13,000)" and inserting in lieu thereof the figures and words "(11,500) per annum".

Amend the bill, Page 4, by inserting after line 4 the following

Section 2 section seven of said act as last amended by the act approved the twenty-seventh day of May one thousand nine hundred forty-three (P. L. 767) is hereby further amended to read as follows

Amend the bill, Page 4, line 15, by striking out the brackets before and after the word "board" and by after the word "board" the words "Executive Board"; page 4, line 16, by inserting after the word "determine" the words "in conformity with the rules of the executive board"; page 4, line 17, by striking out the bracket before the word "not"; page 4, line 18, by inserting after the second heavy bracket the word "six"; page 4, line 18, by striking out the bracket after the word "annum"; page 5, line



3, by striking out after the word "section" the figure "2" and inserting in lieu thereof the figure "3"; page 5, line 10, by striking out after the figure "10" the bracket; page 5, line 11, by inserting after the word and brackets "[six]" the word "seven"; page 5, line 14, by striking out the brackets before and after the word "board"; page 5, line 14, by striking out after the word "board" the words "Executive Board"; page 5, line 14, by inserting after the word "determine" the words "in conformity with the rules of the executive board".

Amend the bill, page 5, line 20, by striking out after the word "Section" the figure "3" and inserting in lieu thereof the figure "4".

Amend the bill, page 7, line 15, by striking out after the word "section" the figure "4" and inserting in lieu thereof the figure "5". Page 9, line 18, by inserting after the first word "the" the word "unexpired"; page 9, line 19, by striking out after the word "without" the word "commutation" and inserting in lieu thereof the word "credit".

Amend the bill, Page 10, line 7, by striking out after the word "section" the figure "5" and inserting in lieu thereof the figure "6".

Amend the bill, Page 10, line 9, by striking out after the word "Section" the figure "6" and inserting in lieu thereof the figure "7"; page 10, line 9, by inserting after the word "shall" the words "to the extent permitted by the constitution".

On the question,

Will the House concur on the amendments made by the Senate?

Mr. JOHNSON. Mr. Speaker, I request that the House concur in the amendments inserted by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—207

Amarando,	Goodling,	Marwell,
Andrews,	Graybill,	Mazza,
Banker,	Greenwood,	McConnell,
Barkdoll,	Greer,	McCormack,
Baumunk,	Guarnieri,	McCullough,
Bear,	Gutendorf,	McDermitt,
Beaver,	Guthrie,	McGee,
Beech,	Hagerty,	McInroy,
Berkstresser,	Hall,	McKinney,
Blair,	Hamilton, R. K.,	McMillen,
Blcom,	Hamilton, W. H.,	McNally,
Botes,	Harney,	Metz,
Bolton,	Haudenshield,	Mihm,
Bomberger,	Headlee,	Mikula,
Boorse,	Helm,	Miller, H. G.,
Bower,	Hersch,	Miller, J. C.,
Breisch,	Hewitt,	Mills,
Breth,	Hocker,	Mintess,
Brown,	Hoggard,	Monroe,
Bucchin,	Hunter,	Moore, C. E.,
Byrne,	Jenkins,	Moore, H. A.,
Cella,	Johnson,	Moran,
Clapper,	Jones, G. E.,	Muldowney,
Clendening,	Jones, J. M.,	Munley,
Cochran,	Jones, P. F.,	Murray,
Conway,	Jones, T. H. W.,	Musto,
Cooper,	Jump,	Najaka,
Corr,	Kamyk,	Naugle,
Costa,	Keller,	Needham,
Coyle,	Kent,	Olsen,
Dalrymple,	Kline,	Penglaase,
Davis,	Kohl,	Peta,
Dennison,	Kolankiewica,	Petrosky,
Dougherty,	Kornick,	Pettigrew,
Dowling,	Krats,	Praff,
DuBois,	Kubacki,	Pichney,
Duffy,	Lafore,	Pitzer,
Dunn,	Lederer,	Polaski,
Erb,	Lelsey,	Polen,
Ewing,	Leonard, L.,	Price, H. W. Jr.,
Fenrich,	Leonard, W. C.,	Price, R. A.,
Ferster,	Levan,	Readinger,
Flip,	Light,	Reagan,
Filo,	Limper,	Reese,
Firmstone,	Loftus,	Reidenbach,
		Royer,
		Rubln,
		Sarra,
		Sax,
		Scanlon,
		Schmidt,
		Schuster,
		Scott,
		Seyler,
		Shoemaker,
		Shotwell,
		Smith,
		Snider,
		Sollenberger,
		Spencer,
		Stank,
		Stammel,
		Stoner,
		Swartz,
		Swope,
		Tabl,
		Taylor,
		Thompson, E. F.,
		Thompson, R. L.,
		Toll,
		Tompkins,
		Toomey,
		VanSant,
		Varallo,
		Varnar,
		Verona,
		Wachhaus,
		Wargo,
		Waterhouse,
		Watkins,
		Weidner,
		Welsh,
		Wescott,
		Westrick,
		Whalley,
		Wheeler,
		White,
		Williams,
		Wilt,
		Wood,

Flack,  
Frost,  
Gaffney,  
Geer,  
Gibson,  
Gleason,  
Good,

Lopresti,  
Lovett,  
Lutty,  
Lyons,  
Madden,  
Madigan,  
Markley,

Reilly, J. M.,  
Rigby,  
Riley, R. L.,  
Robertson,  
Rose,  
Rosen,  
Rovanssek,

Yeakel,  
Yester,  
Yetzer,  
Young,  
Ziegler,  
Sorg,  
Speaker

#### NAYS—0

#### NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

#### BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

#### HOUSE BILL No. 1133.

An Act to further amend sections five seven eleven and twenty-one and to add section twenty-one point one to the act approved the sixth day of August one thousand nine hundred forty-one (P. L. 861) entitled "An act to create a uniform and exclusive system for the administration of parole in this Commonwealth establishing the 'Pennsylvania Board of Parole' conferring and defining its jurisdiction duties powers and functions including the supervision of persons placed upon probation in certain designated cases providing for the method of appointment of its members regulating the appointment removal and discharge of its officers clerks and employes dividing the Commonwealth into administrative districts for purposes of parole fixing the salaries of members of the board and of certain other officers and employes thereof making violations of certain provisions of this act misdemeanors providing penalties therefor and for other cognate purposes and making an appropriation" by increasing the salaries of the chairman and the other members of the board increasing the ceiling on salaries of the secretary of the board and of district supervisors making the amount of such salaries subject to the determination of the board in conformity with the rules of the Executive Board and by further defining the jurisdiction duties powers and functions of the Pennsylvania Board of Parole

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

#### RESOLUTIONS

#### RECALLING HOUSE BILL No. 900 FROM THE GOVERNOR

Mr. JOHNSON offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, August 20, 1951.

Resolved (if the Senate concur), that House Bill No. 900, Printer's No. 216, entitled "An act to further amend section one thousand and twenty-seven of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled 'An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing



duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds' by changing the requirements that certain vehicles stop at railway grade crossings," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

#### RECALLING HOUSE BILL No. 1294 FROM THE GOVERNOR

Mr. DENNISON offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, August 20, 1951.

Resolved (if the Senate concur), that House Bill No. 1294, Printer's No. 722, entitled "An act to amend the title of and the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1005) entitled 'An act relating to and regulating tractors and trailers and their operation providing for their registration and the licensing of certain operators by the Department of Revenue upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of tractors and trailers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns and townships within the Commonwealth liability for damages caused by the negligent operation of tractors and trailers imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds' by deleting from said act all provisions relating to operator operators' licenses and trailers and further providing for the equipment of tractors", be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

#### RECALLING HOUSE BILL No. 1324 FROM THE GOVERNOR

Mr. GREENWOOD offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, August 20, 1951.

Resolved (if the Senate concur), that House Bill No. 1324, Printer's No. 596, entitled "An act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled 'An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace

officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds' by changing the registration year for commercial motor vehicles motor buses motor omnibuses and trailers and certain exemptions in accordance therewith", be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

#### RECALLING HOUSE BILL No. 1348 FROM THE GOVERNOR

Mr. KENT offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, August 17, 1951.

Resolved (if the Senate concur), That House Bill No. 1348, Printer's No. 511, entitled "An Act to amend Section 1 of the act approved the eighth day of May one thousand nine hundred one (P. L. 150) entitled 'An act providing for the raising of revenue for State purposes by imposing upon certain foreign corporations limited partnership and joint-stock associations a bonus of one-third of one per centum upon the capital actually employed in Pennsylvania and requiring the filing of certain reports in the office of the Auditor General' by exempting from the provisions thereof foreign nonprofit corporations" be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

#### RECALLING HOUSE BILL No. 1404 FROM THE GOVERNOR

Mr. KELLER offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, August 20, 1951.

Resolved (if the Senate concur), That House Bill No. 1404, Printer's No. 685, entitled "An act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled 'An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto' by providing for the addition to the tax duplicates of school districts of the third and fourth class of properties occupied during the fiscal year of the school district in certain cases" be recalled from the Governor for the purpose of amendment and further consideration.

Ordered, That the Clerk present the same to the Senate for concurrence.

#### RESOLUTION

##### TIME OF NEXT MEETING

Mr. SMITH for the Committee on Rules offered a resolution which was read, considered and adopted as follows:

Resolved, That when the House of Representatives adjourns this week, it re-convene on Monday, Sept. 17, 1951 at 3:30 o'clock P. M., E.S.T., unless sooner re-convened at the call of the Speaker of the House of Representatives



and when the Senate adjourns this week, it re-convene on Monday, Sept. 17, 1951 at 2:00 o'clock P. M., E.S.T., unless sooner re-convened by the President Pro Tempore of the Senate.

Signed by the House Committee on Rules,  
CHARLES C. SMITH, Chairman.  
ALBERT W. JOHNSON,  
WILSON L. YEAKEL,  
ADAM T. BOWER,  
HERBERT P. SORG.

Ordered, That the Clerk present the same to the Senate for concurrence.

### BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 744, entitled:

An Act to amend Article VIII of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by requiring overhead exhaust outlets on diesel motor vehicles

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1401, entitled:

An Act to further amend subsection (a) of Section 722 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of the highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing

for refunds" by including the Civil Air Patrol among the organization exempt from payment of fees for vehicles used by such organization

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1626, entitled:

An Act to further amend the act approved the thirteenth day of May one thousand nine hundred twenty-five (P. L. 644) entitled "An act relating to and regulating the solicitation of moneys and property for charitable religious benevolent humane and patriotic purposes" by extending its provisions to additional activities agencies and purposes requiring accounting limiting administration costs and use of moneys collected and further regulating solicitation and exemptions

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1640, entitled:

An Act to amend subsection (b) of Section 1403 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by further providing for the compasion of the return board

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1641, entitled:

An Act to add Section 599-A to Article V subdivision (j) of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by authorizing the appointment of special school police and defining their powers and duties

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1648, entitled:

An Act to further amend the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by further regulating the date of the primary election



And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1660, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by requiring that logs carried on certain vehicles and trailers be securely fastened

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1664, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of the highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by further fixing fees for annual registration and chassis and maximum gross weights of certain commercial vehicles

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 494, entitled:

An Act to amend the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including

general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by providing a system for the nomination of candidates to fill certain vacancies in public offices occurring under conditions for which said election codes does not prescribe machinery.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 668, entitled:

An Act to designate the several judicial districts of the Commonwealth as required by the Constitution, and to provide for the election and commissioning of judges, learned in the law, for the said districts.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 738, entitled:

An Act to further amend subsection (g) of Section 1110 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violations of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by eliminating requirement that the form and arrangement of ballots labels on voting machines be approved by the Secretary of the Commonwealth.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

## BILL INTRODUCED AND REFERRED

By Messrs. COOPER and MIHM. HOUSE BILL No. 1680.

An Act to further amend the act, approved the fifth day of May, one thousand nine hundred eleven (P. L. 198), entitled "An act to establish a county court for the county of Allegheny and prescribing its powers and duties; regulating the procedure therein, and providing for the expenses thereof," by conferring exclusive jurisdiction on the county court of Allegheny County in cases of appeals from decisions of the collector of mercantile taxes imposed by political subdivisions within the territorial limits of its jurisdiction.

Referred to the Committee on Cities and County—Second Class.

## BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 28, entitled:

An Act to further amend section 703 of the act, ap-



proved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto," by changing the compensation paid to township commissioners.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 240, entitled:

An Act to amend section two thousand five hundred nine of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial school amending revising consolidating and changing the laws relating thereto" by increasing reimbursement on account of courses for handicapped children

The first section was read.

On the question,

Will the House agree to the section?

Mr. ANDREWS. Mr. Speaker, I would like to know what this bill in its present form will cost.

Mr. BEECH. Mr. Speaker, this bill merely increases the amount appropriated by the state to the various school districts for handicapped children.

Mr. ANDREWS. Mr. Speaker, I would like to know what the overall cost of the appropriations in the two categories would be?

Mr. BEECH. I cannot answer that, Mr. Speaker.

Mr. ANDREWS. Then I would suggest Mr. Speaker, that when the bill has passed second reading it be placed upon the postponed calendar until the gentleman can answer.

Mr. BEECH. That is O. K., Mr. Speaker.

On the question recurring,

Will the House agree to the section?

It was agreed to.

The second section and title were separately read and agreed to.

On the question,

Will the House agree to the bill on second reading?

Mr. SOLLENBERGER. Mr. Speaker, after this bill passes second reading it goes to the Committee on Appropriations.

Mr. ANDREWS. Mr. Speaker, I am of the opinion that there should be some definite information as to the size of the bill that we are sending to the Committee on Appropriations, so that we can have something with which to guide ourselves when the Committee reports as to how much it has cut the figures, what the figure is. So I would still suggest that until it is known what the bill in its present form would cost, we do not send it to the Committee on Appropriations.

Mr. SOLLENBERGER. Mr. Speaker, in reply to the gentleman from Cambria that was the agreement in the Committee on Education when it was put on the floor of the House. I am only living up to the agreement.

Mr. ANDREWS. Mr. Speaker, I would suggest that it is a bit unusual for such a diligent Committee to report to the House a bill without any idea as to the overall cost.

Irrespective of the Committee's wishes this House should know how much money it is asking the Appropriations Committee to appropriate. Are we standing by the \$150 figure, are we raising it from \$30 to \$400 per pupil without knowing what it is going to cost or how many pupils there are?

Mr. SOLLENBERGER. Mr. Speaker, it was in the minds of some of the Members that they work in conjunction with the Committee on Appropriations if there could be an amount arrived at so that the bill might be passed.

We do not have the exact amount of money. Under the bill, it will be a considerable sum. But there was a discussion, of course, as to trying to find a common ground upon which we might be able to procure money for this bill, for those districts that are doing a good work for the physically and mentally handicapped children.

Mr. ANDREWS. Mr. Speaker, is not the gentleman of the opinion that the Appropriations Committee needs the advice of the Committee on Education and that the Committee on Education in turn should take this House into its confidence as to whether it is proposing an expenditure of \$500,000, a million or a million and a half, or just \$300,000?

Mr. SOLLENBERGER. Mr. Speaker, I think I would agree with the gentleman that the House definitely should know the amount, and I am quite certain that we will have the amount that is estimated for this bill in this form, or possibly several amounts, that is, the costs proposed to be reduced by amendment. We will have that by the time we come back.

I think the gentleman is correct that the House should know the exact amount whether one hundred fifty, four hundred, seventy-five, or two hundred, or whatever amount is arrived at if the bill is to be passed.

Mr. ANDREWS. Mr. Speaker, upon what basis does the gentleman propose reaching a decision?

Mr. SOLLENBERGER. Mr. Speaker, by getting the data from the Department of Public Instruction. They have, of course, at the present time the number of physically and mentally handicapped children who are now being trained. They know the amount that it costs or has cost in the past biennium. Therefore, they will be able to give us in a short time the set amount that we might put in where it is now \$150 and \$400 in the bill.

Mr. ANDREWS. Mr. Speaker, I thank the gentleman.

I am again suggesting to the House that until the outlines of the Commonwealth's fiscal program have been determined, until there is some motion as to the amount of money the majority party intends making available, that the place for all bills of this kind is on the postponed calendar. We cannot establish priorities in proper sequence until we know how much money there is available. To send these bills to the Appropriations Committee when in all probability the Appropriations Committee does not know any more about the amount of money available than we do is simply the reverse of sensible legislative process.

On the question recurring,

Will the House agree to the bill on second reading?

It was agreed to.

Ordered, To be transcribed for third reading.

BILL POSTPONED

Mr. ANDREWS. Mr. Speaker, I again suggest and move,



even though mine be the only vote, that until we know more about how much money we have to spend, this bill be placed on the third reading postponed calendar

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 274, entitled:

An Act to further amend Section 1001 of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto," by increasing the compensation of the township auditors.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 862, entitled:

An Act to add Section 510.1 to the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing school directors of school districts in townships of the second class to appoint special school police and defining the power and duties of such police

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

## PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. EWING asked and obtained permission for the Committee on Cities and County—Second Class to meet during the session of the House.

## BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 967, entitled:

An Act to further amend the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by providing for disability leave with salary and hospital and medical expenses for employes of jails and workhouses in counties of the second class temporarily incapacitated in the performance of duties

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1350, entitled:

An Act to amend Section 2508 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consoli-

dating and changing the laws relating thereto" by providing for the allocation of funds to school districts for programs essential to mobilization or demobilization of civilian manpower

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1497, entitled:

An Act to amend the act approved the twelfth day of June one thousand nine hundred fifty-one (Act No. 141) entitled "An act relating to mental health including mental illness mental defect epilepsy and inebriety and amending revising consolidating and changing the laws relating thereto" by changing and adding definitions further providing for the licensing of private institutions the functions of various State institutions the procedure relating to the admission commitment transfer escape discharge leave of absence care rights and employment of patients and in certain cases the costs incident thereto and relating to the appointment of guardians of the person removing inoperative and unnecessary provisions making editorial changes and adding and changing penalties

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1546, entitled:

An Act to amend Section 504 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further regulating the operation and maintenance of cafeterias by boards of school directors

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1553, entitled:

An Act to further amend section twenty-seven of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 748) entitled as amended "An act relating to and regulating the purchase and sale of securities providing for the registration and regulation of certain individuals and entities selling contracting to sell or dispose of attempting or offering to dispose of soliciting offers to buy or inducing holders thereof to exchange securities defined herein including securities issued by them or engaging in the business of inducing holders of securities to effect the sale thereof in order to produce funds to pay for other investments sold by them or in the business of buying securities directly from individuals who are not registered hereunder or in the business of advising others as to the value or investment qualifications of securities and the management of investment accounts and the solicitors of such investment advisers providing for the revocation and suspension of registrations conferring powers and imposing duties on the Pennsylvania Securities Commission and otherwise providing for the administration of this act providing for appeals to the Court of Common Pleas of Dauphin County and to the Supreme Court of Pennsylvania conferring



jurisdiction upon the several courts of common pleas to issue injunctions against violations of this act and to appoint receivers and prescribing fees and penalties" by increasing the fees charged by the Pennsylvania Securities Commission

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1580, entitled:

An Act to further amend subsection (a) of Section 672 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by changing the time for the levy and assessment of school taxes in certain cases

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1581, entitled:

An Act to amend the act approved the eleventh day of May one thousand nine hundred five (P. L. 518) entitled "An act making an appropriation for the erection of a home or school for indigent orphans to be called the Thaddeus Stevens Industrial and Reform School of Pennsylvania in which school provisions shall be made for giving instruction in reading writing arithmetic drawing duets of citizenship elementary manual training the elements of farming and other requisite branches" by further providing for the course of instruction and the admission of students at such institution and authorizing certain tuition charges for its use

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1588, entitled:

An Act to further amend Section 672 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by increasing the limitation on tax rates which may be levied and assessed for school purposes in districts of the second third and fourth class

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1589, entitled:

An Act to further amend Section 9 of the act approved the fifth day of July one thousand nine hundred forty-seven (P. L. 1217) entitled "An act to promote the education and educational facilities of the people of the Commonwealth of Pennsylvania creating a State Public School Building Authority as a body corporate and politic with

power to construct improve and operate projects and to lease the same and to fix and collect fees rentals and charges for the use thereof authorizing school districts to enter into contracts to lease authorizing and regulating the issuance of bonds by said Authority and providing for the payment of such bonds and the rights of the holders thereof granting the right of eminent domain increasing the powers and duties of the Department of Public Instruction and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted under this act and making an appropriation to said Authority to pay expenses incident to its formation" by further providing for examination of the books and accounts of the Authority

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1599, entitled:

An Act providing for an expense allowance for members of the board of inspectors of the Berks County Prison

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1606, entitled:

An Act to further amend the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2681) entitled "An act relating to and regulating the manufacture storing and possession of explosives requiring permits for magazines and prescribing permit fees and providing penalties" by regulating the transportation of explosives requiring permits for blasting including prosecution by the Pennsylvania State Police and otherwise extending the regulation of explosives and increasing fees

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1607, entitled:

An Act providing for the marking of liquefied petroleum gas containers and prohibiting the refilling or use of such containers without authorization by the owner thereof authorizing the Department of Labor and Industry after public hearing to prescribe uniform regulations for safety in the design construction location installation and operation of equipment for storing handling transporting by tank truck or tank trailer and utilizing liquefied petroleum gases for fuel purposes and for the odorization of said gases used therewith prohibiting the adoption by municipalities or other political subdivisions of ordinances or regulations in conflict with this act providing for prosecutions for violations of this act by summary proceedings and prescribing the penalty therefor

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1637, entitled:



An Act to further amend sections two three and four of the act approved the eleventh day of June one thousand nine hundred thirty-five (P. L. 326) entitled "An act relating to counties of the first class defining deceased service persons providing for contributions by the county to the funeral expenses for such persons and their widows providing for the erection and care of markers headstones and flags and for the compilation of war records" by removing limitation regulating contributions made by county commissioners towards funeral expenses of deceased service persons and their widows

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1642, entitled:

An Act to further amend Sections 422 423 and 424 of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by removing limitation regulating contributions made by county commissioners towards funeral expenses of deceased service persons and their widows

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1643, entitled:

An Act fixing the fees and mileage of the coroner in counties of the sixth class

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 41, entitled:

A Supplement to the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by extending certain benefits heretofore granted to school employees entering the armed forces of the United States to certain other similarly qualified school employees

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 191, entitled:

An Act to further amend Section 671 of the act approved the tenth day of March one thousand nine hun-

dred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing the change of the fiscal year by districts of the second class.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

#### BILLS PASSED OVER

There being no objection,

Senate Bill No. 319, Printer's No. 217.

Senate Bill No. 653, Printer's No. 407.

Senate Bill No. 654, Printer's No. 449.

Senate Bill No. 655, Printer's No. 378.

Senate Bill No. 656, Printer's No. 405.

Senate Bill No. 675, Printer's No. 489.

Senate Bill No. 677, Printer's No. 491.

Senate Bill No. 678, Printer's No. 492.

Senate Bill No. 679, Printer's No. 478.

Senate Bill No. 680, Printer's No. 516.

Senate Bill No. 681, Printer's No. 494.

Senate Bill No. 682, Printer's No. 397 and

Senate Bill No. 688, Printer's No. 517,

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 723, entitled

An Act to amend section 3 of the act approved the fifteenth day of June one thousand nine hundred thirty-nine (P. L. 359) entitled "An act relating to recognizances and official bonds of present and future sheriffs and coroners and to their sureties thereon imposing the expense of corporate suretyships on such obligations upon the several counties and various duties upon the courts of common pleas and county officers thereof authorizing the substitution of approved surety companies for individual or corporate sureties upon such obligations and the release of any surety upon any such recognizance by such court upon certain conditions dispensing with sureties on such recognizances but providing for the acknowledgment recording and indexing of same as liens on certain real estate regulating such liens and releases therefrom providing for refunds to sheriffs and coroners of certain premiums paid to sureties on their official bonds and recognizances and repealing inconsistent laws except as to existing claims or pending suits thereunder subject to certain limitations" by fixing the time the lien of such recognizances shall run including those heretofore executed

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

#### BILL PASSED OVER

There being no objection,

Senate Bill No. 729, Printer's No. 402,  
was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 771, entitled

An Act to further amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private



and parochial schools amending revising consolidating and changing the laws relating thereto" by empowering the board of school directors in every school district to insure all of its employees against liability for personal damages sustained by pupils or other as the result of the employees' negligence in the performance of his or her duties during the course of his or her employment

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 801, entitled

An Act to further amend the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by permitting employees to make up back payments to the retirement system from the time they enter school service and securing to such employees the full benefits of the retirement system from the time they enter school service

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 808, entitled

An Act to further amend Section 1201 of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" by further providing for the sale of borough property

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

### FORMER MEMBER WELCOMED

The SPEAKER. The Chair is pleased to welcome a former Member of the House, the gentleman from York, Honorable Clayton E. Moul.

### BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 390, as follows:

An Act requiring all buildings under the construction or alteration which are to be five stories or more in height to be equipped with an elevator for the use of building construction workmen imposing certain Duties upon the Department of Labor and Industry and providing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Elevators required for buildings under construction or alteration After the effective date of this act shall be unlawful for any person to undertake the con-

struction or alteration of a building which shall upon completion be five stores or more in height unless in connection with the construction of said building such person shall erect for the use of the building construction workers employed in connection with the construction of such building an elevator of such kind and character as may be necessary for the transportation of workmen and materials in accordance with the regulations of the Department of Labor and Industry for elevators escalators dumbwaiters and hoists

Section 2 Definition Person shall mean any natural person corporation partnership or association

Section 3 Enforcement It shall be the duty of the Department of Labor and Industry to enforce the provisions of this act

Section 4 Procedure in Prosecutions Prosecutions for violations of the provisions of this act or the rules and regulations of the department may be instituted by the department and shall be in the form of summary proceedings before an alderman magistrate or justice of the peace upon conviction after a hearing the penalties hereinafter provided for shall be imposed and shall be final unless an appeal be taken to a court of proper jurisdiction in the manner prescribed by law

Section 5 Penalties Any person who shall violate any of the provisions of this act or the rules and regulations of the department as herein provided for shall for the first offense be penalized by a fine of not more than one hundred dollars and costs and upon nonpayment thereof imprisonment in the county jail for not more than ten days and for each subsequent offense shall be penalized by a fine of not more than two hundred dollars and costs and upon nonpayment thereof imprisonment in the county jail for not more than thirty days

All fines collected under this act shall be forwarded to the Department of Labor and Industry who shall transmit the same to the State Treasury through the Department of Revenue

Section 6 Effective Date The provisions of this act shall become effective immediately upon final enactment.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

### YEAS—135

Andrews,	Headlee,	Mills,	Smith,
Banker,	Hewitt,	Mintess,	Snider,
Beaver,	Hocker,	Monroe,	Sollenberger,
Berkstresser,	Johnson,	Moore, C. E.,	Spencer,
Bomberger,	James, G. E.,	Moore, H. A.,	Stank,
Brelsach,	James, J. M.,	Moran,	Stimmel,
Breth,	James, P. F.,	Muldowney,	Stoner,
Buechlin,	James, T. H. W.,	Munley,	Swarts,
Burne,	Kamyk,	Murray,	Swope,
Clapper,	Keller,	Musto,	Tahl,
Cochran,	Kline,	Najaka,	Taylor,
Costa,	Kohl,	Penglam,	Thompson, R. F.,
Dalrymple,	Kolankiewica,	Peta,	Toll,
Dougherty,	Krats,	Petrosky,	Tompkins,
Dowling,	Leonard, L.,	Pettigrew,	Toomey,
Duffy,	Leven,	Pichney,	VanSant,
Duma,	Light,	Polaski,	Varallo,
Erb,	Limper,	Polen,	Verner,
Fenrich,	Lopresti,	Price, H. W. Jr.,	Wachhaus,
Ferster,	Lovett,	Readinger,	Wargo,
Filip,	Lutty,	Reese,	Waterhouse,
Filo,	Lyons,	Reidenbach,	Watkins,
Firmstone,	Madden,	Riley, R. L.,	Weidner,
Frost,	Markley,	Rose,	Welsh,
Gaffney,	Mama,	Rovansek,	Westrick,
	McCormack,	Royer,	Wheeler,
	McCullough,	Rubin,	White,
Gleason,	McDermitt,	Sarrat,	Williams,
Goodling,	Melnroy,	Schmidt,	Yeakel,
	Metz,	Scott,	Yester,
Greer,	Mihm,	Seyler,	Young,
Gutendorf,	Mikula,	Shoemaker,	Ziegler,
	Miller, H. G.,	Shotwell,	Sorg,
Hamilton, R. E.,	Miller, J. C.,		Speaker
Hamilton, W. H.,			



## NAYS—25

Barkdoll,	Cooper,	Haudenshield,	Naugle,
Baumunk,	Davis,	Lafore,	Robertson,
Bear,	DuBois,	Lelsey,	Thompson, R. L.
Beech,	Ewing,	Madigan,	Wescott,
Bolton,	Flack,	McConnell,	Wilt,
Boorse,	Greenwood,	McKinney,	Wood,
Clendenning,			

## NOT VOTING—47

Amarando,	Good,	Kornick,	Pitzer,
Blair,	Guarnieri,	Kubacki,	Price, R. A.
Bloom,	Guthrie,	Lederer,	Reagan,
Boles,	Hall,	Leonard, W. C.,	Relly, J. M.,
Bower,	Harney,	Loftus,	Rigby,
Brown,	Helm,	Maxwell,	Rosen,
Cella,	Hersch,	McGee,	Scanlon,
Conway,	Hoggard,	McMillen,	Schuster,
Corr,	Hunter,	McNally,	Verona,
Coyle,	Jenkins,	Needham,	Whalley,
Dennison,	Jump,	Olsen,	Yetzer,
Geer,	Kent,	Pfaff,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative,

Ordered, That the Clerk present the same to the Senate for concurrence,

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1557, as follows:

An Act to amend clause (h) of Section 9 of the act approved the twenty-fourth day of May one thousand nine hundred forty-five (P. L. 991) entitled "An act to promote elimination of blighted areas and supply sanitary housing in areas throughout the Commonwealth by declaring acquisition sound replanning and redevelopment of such areas to be for the promotion of health safety convenience and welfare creating public bodies corporate and politic to be known as Redevelopment Authorities authorizing them to engage in the elimination of blighted areas and to plan and contract with private corporate or governmental redevelopers for their redevelopment for the organization of such authorities defining and providing for the exercise of their powers and duties including the acquisition of property by purchase gift or eminent domain the leasing and selling of property including borrowing money issuing bonds and other obligations and giving security therefor restricting the interest of members and employes of authorities providing for notice and hearing supplying certain mandatory provisions to be inserted in contracts with redevelopers prescribing the remedies of obligees of redevelopment authorities conferring certain duties upon local planning commissions the governing bodies of cities and counties and on certain State officers boards and departments" by clarifying the provisions of said section with respect to the power of Redevelopment Authorities to purchase real property

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (h) of Section 9 of the act approved the twenty-fourth day of May one thousand nine hundred forty-five (P. L. 991) entitled "An act to promote elimination of blighted areas and supply sanitary housing in areas throughout the Commonwealth by declaring acquisition sound replanning and redevelopment of such areas to be for the promotion of health safety convenience and welfare creating public bodies corporate and politic to be known as Redevelopment Authorities authorizing them to engage in the elimination of blighted areas and to plan and contract with private corporate or governmental redevelopers for their redevelopment providing for the organization of such authorities defining and providing for the exercise of their powers and duties including the acquisition of property by purchase gift or eminent do-

main the leasing and selling of property including borrowing money issuing bonds and other obligations and giving security therefor restricting the interest of members and employes of authorities providing for notice and hearing supplying certain mandatory provisions to be inserted in contracts with redevelopers prescribing the remedies of obligees of redevelopment authorities conferring certain duties upon local planning commissions the governing bodies of cities and counties and on certain State officers boards and departments" is hereby amended to read as follows

Section 9 Powers of an Authority An Authority shall constitute a public body corporate and politic exercising public powers of the Commonwealth as an agency thereof which powers shall include all powers necessary or appropriate to carry out and effectuate the purposes and provisions of this act including the following powers in addition to those herein otherwise granted

(h) To assemble purchase obtain options upon acquire by gift grant bequest devise or otherwise any real or personal property or any interest therein from any person firm corporation municipality or government Provided That no real property located outside of a redevelopment area which is not necessary to the corporate purposes of the Authority nor necessary to the successful redevelopment of a redevelopment project shall be purchased by the Authority

Section 2 The provisions of this act shall become effective immediately upon final enactment

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—204

Amarando,	Goodling,	Maxwell,	Rovansek,
Andrews,	Graybill,	Mazza,	Royer,
Banker,	Greenwood,	McConnell,	Rubin,
Barkdoll,	Greer,	McCormack,	Sarra,
Baumunk,	Guarnieri,	McCullough,	Sax,
Bear,	Gutendorf,	McDermitt,	Scanlon,
Beaver,	Guthrie,	McGee,	Schmidt,
Blair,	Hagerty,	Melnroy,	Schuster,
Beech,	Hall,	McKinney,	Scott,
Bloom,	Hamilton, W. H.,	McMillen,	Shoemaker,
Boles,	Harney,	McNally,	Shotwell,
Bolton,	Haudenshield,	Metz,	Smith,
Bomberger,	Headlee,	Mihm,	Snider,
Boorse,	Helm,	Mikula,	Sollenberger,
Bower,	Hersch,	Miller, H. G.,	Spencer,
Brelach,	Hewitt,	Miller, J. C.,	Stank,
Breth,	Hocker,	Mills,	Stimmel,
Brown,	Hoggard,	Mintow,	Stoner,
Buchlin,	Hunter,	Monroe,	Swartz,
Byrne,	Jenkins,	Moore, C. E.,	Swope,
Cella,	Johnson,	Moore, H. A.,	Tahl,
Clapper,	Jones, G. E.,	Moran,	Taylor,
Clendenning,	Jones, J. M.,	Muldowney,	Thompson, R. F.,
Cochran,	Jones, P. F.,	Munley,	Thompson, R. L.,
Conway,	Jones, T. H. W.,	Murray,	Toll,
Cooper,	Jump,	Musto,	Tompkins,
Corr,	Kamyk,	Najaka,	Toomey,
Costa,	Keller,	Naugle,	VanSant,
Coyle,	Kent,	Needham,	Varallo,
Dalrymple,	Kline,	Olsen,	Varner,
Davis,	Kohl,	Penglase,	Verona,
Dennison,	Kolankiewicz,	Peta,	Wachhaus,
Dougherty,	Kornick,	Petrosky,	Wargo,
Dowling,	Krats,	Pettigrew,	Waterhouse,
DuBois,	Kubacki,	Pfaff,	Watkins,
Duffy,	Lafore,	Pichney,	Weidner,
Dunn,	Lederer,	Pitzer,	Welsh,
Erb,	Lelsey,	Polaski,	Wescott,
Ewing,	Leonard, L.,	Polen,	Westrick,
Fenrich,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley,
Fenster,	Lev n.	Price, R. A.,	Wheeler,
Filip,	Light,	Readinger,	White,
Filo,	Limper,	Reagan,	Williams,
Firmstone,	Loftus,	Reese,	Wilt,



Flack,	Lopresti,	Reidenbach,	Wood,
Prost,	Lovett,	Reilly, J. M.,	Yeakel,
Gaffney,	Lutty,	Rigby,	Yester,
Geer,	Lyons,	Riley, R. L.,	Yetzer,
Gibson,	Madden,	Robertson,	Young,
Gleason,	Madigan,	Rose,	Ziegler,
Good,	Markley,	Rosen,	Borg,
			Speaker

NAYS—3

Berkstreaser, Hamilton, R. K., Seyler.

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,  
The House proceeded to the consideration on final passage of House Bill No. 1567, entitled:

An Act to amend subsection (b) of Section 672 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing financially handicapped or distressed school districts to levy additional taxes with certain limitations

On the question,  
Shall the bill pass finally?

RECONSIDERATION OF VOTE

Mr. WOOD. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

Mr. ANDREWS. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Lancaster Mr. Wood vote on the final passage of this bill?

Mr. WOOD. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Cambria Mr. Andrews vote on the final passage of this bill?

Mr. ANDREWS. Mr. Speaker, I voted in the majority.

On the question,  
Will the House agree to the motion?  
It was agreed to.

On the question recurring,  
Will the House agree to the bill on third reading?  
Mr. WOOD. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.  
The Clerk read the amendments as follows:

Amend Sec. 1, page 2, line 1, by striking out the figure "6872" and inserting in lieu thereof "672".

Amend Sec. 1, page 2, lines 7, 8 and 9, by striking out "and the act approved" in line 7 of all of lines 8 and 9.

Amend Sec. 1, (Sec. 672), page 2, line 11, by striking out all of said line and inserting in lieu thereof "(b) Boards of school directors of school districts".

Amend Sec. 1, (Sec. 672), page 3, line 12, by striking out the part word "superin-" and inserting in lieu thereof "Superin-".

Amend Sec. 1, (Sec. 672), page 4, lines 4 to 19 inclusive by inserting underscoring under the words in all of said lines.

Amend Sec. 1, (Sec. 672), page 5, lines 1 to 8 inclusive by inserting underscoring the words in all of said lines.

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,  
Will the House agree to the amendments?  
They were agreed to.

On the question,  
Will the House agree to the bill on third reading as amended?

It was agreed to.  
Ordered, That the bill as amended lie over for printing.

BILLS ON THIRD READING

BILLS PASSED OVER

There being no objection  
House Bill No. 488, Printer's No. 476  
House Bill No. 1566, Printer's No. 767  
House Bill No. 1597, Printer's No. 813  
House Bill No. 1644, Printer's No. 872  
House Bill No. 1647, Printer's No. 873  
Senate Bill No. 708, Printer's No. 338 and  
Senate Bill No. 752, Prniter's No. 485  
were passed over at the request of the SPEAKER.

Agreeably to order,  
The House proceeded to the third reading and consideration of House Bill No. 1644, as follows:

An Act declaring the Communist Party and similar revolutionary organizations illegal making membership in the Communist Party or any organization furthering the revolutionary conspiracy by force and violence a felony and providing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Upon evidence which has been presented and proof which has already been established before the Congress of the United States the federal courts of the United States the courts of the Commonwealth of Pennsylvania and the General Assembly of the Commonwealth of Pennsylvania there exists an international revolutionary Communist conspiracy which is committed to the overthrow by force and violence of the government of the United States and of the several states including that of the Commonwealth of Pennsylvania such conspiracy including the Communist Party of the United States its local components in Pennsylvania and the members thereof

The Communist Party of the United States in Pennsylvania and all other organizations no matter under what name committed to the overthrow of Federal and State governments by force and violence are hereby declared illegal and not entitled to any of the rights privileges and immunities attendant upon legal bodies created under the jurisdiction of the Commonwealth of Pennsylvania or any political subdivision thereof and whatever rights privileges and immunities heretofore granted to sad party and other organizations with the same revolutionary purposes by the Commonwealth of Pennsylvania the same are hereby terminated

Whoever therefore being a member of the Communist Party of the United States or any other organization no matter how named committed to the overthrow of the Federal and State governments by force and violence or whoever participates in the activities of the Communist Party or any other organization with the same revolutionary purposes knowing the revolutionary purposes thereof or whoever knowingly conspires aids or abets any person or organization whose activities further the purpose of the Communist Party or any other revolutionary organization to bring about a revolution by force and violence within the Commonwealth is guilty of a felony



and upon conviction thereof shall be sentenced to imprisonment for not exceeding twenty (20) years or fined not exceeding ten thousand dollars (\$10,000) or both

Any and all personal real property or funds employed in the advancement of the Communist revolutionary movement by force and violence in Pennsylvania by any such Communist or other revolutionary organization is hereby declared to be contraband and forfeit to the Commonwealth of Pennsylvania

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. SEYLER. Mr. Speaker, there was a famous old French philosopher who was accounted one of the great libertarians of history who once made a statement which went something like this: 'I disagree with everything you say but I'll fight to the death for your right to say it.'

This I believe used to be a part of the American doctrine and I hope it still is, because I find myself somewhat in the position of the great philosopher today.

I venture to debate this bill, not so much in the hope of defeating it in the present state of affairs, and not because I look upon it as a means of political popularity, because I realize it gives an opportunity to anyone who wants to throw some mud or a stone to do so.

I would like to say that I am opposed to Communism and the Communists. I have no sympathy for them nor for any other ism—Nazism, Facism or any other ism which is totalitarian or authoritarian. I am against these precisely because they deprive man of his freedom and make him a creature of the state. In other words, I have a great desire to defend political democracy, the democratic way of life and the American way of life, and in that I believe my motives are similar to the sponsors of this bill.

However, it is possible to differ as to method. I hope that the democratic way of life will always remain the American way of life. I hope that the basic freedoms which democracy stands for—freedom of speech, freedom of press, freedom of association, freedom of religion and so on will always continue to be a part of the democratic way of life and the American way of life.

I disagree with the sponsors of this bill in method. I believe that to defend democracy it is necessary to use democratic means. I do not believe that it is possible to defend democratic ends by using un-democratic and un-American means. Freedom to me is a weapon—a weapon that should be used to preserve democracy and has been used for that purpose through our history. We have been made a strong, united nation, not because we were afraid to trust to freedom, but precisely because we used it as a weapon of our unity and integrity.

What Justice Holmes called "the free market of ideas" has prevailed in America, and we have always had the basic conviction that if there is freedom for any way of thought to make itself heard, democracy will win. I hope we have not lost that basic belief, because to me it is the basic underlying faith of democracy.

Dangerous error such as Communism is cannot be defeated by suppression. New ideas cannot be defeated by suppression, but rather by the free clash of ideas, by giving them an opportunity to be heard. I believe that

the American people are an intelligent people; they are an educated people. They do not spring from a background which is foreign to democracy, but they have a background of long experience in democracy. The American people are not push-overs to autocratic or authoritarian ideas. They will never be deceived by the error of Communism as long as the "free market of ideas" of which Justice Holmes spoke continues to exist. It is precisely because I believe this bill infringes upon that "free market of ideas" that I oppose it.

Now, totalitarian methods are much different. They believe in suppression of unpopular ideas. They do not exist on the basis or the belief that liberty is a weapon. Where their party has been made illegal—although they were illegal in Nazi Germany—one party was legal and the rest were illegal. They were illegal in Mussolini's Italy and they are illegal today in the Soviet Union.

I know there are some people who say: "Why should we grant democracy to people who stand for a system which does not have democracy?" And I say, that is precisely the difference between Russia and America, and I want to keep it that way. If we are different in allowing freedom for people who disagree with our ideas, then I say that is the very basis of democracy. If we want to make this country like Russia, then I am opposed to it. And because I believe this bill makes a start in that direction I must in all conscience oppose this bill.

Now the Germans began—to go back in history to the story of Nazi Germany—with the Communist party precisely as this bill does. But I ask you, did they stop there? History shows that they did not. Soon that was not the only organization that was proscribed. It soon came about that labor unions were also subversive. It also came about that various religious groups were subversive, and they finally got to the point that Jehovah's Witnesses and Christian Scientists were ruled out—not as religions, but as organizations which were dangerous to the state.

There is a road, gentlemen, that Americans cannot afford to start on. Just because I believe this bill takes the first step along that road, I must oppose this bill.

Some will say that Communism is not just a political party—it is a conspiracy; the Communists are a bunch of traitors. I am not going to argue against that point. However, we have laws in our country which guard us against the action of traitors. We have laws against treason—it is a capital crime. We have laws against conspiracy, and Communists are being convicted every day on the basis of the laws of treason and the laws against conspiracy.

I do not pretend to be an expert on Communism and Communists. Perhaps the sponsors of this bill are—I do not know. But I think that if there is one man in America who can be said to be an expert on Communism and Communist activities it is J. Edgar Hoover, the head of the Federal Bureau of Investigation. I believe that the Federal Bureau of Investigation is doing a job. I am informed that Mr. J. Edgar Hoover on the matter of suppressing, or making illegal the Communist party, is opposed. And I can see reasons why he would be because there is no doubt that the result of a bill making the Communist party illegal will drive the Communists underground. It will make it impossible to combat Communism



in the present efficient manner the FBI is doing if it is made into an underground movement.

Ask yourself the question: will the Communist be more easily found, be more easy to combat? Will we be more able to fight against the Communist idea and prevent the growth of sympathizers or members if we drive them out of existence legally and condemn them to a course of underground action? Apparently this is not the opinion of the Federal Bureau of Investigation and of the Attorney General's Office of the United States because so far they have resisted and opposed all efforts at the legal suppression of the Communist party, and instead have proceeded on the basis of prosecuting individuals and groups within the Communist party who are guilty either of traitorous acts or of conspiracy. I say our FBI is doing a good job. I have no desire to hamper them. I want to help them.

Let us say that Communism is a danger. Let us all agree to that. But it is also a danger that the working people recognize. Labor recognizes it and has gone about the job of getting rid of Communism in their organizations very effectively. So let us say that Communism is a danger, but it is a danger that the American people know, and there is no danger, to my mind, that the American people are going to be fooled or misled by the Communists. I believe the American population is helping. It knows what it wants, it knows the democratic system, it knows its virtues and it is not going to yield to inferior systems.

On the other hand, let us also recognize that there is a danger in the destruction of American liberties. There is also a danger in the loss of national unity. There is also danger in the spread of the present wave of fear and hysteria and suspicion which is now sweeping across our nation.

There are two dangers to America. An external danger and that is being taken care of in a military way, I think very effectively, although many people may disagree with me on that. But to me that is an external danger with a military solution.

There is also an internal danger; there are a number of internal dangers. The two real dangers to my mind to the American way of life are first of all the possibility of an economic depression, because we know that it was in the depth of depression, when the American system was disorganized, that things began to look pretty hopeless and Communism flourished. More Communists voted in this country in 1932 than in any other election. Since that time the communist party has entirely disappeared from the ballot—at least so far as national elections are concerned. But if there should be a terrible economic depression where people are in want and in need, they begin to doubt the principles under which their government is run. Then I say we would be in danger—in internal danger.

The other possibility is the loss of liberty, and if the time ever comes when freedom of speech, freedom of press, freedom of association, freedom to assemble—when those great freedoms are taken away—then our country is in danger, because that is the road to dictatorship.

There is a possibility that in passing such measures as this which infringe upon the basic civil liberties of the citizen there may be a loss of the very democracy for which

we are battling. It may be that a loss of confidence in our way of life would be the result, because after all, our strength—the strength of America does not only exist in armies, in weapons—great as they may be; but it exists in ideas—ideas for which people are willing to fight. Democracy will win that battle provided we ourselves do not destroy it in the throes of fear and panic.

Let us assume that there is a problem in our nation. Let us say there is a disease which needs to be met. In a disease there are various doctors to whom you can go and some people prefer the doctors from abroad—the big foreign names. In this matter of internal strength there have been some foreign doctors, Dr. Hitler, Dr. Mussolini and Dr. Stalin. We know what their prescription is—suppression of liberties—that is their way to national security. It is impossible to be an anti-Communist in Russia. You relate that the Communist party is suppressed. It would be possible for me to quote passages from "Mein Kampf" or the writings of Stalin or the writings of Mussolini which belabors this point.

However, there are also American doctors—Benjamin Franklin, Thomas Jefferson, Abraham Lincoln, Justice Holmes and others. Their prescription for national security has been freedom—free market of ideas—let all the ideas be heard; the people will choose those which are best.

Benjamin Franklin said:

They that give up essential liberty to gain a little temporary safety deserve neither liberty nor safety.

Thomas Jefferson said:

If there be any among us who wish to dissolve this Union or to change its republican form, let them stand undisturbed as monuments of the safety with which error of opinion may be tolerated, where reason is left free to combat it. I know indeed that some honest men have feared the republican government cannot be strong; that this government is not strong enough. But would the honest patriot, in the full tide of successful experiment, abandon a government which has so far kept us free and firm on the theoretical and visionary fear that this government—the world's best hope, may, by possibility want energy preserve itself? I trust not. I believe this, on the contrary, the strongest government on earth.

Abraham Lincoln said:

I fear you do not fully comprehend the danger of abridging the liberties of the people. A government had better go to the very extreme of toleration than to do aught that can be construed into an interference with or to jeopardize in any degree the common rights of the citizen.

Chief Justice Holmes said:

But when men have realized that time has upset many fighting faiths, they may come to believe even more than they believe the very foundations of their own conduct that the ultimate good desired is better reached by free trade in ideas—that the best test of truth is the power of the thought to get itself accepted in the competition of the market, and that the truth is the only ground upon which their wishes can safely be carried out. That at any rate is the theory of our Constitution. It is an experiment, as all life is an experiment. Every year, if not every day we have to wager our salvation upon some prophecy based upon imperfect knowledge. While that experiment is part of our system I think that we should be externally vigilant against attempts to check the ex-



pression of opinions that we loath and believe to be fraught with death, unless they so imminently threaten immediate interference with the lawful and pressing purposes of the law that an immediate check is required to save the country. Only the emergency that makes it immediately dangerous to leave the correction of evil counsels to time warrants making an exception to the sweeping command, "Congress shall make no law abridging the freedom of speech."

Alfred E. Smith said:

Our faith in American democracy is confirmed not only by its results, but by its methods and organs of free expression. They are the safeguards against revolution. To discard the methods of representative government leads to the misdeeds of the very extremists we denounce . . . and serves to increase the number of the enemies of orderly free government.

One of the great students of this problem in America is Zechariah Chafee, Jr., Professor of Harvard University, who says the following:

The only way to preserve the existence of free American institutions is to make free institutions a living force. To ignore them in the very process of purporting to defend them, as frightened men now urge, will leave us little worth defending. We must choose, and choose very soon, between freedom and fear . . . we cannot have both. If the citizens of the United States persist much longer in being afraid, the real rulers of this country will be fanatics fired with a zeal to save grown men objectionable ideas by putting them under the care of official nursemaids. Freedom is not safety, but opportunity.

Just a few days ago Harry S. Truman, speaking appropriately at the American Legion Building dedication in Washington, said the following:

The keystone of our form of Government is the liberty of the individual. The Bill of Rights, which protects their individual liberties, is the most fundamental part of the constitution. Real Americanism means that we will protect freedom of speech—we will defend the right of the people to say what they think, regardless of how much we disagree with them. But Americanism—is being undermined by some people in this country loudly proclaiming they are its chief defenders. These people claim to be against communism. But they are chipping away our basic freedoms just as insidiously and far more effectively than the communists have ever been able to do.

Senator Borah, just before he died, had this to say.

The safeguards of our liberty are not so much in danger from those who openly oppose them, as from those who, professing to believe in them, are willing to ignore them when found inconvenient for their purposes; the former we can deal with but the latter, professing loyalty, either by precept or example, undermine the very first principles of our government and are far more dangerous."

These are the prescriptions offered by the democratic doctors, the good American doctors. Now Members, you can make your choice, you can listen to the foreign doctors, Doctor Hitler, Mussolini and Stalin. Their ideas have been tried, and to my mind they have not been very successful in achieving national security.

Or you can listen to the American Doctors, Franklin, Jefferson, Lincoln, Justice Holmes. For my part there is no choice. I am going to stick by the American way, and if Communism is a danger to be combatted, I want to fight it by American means. I believe that liberty is the

greatest weapon for the preservation of America. And I am going to stand by it.

Remember it is bigger than the problem of the Commonwealth of Pennsylvania, it is bigger even to my mind than the problem of America. The problem is the survival of democracy in this world.

I hope that the words of the poet will never be applied to America when the poet said,

"Your countrymen who might have hurled  
Their freedom like a brand  
Have cupped it to a candle spaker  
In a frightened hand."

Mr. LOUIS LEONARD. Mr. Speaker, I have no argument with the statement made by my good friend, Mr. Seyler, from York County. It is history that he quoted, and we all are more or less familiar with it.

I am going to support this bill, based on my actual experience in life as a representative of the American labor movement. I want to repeat that, as a representative of the American labor movement when you really had to stand up and be counted if you wanted to exercise the privileges that were guaranteed to the citizens of this country under the Constitution.

That condition has all been eliminated since 1933, and today the American working man is enjoying those privileges without interference from anyone.

Since 1890, then known as the IWW and later as the Bolsheviks; then came the Communists, all played the same game. Their aim was to take over and control the labor movement, and if they could not do that, break it up so they would not have any union at all.

They cooperated with the company against the union representative in trying to help and set up an organization for the protection of the workers in those days. At every turn the Communist was always against the principles that we believe in, the American principle.

You do not have two names for an office on the Russian ballot, everybody knows that. If anybody comes around and tries to tear the house down I am going to try to exterminate him, and I consider that to be our responsibility here, to exterminate these traitors to this country of ours. We are the people that made this country, good old fashioned hard working people who made it possible for us to be here today as free Americans. I do not believe in standing by and allowing these people to come in and befuddle the minds of the man who is more or less just existing in his job and is not able to keep up with what is going on from the public standpoint. That is about the only man he can reach at any stage of the game.

If we pass this bill and as one of these gentlemen says, instead he goes underground, that may be, but he has to come to some of us to gain ground. He cannot go any place standing by himself, so we as good Americans under this bill will see that that bird is put where he belongs.

I still contend that it is our responsibility to defend against it. What is this country doing today? Spending billions of dollars anticipating an attack from the Communists—we do not know what they are going to do; we cannot do anything across the conference table with them. Today we are trying to deal with them in Korea. Every day it is the same old song, over and over, you



cannot do business with the Communist people. They believe in rule and follow the rule.

What are they doing with our newspapermen over in Czechoslovakia? They will not even let our Ambassador have a talk with him. And we stand here and quibble over a bill that is going to retaliate on that kind of an action? Not me; I am not hesitating a bit.

I do not want to take any more time of this Assembly but I am speaking not only on what I have heard today; I am speaking from the standpoint of my experience as a representative of organized labor.

I am going to vote for the bill.

Mr. TOMPKINS. Mr. Speaker, we are discussing House Bill 1644 which is a bill to outlaw the Communist party or any other party which seeks to overthrow the government of the United States by force and violence.

We have heard considerable debate in connection with the subject of ideas. This bill is not outlawing any man's right to stand up and say what he thinks. This bill is not outlawing any man's right to express his ideas. This bill is not outlawing any organization which, by peaceful means, might want to change the form of government under which we live.

But there is abroad in the land, and there has been abroad in the land for better than twenty years, an organization which has very subtly, has very determinedly, has very craftily and I might say by means of lies, propaganda, untruths, misstatements, distortions, terror, victimizing innocent people and what have you, to try and throw fear into the government of this nation, to overthrow it by means of force and violence.

This government of this United States and of the state of Pennsylvania was founded upon the principle that we welcome the distressed but we do not want the distrustful. We welcome with open arms those who need help, but we do not want any part of those who are seeking us out for the purpose of tearing us down. They are in our midst. They are working hard at that job. They have been working like termites on the pillar of a porch until eventually you see that pillar begin to rot and drop away.

I say to you that if the Communists are not good enough for the labor unions, they are not good enough for Pennsylvania and are not good enough for America and the quicker we put them in a position where they cannot do us harm the better off we are going to be.

We have no argument with those who want to proceed with the orderly process of government, no. But we have staring us in the face those who do not care to proceed with the orderly processes of government. And as I understand the American way, for the orderly processes of government, you do it out in the open and you do not have to do it in small cells; that you do it by truthful means and not by lies; that you do it open and above board with your neighbors and not have to run up the dark alley in order to do it. We have too many dark alley cats trying to upset this form of government of ours. The sooner we kill off these back alley cats the better off I think we are going to be.

Men who have fought in two wars for this country support the bill very vigorously. They have been out in the far reaches of the world and they know what this form of insidious propaganda and form of government is.

Sure, they dangle before you beautiful ideals but their operations are enslavement.

They have no respect for the American way of life. They have no respect for you and me. They have no respect for our government, and why we should let them keep running at large I do not know.

I am not casting any reflection upon the FBI, they have done a great and wonderful and grand job in this nation. They have protected us from a great deal of sabotage. They have protected our institutions from being overthrown although some of our institutions have been very seriously infiltrated with these people who want to preach this doctrine. Yet by the same token these people have no love for us and they have no love for our institutions. Why we should stand here and want to love them is more than I know.

As I started out to say about the FBI, they have done a grand job. Yet at the same time I must throw this note into it. Over the weekend there were a number of additional Communists pulled in. An editorial in the Pittsburgh Press, of which I do not have a copy before me, but the substance of it is that it is "about time".

I further read editorial comment recently in the papers regarding the statements that for years we have been lead to believe that fifty-four thousand Communists in the United States could be picked up in forty-eight hours notice, but four out of eleven who were convicted through all the democratic processes in the United States of America, through to the Supreme Court of the United States, have evaded the grasp of the FBI.

I think it is time that we come down into our local levels and start attacking this problem in the manner in which this bill is attacking it.

When we speak of liberty, I wonder if there are not a whole lot more things which perhaps are depriving us of our liberties, more than this bill is proposing to do.

This bill is not depriving anybody of their liberties, excepting those who want to overthrow the government by force and violence. We are not here for that purpose. Right today we are in the throes of having our liberties restricted by taxation and the probability of a bankrupt government. When we are talking about liberty, Mr. Speaker, and when we are talking about the opportunity for the Communist to move in in the days of depression, I am telling you that we have other factors much more deeply seated and much more fundamental to look at in connection with our American way of life.

I say that now is the time to start rooting them out. Let us start rooting them out with outlawing the Communist Party or any other organization which by similar means of force and violence wants to overthrow us and tell us that we dare not organize and sit together and assemble as American citizens to govern our own affairs.

Mr. ANDREWS. Mr. Speaker, I could wish that I had the fluency of the gentleman from York or the impassioned eloquence of the gentleman from Cameron.

Incidentally, I note his observation regarding the impending bankruptcy that confronts the nation! I just want to depart from the subject long enough to observe that at the rate we are proceeding with the tax legislation in Pennsylvania we are not very likely to very soon bankrupt this Commonwealth through taxes.

I approach discussion of this bill with considerable



perturbation. I have a brief from a very eminent legal authority that gives some of the reasons why this bill is unconstitutional. Then we have what I might term testimony from the bench by the way of prospective Supreme Court rulings that the bill is constitutional. So, since the Supreme Court has the last guess, I will have to throw my great eminent legal authority aside and rely upon the verdict of the Supreme Court in prospect.

I think on this occasion I should say that inferentially I have been accused in my career of having said at one time or another that I believed in going easy with Communists, because they represented a section of American public opinion. I can assure the Members of this House, men who ml have face dfor many years, that I never said that, and I never said anything approaching that.

Years ago the groups now in control of the Communist movement and I arrived at an understanding. We have understood each other ever since. Years ago I announced my policy in my home town to the home group of Communists. I said I knew if they ever got to power they would shoot me, and they could rely upon the fact that if I ever got into power I would shoot them, and we have operated on that basis ever since.

In the last political campaign both political parties had something to say about Communists. The present majority party spoke at considerable length. The present minority party plan regarding Communism was a pledge of relentless war upon the communistic foe at home and abroad with every weapon that can be used within the framework of the Constitution. No party, in making a general declaration of policy, can go farther than that and no Legislature in framing a program can go farther than that. We must be governed within the framework of the Constitution.

I concede that the Communist Party as now organized in the United States and now functioning represent a criminal conspiracy. I believe that the conspirators should be punished. I believe if we do no thave laws to punish them—and I believe we do—we should enact laws to punish them. But I also believe that we are making a fundamental departure from correct practice and correct thinking, if we fail to differentiate between the Communist movement so called as now organized and Communism as a historic ideology. You are not going to wipe out of the thinking of men, an ideology which, under various names, has been current in written form for some twenty-four hundred years at least.

As far as I have read, a Greek by the name of Pythagoras outlined the first Communist social and economic organization. He did not happen to call it Communism.

As I read the Book of Acts, the early Christians held all things in common. They sold their possessions and placed the proceeds in a common pool. Even among the early Christians the experiment failed because it came about that—I have forgotten whether it was the Greek widows that complained they were not receiving as good treatment as the Hebrew widows or the other way around. But anyway even among the early Christians the communistic ideology went on the rocks. They did not call Communism.

Wat Tyler and Jack Cade marched into London in the days of the Henrys, one with two hundred thousand Kentishmen another with three hundred thousand Kentishmen. For what purpose? To declare that all goods

would be held in common. Incidentally Jack Cade remarked, "Got wot, England will never be free until they hang all the lawyers."

Lollard and Wyclif outlined an ideology that was communistic. In the French revolution you found communistic ideology. The poets saw the outline of the communistic state. Robert Owen, the Englishman, established communistic colonies in this country.

The literary lights of the 1830's established the communistic Brooks Farm experiment.

Now I am saying that there has been in the current of thought an ideology that has a historic background of thousands of years. You cannot wipe that ideology out. It happens in our time that men of criminal mind, sinister purpose, for nationalistic imperialistic reasons, have used the historic ideology as you would imagine to cloak their activities. And they are no more basically communistic than you are or I am because by their very nature they can be devoted to no ideology and have no purpose other than to secure a type of political supremacy.

This bill would be a better bill if it simply condemned any organization without any name, no matter how named, committed to the overthrow of the federal, or state government by force and violence.

I submit to you that the bill as written is a matter of small moment. It is a magnificent political and publicity stunt. If in my town a group of people committed to the historic ideology of Communism by declaration separate themselves from what is known as the Communist Party of the United States, takes specific action, repudiates the national organization, name the leaders of the national organization they repudiate and want to preempt the name Communist party in any one of the counties, do you mean to say that you can by legislation forbid them to do so simply because there is such a thing as a communist group devoted to the propagation of force and violence?

I say you cannot do it practically and I say that the people who are committed to Communism in its historic phase will continue to be Communists. They will not threaten the stability of our institutions because historically over the years the great leaders of Communism have never been militant except in the case of Jack Cades, the Wat Tylers, the Stalins', there have been those three, but the leaders of thought that have kept the communist ideology present in the thinking of the people are not militant.

I say, Mr. Speaker, you cannot wipe them out, and I also say that you cannot ban a name; you can ban an act. You can ban the actions of those who take a name. You can try to ban a name but you do not do anything. You have not accomplished any end.

I would much prefer if this bill were to pass that we let them go until we have all leaders under one tent, use the communist party as a trap. Rather then, when we have the leaders, proceed to ban the party if you wanted to. What is the difference whether the men accused call themselves the Communist Party of the United States or the Friends of Freedom or the Lincoln Party, or the Liberty Party, or whether they form a cell in your party or whether they form a cell in my party. You cannot get anywhere by simply banning names, you have got to get hold of people. You either have got to hang them, shoot



them or put them in jail. Where do you get it that you can put a name in jail when you ban a name?

I had almost made up my mind, when I took the floor, to vote for this bill. I have almost succeeded in talking myself out of that intention.

If my argument has been as telling on the membership of this House as it has been on me this bill will fall. I reach this conclusion: that as it stands, it is a tempest in a teapot. You will be criticized temporarily if you vote against it. You will be praised if you vote for it from some quarters, but if you vote for it you will not have accomplished anything, and if you vote against it you will not have accomplished anything. So, Mr. Speaker, my conclusion is that I think it is an ineffective bill and I desire to vote against it.

Mr. ROBERTSON. Mr. Speaker, I am not going to take much of your time, but I have been listening to this debate. An awful lot of theory has been kicked around. I suspect that I am the only Member, as a Member of this House in this room today, who has ever worked for the Russians and the Communist party.

Following the last war I worked with the American Repatriation Commission, its chief, with the Russians in Austria. I saw them operate, Mr. Speaker, and I know to what lengths they will go to gain their ends.

I agree with some of the statements made here today by the speakers who preceded me and I frankly am not worried particularly about the real dyed in the wool Communist. But the thing that I am really worried about are the fellow travelers, those people who deal in the realm of the clouds above the horizon, who refuse to put their feet on solid ground and use comparative measures as actual, practical workings of the communist theory.

I agree with my friend from Cambria, Mr. Andrews, that the communist, or the communal theory has been known as long as the world has existed. But the communist government is not a communal government and anybody who says so either is an absolute prevaricator or they do not know what they are saying, or care less what they are saying.

The group with which I worked in the town of Linz in Austria and later in Melk in Austria—this one particular officer with whom I was thrown was in command of 12,000 Russian troops.

That officer could not make one move, could not take one order unless a major who was sitting beside him in every one of our conferences nodded his head. That major was a Commissar. He was the political leader in the Russian Army. He was the control and I saw that very same Commissar make a demand of the Mayor in the town of Linz for an unreasonable amount of supplies at 2 o'clock in the afternoon with the statement that they must be supplied at 4. They were not supplied at 4. The next day the town had a new mayor. The old mayor died of a heart attack during the night.

I will admit that this bill does not go as strongly as I from my own experience would like but it is a move. Maybe we will outlive, maybe we will overrule, maybe we will wipe out the name of Communism but I notice that the bill says "any other revolutionary organization."

If this bill were twice or ten times as strong and no one else in this House would vote for it, Mr. Speaker, I have seen enough that I would vote against it every time without any hesitation.

#### MR. WOOD IN THE CHAIR

Mr. SARRAF. Mr. Speaker, I did not expect to speak on this bill. I did not prepare for this speech, but after listening to my able colleague here, Mr. Seyler, and hearing him going back in the history and naming great names, I noted that none of our great leaders ever said that they would tolerate individuals who meant to overthrow the government by force knowingly, as this bill states.

They have spoken out that they would fight for the right of an individual to speak, but they would never have stood up for anything that is in this bill. My colleague on this side went back into history and let us know that the Greeks had a name for it. All the way down the line they had a name for it. But this is a thing of today, a very important thing. I, as sponsor of this bill, am proud to have my name on this bill.

I am amazed when organizations say that there are loop holes here that may interfere with people's right. That word "knowing" and "knowingly" to me is so emphatic and means so much that I cannot see how this bill can be distorted in any legal manner although I am not a lawyer. The bill is brief, short, right to the point. It varies, I will agree, with the men who spoke. It may be that in our great nation we should let people roam and be free, but I myself do not feel that any American, if you call him such, would be knowingly overthrowing the government of this state or nation.

Mr. ROBERTSON. Mr. Speaker, when I sat down, I understood that one of my last statements may have been misunderstood by the Members of this House.

I believe I stated that any time I was called on to I would vote against it. It there referring to the Communist movement. I am against it or anything else like it.

I am going to vote for this bill and do not let anybody worry about that.

Mr. WATERHOUSE. Mr. Speaker, very briefly I would just like to make this statement, that I believe that it is not only pathetic, but it is regrettable when we have a Member in this House that would defend any group that would knowingly advocate the overthrow or tearing down of this government of ours.

This does not say Communists. It says Communists and any other subversive or party who would do that very thing. I have always had all the respect in the world for the gentleman from York, Mr. Seyler, but I think he has been terribly misguided or did not read his speech before he gave it.

Mr. SEYLER. Mr. Speaker, I thought I had made it perfectly clear in my opening remarks that I am one hundred percent opposed to Communism and Communists. I have read the bill. I do understand what is in it. I perhaps understand the bill and its implications, at least in my own opinion, better than some of the people who are in favor of the bill. At least that is my idea.

I believe that the central idea here is the question of just how good is democracy. Is it any good or is not it any good? A lot of people say it is a nice theory. Well, if it is only a nice theory, our country is in for some bad times, because our country is based on that theory. I say it will work, and I say it has worked. I do not believe that freedom is a handicap in America that we have to lay aside in a crisis. I do not believe that it is a luxury that we can only enjoy when things are going nicely. As I said before, I think that freedom is a weapon for democracy.



I was impressed by one speaker. Since I am on my feet I did not intend to debate it, but since the personal reference was made I felt I had to clarify even in the mind of that one Member who was not listening, just what my position on Communism was. I was reminded of a remark made by the late Senator Carter Glass, who some you may remember, when he was still alive and on this subject of Communism when a proposal was being made to do the sort of thing that this bill proposes to do. Carter Glass gave a little talk in which he pointed out the smallness of numbers of Communism, the soundness of our people, the firmness of our belief in democratic processes, the small likelihood of any of us being misled by false doctrines, and then he said this, "What's the use of wasting dynamite when insect powder will do?"

#### THE SPEAKER (Herbert P. Sorg) IN THE CHAIR

Mr. ANDREWS. Mr. Speaker, the art of smear involves the misrepresentation of statements that should be clearly understood.

Perhaps it is a defect in my presentation that what I said was not understood. My position was that we should punish the act of everybody guilty of advocating the overthrow of our form of government by force and violence. You punish the act, you punish the actors, but I say you do not put anybody in jail by outlawing a name. I repeat, you do not put anybody in jail by outlawing a name.

This bill lacks teeth. It outlaws the name and then anybody else guilty of certain advocacies are included. But the point of the thing is to outlaw a name. Your object is to punish subversive actions, and that is all you need. Whether it is Republican, Democrat, Communist or anybody else you punish subversive action. That is all that need be in any bill.

Mr. LOVETT. Mr. Speaker, I listened with a great deal of attention to the debate on this bill. I listened more so to those who sponsored this piece of legislation. Now I say to you here today, let us be fair. You have a piece of legislation here that means nothing, other than to brand somebody for or against Communism.

Your bill repeals no acts that we now have on the statute books to deal with subversives, to deal with those who would overthrow the government by force. You complain today about the time that is spent trying to condemn or convict Communists. This bill repeals no acts that gives those same people the right to go into court.

Let us be fair, let us save America. Let us be men and stand up and be for what we think is right. And the almighty dollar that protects these people through your laws in this country; if we need to lose our freedom I am willing to sacrifice some freedoms if you will pin the Communists to the wall, but this bill does not. It is only a mockery, and we should not pass that kind of legislation.

Mr. ZIEGLER. Mr. Speaker, as one of the co-sponsors of this bill I am very happy to speak, and will speak briefly on its behalf.

I arise, not to defend the bill, because in my opinion it needs no defense, but to solicit the support of every Member of this House in its passage.

I agree that if the bill had been introduced many years ago, probably it would have been unnecessary, because at that time the communist party under whatever name it functioned perhaps was not revolutionary in nature. But in world, or geo-politics today I am sorry

to say that our opponent, Communism, is not very sporting in the way it is attacking the problem.

We cannot abide by the rules of the game; we have to bring in every other means at our command. I think they hit and they kick below the belt. There is no doubt about that in my mind, so we have to be prepared.

I am not going to tarry long except that I would like to read part of the last paragraph from the opinion of the Supreme Court of the United States in the case of Eugene Dennis et al,—the "et al" being the other communists who were convicted. I read as follows:

"Petitioners intended to overthrow the government of the United States as speedily as the circumstances would permit. Their conspiracy to organize the Communist party and to teach and advocate the overthrow of the government of the United States by force and violence created a, "clear and present danger" of an attempt to overthrow the government by force and violence.

I ask the support of every Member in this House in the passage of this bill.

Mr. PETROSKY. Mr. Speaker, I disagree very much with some of the opponents of this measure, and some of the thoughts and observations that they have made relative to the effectiveness of the proposal that is before us.

On page 3 of the bill, line 8, is one of the outstanding features of the bill that I am interested in, and one of the biggest reasons as to why I will support the bill.

Page 8 states,

"Whoever knowingly conspires, aids or abets any person or organization whose activities further the purpose of the communist party or any other revolutionary organization to bring about a revolution by force and violence within the Commonwealth, is guilty of a felony . . . .

I believe that the bill hits at the particular persons that do not belong to these organizations but do aid and abet them in a roundabout manner. I believe it is a good piece of legislation, it is highly essential at this particular time, and I will vote for it.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the constitution the yeas and nays were taken and were as follows:

#### YEAS—145

Banker,	Gleason,	Manza,	Schmidt,
Barkdoll,	Goodling,	McConnell,	Scott,
Baumunk,	Graybill,	McCormack,	Shoemaker,
Bear,	Greenwood,	McCullough,	Shotwell,
Beaver,	Greer,	McDermitt,	Smith,
Beech,	Gutendorf,	McInroy,	Snider,
Berkstromer,	Hagerty,	McMillen,	Sollenberger,
Blair,	Hall,	Metz,	Spencer,
Bolton,	Hamilton, R. K.,	Mihm,	Stank,
Bombberger,	Hamilton, W. H.,	Mikula,	Stimmel,
Boorne,	Haudenshield,	Miller, H. G.,	Stoner,
Bower,	Headlee,	Mintem,	Swartz,
Breisch,	Hocker,	Moore, C. E.,	Swope,
Breth,	Johnson,	Moore, H. A.,	Taylor,
Bucchin,	Jones, T. E. W.,	Moran,	Thompson, R. L.,
Byrne,	Jump,	Murray,	Toll,
Cella,	Kamyk,	Musto,	Tompkins,
Clapper,	Keller,	Najaka,	Toomey,
Clendening,	Kent,	Naugle,	VanSant,
Cooper,	Kline,	Petrosky,	Varnar,
Costa,	Kohl,	Pichney,	Wechhaus,
Delrump,	Kolankiewicz,	Polaski,	Waterhouse,
Davis,	Kratz,	Polen,	Weidner,
Dominica,	Lafore,	Price, H. W. Jr.,	Wessott,



Dowling.	Laisey.	Readinger.	Westrick.
DuBois.	Leonard, L.	Reagan.	Whalley.
Dunn.	Leonard, W. C.	Ream.	White.
Erb.	Leven.	Reilly, J. M.	Williams.
Ewing.	Light.	Rigby.	Wilt.
Fenster.	Limper.	Risey, R. L.	Wood.
Filip.	Lopresti.	Robertson.	Yeakel.
Filo.	Lutty.	Rovanack.	Yester.
Firmstone.	Lyons.	Royer.	Young.
Flack.	Madden.	Rubin.	Ziegler.
Frack.	Madigan.	Sarrafi.	Sorg.
Geer.	Markley.	Sax.	Speaker
Gibson.			

## NAYS—8

Andrews.	Jones, G. E.	McKinney.	Seyler.
Duffy.	Lovett.	Monroe.	Welsh.

## NOT VOTING—54

Amarando.	Harney.	McGee.	Reidenbach.
Bloom.	Helm.	McNally.	Rose.
Boles.	Herach.	Miller, J. C.	Rosen.
Brown.	Hewitt.	Mills.	Scanlon.
Cochran.	Hoggard.	Muldowney.	Schuster.
Conway.	Hunter.	Munley.	Tahl.
Corr.	Jenkins.	Needham.	Thompson, E. F.
Coyle.	Jones, J. M.	Olsen.	Varallo.
Dougherty.	Jones, P. F.	Penglass.	Verona.
Fenrich.	Kornick.	Peta.	Wargo.
Gaffney.	Kubacki.	Pettigrew.	Watkins.
Good.	Lederer.	Pfaff.	Wheeler.
Guarnieri.	Loftus.	Pitzer.	Yetzer.
Guthrie.	Maxwell.	Price, R. A.	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1647, as follows:

An Act to add section three hundred twenty-seven to the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by making it a crime to picket or parade in or near any building housing a court of the Commonwealth of Pennsylvania with the intent of influencing any judge juror witness or court officer in the discharge of his duty and prescribing penalties. The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" is hereby amended by adding immediately after section three hundred twenty-six a new section to read as follows

Section 327 Whoever with the intent of interfering with obstructing or impeding the administration of justice or with the intent of influencing any judge juror witness or court officer in the discharge of his duty pickets or parades in or near any building housing a court of the Commonwealth of Pennsylvania or in or near a building or residence occupied or used by such judge juror witness or court officer or with such intent uses any sound-truck or similar device or resorts to any other demonstration in or near any such building or residence shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five thousand dollars (\$5000) or to undergo imprisonment not exceeding one (1) year or both

Nothing in this section shall interfere with or prevent the exercise by any court of the Commonwealth of Pennsylvania of its power to punish for contempt

Section 2 The provisions of this act shall become effective immediately upon final enactment

On the question,  
Will the House agree to the bill on third reading?  
It was agreed to.

On the question,  
Shall the bill pass finally

Mr. READINGER. Mr. Speaker, I desire to interrogate the gentleman from Cameron Mr. Tompkins.

The SPEAKER. Will the gentleman from Cameron Mr. Tompkins permit himself to be interrogated?

Mr. TOMPKINS. I shall Mr. Speaker.

Mr. READINGER. I desire to ask the gentleman whether under the present law of Pennsylvania, courts do not have the power to control picketing and other means of influencing or interfering with or obstructing justice during the trial of any kind of a case.

Mr. TOMPKINS. I do not think there is any question about it where it is committed in their presence in the open courtroom, but where it is committed otherwise there seems to be some question.

Mr. READINGER. Is the gentleman familiar with any cases in which an actual act which impeded the administration of justice or interfered with it outside of a court building has not been treated by the court as a contempt or has any court held it has no power to deal with it?

Mr. TOMPKINS. I am unable to state that, Mr. Speaker.

Mr. READINGER. What I am asking is whether or not any court in this Commonwealth has held that it does not have the power to stop any kind of an act in the courtroom or out of the courtroom or near the courthouse which is interfering with the administration of justice?

Mr. TOMPKINS. I am not familiar with any cases dealing with that particular phase of the subject, Mr. Speaker.

Mr. READINGER. Is the gentleman familiar with the fact that during certain trials there will be an outburst of enthusiasm of one kind or another on the part of the audience sitting in the courtroom, such as the clapping of hands or some gesture of that kind, when perhaps a defence attorney makes a certain statement or while the court makes a certain ruling, is the gentleman familiar with the fact that that happens?

Mr. TOMPKINS. Very frequently.

Mr. READINGER. Would the gentleman then say that such conduct interferes with or influences the administration of justice?

Mr. TOMPKINS. In that particular situation it is in the presence of the court and I believe the court has full power where those matters take place in its presence and it sees fit either to call their attention to it and tell them to have no recurrences of it, or if it is of a very offensive nature it has it within its power to deal with it accordingly.

Mr. READINGER. Would the gentleman say that under this bill a person who applauds a statement made by a defense counsel we will say in a murder case, perhaps it is a relative or a friend of the defendant, would the gentleman say that that person could not be indicted under this amendment?

Mr. TOMPKINS. I would not say that he could not be, no.

Mr. READINGER. He could be.

Mr. TOMPKINS. He could be, yes. The court has that same power at the present time in connection with contempt.



Mr. READING. Under the present law, any person could be indicted and put on trial, the court would deal with him summarily as a contempt or not contempt?

Mr. TOMPKINS. That is right.

Mr. READINGER. Does the gentleman think that this amendment is actually necessary to allow the orderly administration of justice in the state of Pennsylvania?

Mr. TOMPKINS. I do.

Mr. READING. The gentleman does not think the present laws relating to contempt adequately take care of the situation.

Mr. TOMPKINS. Not in so far as it will protect the witness or a juror in their homes; not in so far as protecting them in connection with disturbances outside of the courtroom. It might be out on the street.

Mr. READINGER. Is there no law in Pennsylvania now which makes it illegal to try to influence a juror, for example, wherever he may be while he is sitting on a case or even ebofer he is called into a case while he is on the jury panel?

Mr. TOMPKINS. That is true we have laws against attempting to influence juror, that is right.

Mr. READINGER. Do we not have laws in the Commonwealth now which make it a crime to try to influence and attempting to disurb are two different things.

Mr. TOMPKINS. That is right. Attempting to influence and attempting to disurb are two different things.

Mr. READINGER. Disturb what? May I ask what you are speaking of when you say disturb?

Mr. TOMPKINS. There is a great deal of difference between a person trying to approach a juror or witness and trying to influence their decision or their testimony and that of making such raucous noises and disturbances that influence or disturb his attentiveness to the progress of the case or his peace and quiet at home at night time.

Mr. READINGER. Is that the manner in which this bill is trying to reach the disturbance of witnesses or jurors or judges?

Mr. TOMPKINS. Yes, Mr. Speaker, and such demonstrations as took place if you were familiar with the case before Judge Medina's court in New York City.

Mr. READINGER. Have we had any such instances in the state of Pennsylvania, Mr. Speaker?

Mr. TOMPKINS. Not to my knowledge, but I do not know of any reason why we should not setup a defense in case we do.

Mr. READINGER. May I inquire what happened in the New York case? Did any thing follow from that disturbance that you are speaking of? Was there an arrest or was there a charge of contempt of any kind?

Mr. TOMPKINS. The only contempt order that I am aware of was that against defense counsel.

Mr. READINGER. But you are referring to a demonstration that took place outside of the courthouse?

Mr. TOMPKINS. That is right.

Mr. READINGER. You say there was no legal action taken as a result of that?

Mr. TOMPKINS. I have no recollection of it, I have not even read about it. It may have been, I do not know.

Mr. READINGER. I thank the gentleman.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—204

Amarando,	Goodling,	Mazza,	Royer,
Andrews,	Graybill,	McConnell,	Rubin,
Banker,	Greenwood,	McCormack,	Sarra,
Barkdoll,	Greer,	McCullough,	Sax,
Baumunk,	Guarnieri,	McDermitt,	Scanlon,
Bear,	Gutendorf,	McGee,	Schmidt,
Beaver,	Guthrie,	McInroy,	Schuster,
Beech,	Hagerty,	McKinney,	Scott,
Berkstresser,	Hall,	McMillen,	Seyler,
Blair,	Hamilton, R. K.,	McNally,	Shoemaker,
Bloom,	Hamilton, W. H.,	Metz,	Shotwell,
Boles,	Harney,	Mihm,	Smith,
Bolton,	Haudensfield,	Mikula,	Snider,
Bomberger,	Headlee,	Miller, H. G.,	Sollenberger,
Boorse,	Helm,	Miller, J. C.,	Spencer,
Bower,	Hersch,	Mills,	Stank,
Breisch,	Hewitt,	Mintess,	Stimmel,
Breth,	Hocker,	Monroe,	Stoner,
Brown,	Hoggard,	Moore, C. E.,	Swartz,
Buechin,	Hunter,	Moore, H. A.,	Swope,
Byrne,	Jenkins,	Moran,	Tahl,
Celia,	Johnson,	Muldowney,	Taylor,
Clapper,	Jones, G. E.,	Munley,	Thompson, E. F.,
Clendening,	Jones, J. M.,	Murray,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Musto,	Toll,
Conway,	Jones, T. H. W.,	Najaka,	Tompkins,
Cooper,	Jump,	Naugle,	Toomey,
Corr,	Kamyk,	Needham,	VanSant,
Costa,	Keller,	Olsen,	Varallo,
Coyle,	Kent,	Penglase,	Varnier,
Dalrymple,	Kline,	Peta,	Verona,
Davis,	Kohl,	Petrosky,	Wachhaus,
Dennison,	Kolankiewicz,	Pettigrew,	Wargo,
Dougherty,	Kornick,	Pfaff,	Waterhouse,
Dowling,	Kratz,	Pichney,	Watkins,
DuBois,	Kubacki,	Pitzer,	Weidner,
Dunh,	Lafore,	Polaski,	Welsh,
Erb,	Lederer,	Polen,	Wescott,
Ewing,	Leisey,	Price, H. W. Jr.,	Westrick,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Whalley,
Ferster,	Leven,	Readinger,	Wheeler,
Filip,	Light,	Reagan,	White,
Filo,	Loftus,	Reese,	Williams,
Firmstone,	Lopresti,	Reidenbach,	Wilt,
Flack,	Lovett,	Reilly, J. M.,	Wood,
Frost,	Lutty,	Rigby,	Yeakel,
Gaffney,	Lyons,	Riley, R. L.,	Yester,
Geer,	Madden,	Robertson,	Yetzer,
Gibson,	Madigan,	Rose,	Young,
Gleason,	Markley,	Rosen,	Ziegler,
Good,	Maxwell,	Rovansek,	Sorg,

Speaker

## NAYS—3

Duffy, Leonard, L., Limper,

## NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

## SENATE MESSAGE

## RECALLING SENATE BILL No. 739 FROM GOVERNOR

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, August 20, 1951.

Resolved (if the House of Representatives concur), that Senate Bill No. 739, Printer's No. 442, entitled "An act creating Mercy-Douglass State Hospital in Philadelphia County and authorizing the Department of Property and Supplies to sublease said Hosupital to Mercy-Douglass Hospital and providing for the management thereof by the Board of Trustees of Mercy-Douglass Hospital" be recalled from the Governor for the purpose of amendment.



Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

### RESOLUTION

#### RECALLING HOUSE BILL No. 1293 FROM THE GOVERNOR

Mr. JOHNSON offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, August 20, 1951.

Resolved (if the Senate concur), that House Bill No. 1293, Printer's No. 594, entitled:—

An Act to amend the act approved the first day of June one thousand nine hundred forty-five (P. L. 1340) entitled "An act relating to the financial responsibility of operators and owners of motor vehicles and to make uniform the law with reference thereto requiring owners and operators in certain cases to furnish proof of financial responsibility providing for the suspension of operator's licenses and motor vehicle registration certificates in certain cases regulating insurance policies which may be accepted as proof of financial responsibility imposing duties upon the Secretary of Revenue the State Treasurer and prothonotaries and prescribing penalties" by clarifying and extending the provisions of the act to include certain vehicles of the tractor type and making editorial changes."

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

### SENATE MESSAGE

#### AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

#### HOUSE BILL No. 1310.

An Act to improve local health administration throughout the Commonwealth by authorizing the creation establishment and administration of single-county or joint-county Departments of Health in all counties except counties of the first class exempting certain municipalities from the jurisdiction of single-county or joint-county Departments of Health permitting the dissolution of departments or boards of health in certain municipalities authorizing state grants to counties which establish departments of health and to certain municipalities if they meet prescribed requirements conferring powers and duties upon the State Department of Health in connection with the creation establishment and administration of single-county or joint-county departments of health and administration of the health laws in parts of certain municipalities not subject to the jurisdiction of single-county or joint-county departments of Health and the administration of state grants and repealing an act which confers health upon counties of the first class

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The CLERK read the amendments as follows:

Amend the bill, Section 3, page 9, line 3, by striking out after the word "to" the words "cities of the first and second class" and inserting in lieu thereof the words and figures "municipalities eligible for state grants under section 15 of this act."

Amend the bill, page 26, by inserting after line 4, the following "may upon the advice of the health director seek relief from a nuisance or threatened nuisance detrimental to the public health by instituting proceedings in a court of equity"

"Section 13 Jurisdiction of county departments of health the."

Amend the bill, Section 15, page 27, line 13, by inserting after the word "health" the words "eligible for state grants."

Amend the bill, Section 29, page 57, line 14, by striking out after the word "as" the word "respectively."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. JOHNSON. Mr. Speaker, I request that the House concur in the amendments inserted by the Senate.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—204

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mama,	Rubin,
Banker,	Greenwood,	McConnell,	Sarrat,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Beaer,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, B. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Boiton,	Haudenshield,	Minn,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorne,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Breisch,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintem,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchia,	Hunter,	Moore, C. H.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, B. F.,
Clendenen,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varalle,
Coyle,	Kent,	Olsen,	Varnar,
Dalrymple,	Kline,	Penglass,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Krutz,	Pfaff,	Watkins,
DuBois,	Kubacki,	Pichney,	Weidner,
Duffy,	Lafore,	Pitzer,	Welsh,
Dunn,	Lederer,	Polaski,	Wescott,
Erb,	Leisy,	Polen,	Westrick,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Fearich,	Leonard, W. C.,	Price, R. A.,	Whelan,
Forster,	Leven,	Readinger,	White,
Filip,	Light,	Reagan,	Williams,
Filo,	Limper,	Reese,	Wilt,
Firmstone,	Loftus,	Reidenbach,	Wood,
Flack,	Loprest,	Reilly, J. M.,	Yeakel,
Frost,	Lovett,	Rigby,	Yester,
Gaffney,	Lutty,	Riley, R. L.,	Yotner,
Geer,	Lyons,	Robertson,	Young,
Gibson,	Madden,	Ross,	Ziegler,



Gleason, Good,	Madigan, Markley,	Rosen, Rovansek,	Sorg, Speaker
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NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

### BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

HOUSE BILL No. 1310.

An Act to improve local health administration throughout the Commonwealth by authorizing the creation establishment and administration of single-county or joint-county Departments of Health in all counties except counties of the first class exempting certain municipalities from the jurisdiction of single-county or joint-county Departments of Health permitting the dissolution of departments or boards of health in certain municipalities authorizing state grants to counties which establish departments of health and to certain municipalities if they meet prescribed requirements conferring powers and duties upon the State Department of Health in connection with the creation establishment and administration of single-county or joint-county departments of health and administration of the health laws in parts of certain municipalities not subject to the jurisdiction of single-county or joint-county departments of Health and the administration of state grants and repealing an act which confers health powers upon counties of the first class

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

### REPORTS FROM COMMITTEES

Mr. RONALD L. THOMPSON from the Committee on Cities and Counties—Second Class, reported as committed, House Bill No. 1680, entitled:

An Act to further amend the act, approved the fifth day of May, one thousand nine hundred eleven (P. L. 198), entitled "An act to establish a county court for the county of Allegheny and prescribing its powers and duties; regulating the procedure therein, and providing for the expenses thereof," by conferring exclusive jurisdiction on the county court of Allegheny County in cases of appeals from decisions of the collector of mercantile taxes imposed by political subdivisions within the territorial limits of its jurisdiction.

Mr. SCHMIDT from the Committee on Cities and Counties—Second Class, reported as amended, Senate Bill No. 676, entitled:

An Act to amend the act approved the twenty-eighth day of June one thousand nine hundred forty-seven (P. L. 1144) entitled "An act relating to the annual salaries of certain county officers of counties of the second class" by increasing the salaries of certain county officers.

Mr. LUTTY from the Committee on Cities and Counties—Second Class, reported as committed, Senate Bill No. 658, entitled:

An Act authorizing council of cities of the second class to fix the salaries of the mayor and the council members of such cities and to provide for the assessment and retention of fines for absence of councilmen from meetings.

### REQUEST TO READ BILL FIRST TIME

Mr. RONALD L. THOMPSON. Mr. Speaker, I ask that House Bill 1680 be read for the first time.

The SPEAKER. The Chair wishes to inform the gentleman from Allegheny, Mr. Thompson, that under the provisions of the Constitution bills cannot be read for the first time until they are in print.

### PARLIAMENTARY INQUIRY

Mr. SCHMIDT. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. SCHMIDT. Mr. Speaker, may a bill be read for the first time when reported from Committee with amendments?

The SPEAKER. The Chair would inform the gentleman that a bill may not be read for the first time when reported from Committee as amended.

Mr. SCHMIDT. Even though they are correctional amendments rather than amendments to the text?

The SPEAKER. The nature of the amendments is immaterial.

### BILL ON FIRST READING

Mr. LUTTY asked and obtained unanimous consent for Senate Bill No. 658 to be read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 658, entitled:

An Act authorizing council of cities of the second class to fix the salaries of the mayor and the council members of such cities and to provide for the assessment and retention of fines for absence of councilmen from meetings.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

### RECESS

The SPEAKER. If there are no objections, the Chair will declare a recess to await communications from the Senate. The Members are requested to return to their seats immediately after the recess. There may be important communications. The Chair hears none, and a recess is declared for two hours.

### AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Herbert P. Sorg) in the Chair.

### PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. McKINNEY asked and obtained permission for the Committee on Judiciary to meet during the session of the House.

### RESOLUTION

#### CONDOLENCE

Messrs. BEECH, DONALD L. THOMPSON and MORAN



offered a resolution which was read, considered and unanimously adopted as follows:

In the House of Representatives, August 20, 1951.

On Friday, August 17, 1951 the late James R. Wylie, died at his home in Wilkinsburg, after a long and honorable career.

Mr. Wylie was a one time member of the Pennsylvania State Legislature, having been elected to that body in 1913 from the 10th district, and served therein till 1916. Mr. Wylie also served his community as a public official in the capacity of school director.

After having completed his education at Geneva College, Mr. Wylie came to Wilkinsburg before the turn of the century and distinguished himself in various community enterprises. He and his associates organized the Wilkinsburg Trust Company, which was later merged with the Central National Bank, and later became a vice president and director of the First National Bank of Wilkinsburg.

Mr. Wylie's main business interest, which was in the field of real estate and insurance, lent much to the development of the community and distinguished him as a leader in his community's business life.

Mr. Wylie's membership in the Second Presbyterian Church was distinguished by his service on the Board of Elders since 1922. His fraternal and social interests were noteworthy and exemplified by his Masonic membership, he having been a member of Betz Lodge F. and A. M., the Shrine and Knights Templar, and membership in the Wilkinsburg Rotary Club and Edgewood Country Club.

Mr. Wylie's passing leaves a feeling of profound sorrow in the hearts of his children and other surviving members of his family, as well as a feeling of great loss to his many friends and associates; therefore be it

Resolved, That the House of Representatives extends its sincere sympathy to the surviving children of Mr. Wylie; and be it further

Resolved, That copies of this resolution be forwarded to James R. Wylie, Jr., John H. Wylie, Mrs. H. D. Megahan and Mrs. A. J. Wilson, of Wilkinsburg.

## SENATE MESSAGES

### CONCURRENCE IN HOUSE RESOLUTIONS

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, August 20, 1951.

Resolved (if the Senate concur), that House Bill No. 900, Printer's No. 216, entitled "An act to further amend section one thousand and twenty-seven of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled 'An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and pro-

viding for refunds' by changing the requirements that certain vehicles stop at railway grade crossings," be recalled from the Governor for the purpose of amendment.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, August 20, 1951.

Resolved (if the Senate concur), that House Bill No. 1294, Printer's No. 722, entitled "An act to amend the title of and the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1005) entitled 'An act relating to and regulating tractors and trailers and their operation providing for their registration and the licensing of certain operators by the Department of Revenue upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of tractors and trailers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns and townships within the Commonwealth liability for damages caused by the negligent operation of tractors and trailers imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds' by deleting from said act all provisions relating to operator operators' licenses and trailers and further providing for the equipment of tractors," be recalled from the Governor for the purpose of amendment.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, August 20, 1951.

Resolved (if the Senate concur), that House Bill No. 1324, Printer's No. 596, entitled "An act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled 'An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds' by changing the registration year for commercial motor vehicles motor buses motor omnibuses and trailers and certain exemptions in accordance therewith," be recalled from the Governor for the purpose of amendment.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, August 17, 1951.

Resolved (if the Senate concur), that House Bill No. 1348, Printer's No. 511, entitled "An Act to amend Sec-



tion 1 of the act approved the eighth day of May one thousand nine hundred one (P. L. 150) entitled 'An act providing for the raising of revenue for State purposes by imposing upon certain foreign corporations limited partnership and joint-stock associations a bonus of one-third of one per centum upon the capital actually employed in Pennsylvania and requiring the filing of certain reports in the office of the Auditor General's by exempting from the provisions thereof foreign nonprofit corporations' be recalled from the Governor for the purpose of amendment.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, August 20, 1951.

Resolved (if the Senate concur), that House Bill No. 1404, Printer's No. 685, entitled "An act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled 'An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto' by providing for the addition to the tax duplicates of school districts of the third and fourth class of properties occupied during the fiscal year of the school district in certain cases," be recalled from the Governor for the purpose of amendment and further consideration.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, August 20, 1951.

Resolved (if the Senate concur), that House Bill No. 1293, Printer's No. 594, entitled "An act to amend the act approved the first day of June one thousand nine hundred forty-five (P. L. 1340) entitled "An act relating to the financial responsibility of operators and owners of motor vehicles and to make uniform the law with reference thereto requiring owners and operators in certain cases to furnish proof of financial responsibility providing for the suspension of operator's licenses and motor vehicle registration certificates in certain cases regulating insurance policies which may be accepted as proof of financial responsibility imposing duties upon the Secretary of Revenue the State Treasurer and prothonotaries and prescribing penalties by clarifying and extending the provisions of the act to include certain vehicles of the tractor type and making editorial changes," be recalled from the Governor for the purpose of amendment.

#### AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

#### HOUSE BILL No. 111.

An Act to further amend section 506 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" providing for the increase or decrease of support orders in bastardy cases

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments. The Clerk read the amendments as follows:

Amend the title, Page 1, Line 4, by striking out after the second word "the" the word "modification" and in-

serting in lieu thereof the words "increase or decrease." Amend Section 1, Page 3, line 6, by striking out after the figure "6" the word "On" and inserting in lieu thereof the words "after a hearing on the"; page 3, line 7, by striking out after the word "be" the word "modified" and inserting in lieu thereof the words "increased or decreased."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. JOHNSON. I request that the House concur in the amendments inserted by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—207

Amarando,	Goodling,	Marwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubia,
Banker,	Greenwood,	McConnell,	Sarra,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstromer,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenfield,	Mihm,	Snider,
Bombberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Brelach,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintem,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldorney,	Thompson, E. F.,
Glendening,	Jones, J. M.,	Munley,	Thompson, R. L.,
Oochran,	Jones, P. I.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Neagle,	VanSant,
Costa,	Keller,	Needham,	Varello,
Coyle,	Kent,	Olsen,	Varnier,
Dairymple,	Kline,	Penglass,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Watkinson,
Dowling,	Krats,	Pfaff,	Watkins,
DuBois,	Kubecki,	Pichney,	Weidner,
Duffy,	Lafore,	Pitzer,	Welsh,
Dunn,	Lederer,	Polsaki,	Westcott,
Erb,	Lelsey,	Polen,	Westrick,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Fenster,	Leven,	Readinger,	White,
Fillip,	Light,	Reagan,	Williams,
Filo,	Limper,	Reese,	Wilt,
Firmstone,	Loftus,	Reidenbach,	Wood,
Flack,	Lopresti,	Reilly, J. M.,	Yeakel,
Frost,	Lovett,	Rigby,	Yester,
Gaffney,	Lutty,	Riley, R. L.,	Yetzer,
Geer,	Lyons,	Robertson,	Young,
Gibson,	Madden,	Rose,	Ziegler,
Gleason,	Madigan,	Rosen,	Sorg,
Good,	Markley,	Rovansek,	Speaker.

#### NAYS—0

#### NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

#### SENATE MESSAGES

#### AMENDED HOUSE BILLS RETURNED FOR CONCURRENCE



The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

# HOUSE BILL No. 213.

An Act to further amend the title and section one of the act approved the twenty-eighth day of June one thousand nine hundred thirty-five (P. L. 477) entitled as amended "An Act providing for the payment of the salary medical and hospital expenses of policemen and firemen by cities boroughs towns and townships who are injured in the performance of their duty and providing that absence during such injury shall not reduce any usual sick leave period" by extending the provisions of the act to include county firemen and policemen and providing disability benefits for in certain cases diseases of the heart and tuberculosis of the respiratory system incurred in active police and firemen service

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the title, page 1, line 1, by inserting after the word "amend" the words "the title and"; page 1, line 8, by inserting after the word "by" the words "extending the provisions of the act to include county firemen and policemen and"; page 2, line 2, by striking out "adding a presumption of relationship to employment of" and inserting in lieu thereof the words "providing disability benefits for in certain cases"; page 2, line 5, by striking out after the word "system" the words "and providing disability benefits for such conditions" and inserting in lieu thereof the word "incurred"; by striking out after the word "incurred" the words "after one year of service" and inserting in lieu thereof the words "in active police and firemen service."

Amend the bill, Section 1, Page 2, line 1, by striking out after the word and figure "Section 1" the words "Section one" and inserting in lieu thereof the words "the title"; page 2, by striking out all of line 8, and by striking out on line 9, the following "phlet Laws 1081) is hereby further amended to read as follows" and inserting in lieu thereof the following: "the twenty-ninth day of March one thousand nine hundred forty-five (P. L. 100) is hereby further amended to read as follows

## An Act

Providing for the payment of the salary medical and hospital expenses of policemen and firemen by counties cities boroughs towns and townships who are injured in the performance of their duty and providing that absence during such injury shall not reduce any usual sick leave period

Section 2 Section 1 of said act as last amended by the act approved the eleventh day of May one thousand nine hundred forty-nine (P. L. 1081) is hereby further amended to read as follows

Page 3, line 17, by inserting after the figures "17" the word "county"; page 3, line 20, by inserting after the word "the" the words "county township or"; page 4, line 4, by inserting after the word "such" the words "county township or"; page 4, line 5, by inserting after the word "the" the word "county"; page 4, line 8, by inserting after the figure "8" the word "county"; page 4, line 10, by inserting after the second word "the" the word "county"; page 4, line 12, by inserting after the word "that" the words "in the case of salaried policemen and firemen the"; page 4, line 15, by striking out after the word "after" the words "one full year of service" and inserting in lieu thereof the words "four years of continuous service as such"; page 4, line 16, by striking out after the word "such" the words "shall be presumed to be due to"; page 4, line 17,

by inserting after the figure "17" the words "caused by extreme overexertion in times of stress or danger or by exposure to heat smoke fumes or gases"; page 4, line 20, by striking out after the word "firemen" the word "and"; page 5, by striking out line 6 to 19 inclusive; page 6, by striking out lines 1 to 4 inclusive.

On the question,

Will the House concur in the amendments made by the Senate?

Mr. JOHNSON. I request that the House concur in the amendments inserted by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—207

Amarando,	Goodling,	Mazza,	Royer,
Andrews,	Graybill,	McConnell,	Rubin,
Banker,	Greenwood,	Maxwell,	Sarra,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenshield,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Breisch,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Buchlin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendenning,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toil,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varnier,
Dairymple,	Kline,	Penglase,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
DuBois,	Kubacki,	Pichney,	Weidner,
Duffy,	Lafore,	Pitzer,	Welsh,
Dunn,	Lederer,	Polaski,	Wescott,
Erb,	Leisey,	Polen,	Westrick,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Ferster,	Leven,	Readinger,	White,
Fillip,	Light,	Reagan,	Williams,
Filo,	Limper,	Reese,	Wilt,
Firmstone,	Loftus,	Reidenbach,	Wood,
Flack,	Lopresti,	Reilly, J. M.,	Yeakel,
Frost,	Lovett,	Rigby,	Yester,
Gaffney,	Lutty,	Riley, R. L.,	Yetzer,
Geer,	Lyons,	Robertson,	Young,
Gibson,	Madden,	Rose,	Ziegler,
Gleason,	Madigan,	Rosen,	Sorg,
Good,	Markley,	Rovansek,	Speaker

## NAYS—0

## NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:



## HOUSE BILL No. 1171.

An Act to further amend the act approved the first day of June one thousand nine hundred thirty-one (P. L. 299) entitled "An act requiring retail dealers in liquid fuels to state the rate of the liquid fuels tax separately from the price of such liquid fuels on liquid fuel price display signs and imposing a penalty" by requiring the posting of signs on liquid fuels dispensing devices stating the brand quality and price of liquid fuels prohibiting the posting of signs not conforming to prescribed standards and increasing penalties.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the bill, Section 2, Page 4, Line 19, by inserting after "(twenty-five dollars (\$25.00))" the words "not more than".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. JOHNSON. I request that the House concur in the amendments inserted by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—207

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarra,
Barkdoll,	Greer,	McCullough,	Sax,
Baumunk,	Guarnieri,	McCormack,	Scanlon,
Bea,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstremer,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. E.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenschild,	Mihm,	Snider,
Bombberger,	Headlee,	Mikula,	Sollenberger,
Boore,	Helm,	Miller, H. G.,	Spencer,
Bower,	Herach,	Miller, J. C.,	Stank,
Brelsch,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchia,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendenen,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varnier,
Dalrymple,	Kline,	Penglass,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
DuBois,	Kubacki,	Pichney,	Weidner,
Duffy,	Lafore,	Pitzer,	Welsh,
Dunn,	Lederer,	Polaski,	Westcott,
Erb,	Leisey,	Polen,	Westrick,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Ferster,	Leven,	Readinger,	White,
Filip,	Light,	Reagan,	Williams,
Filo,	Limper,	Reese,	Wilt,
Firmstone,	Loftus,	Reidenbach,	Wood,
Flack,	Lopresti,	Reilly, J. M.,	Yeakel,
Frost,	Lovett,	Rigby,	Yester,
Gaffney,	Lutty,	Riley, R. L.,	Yetzer,
Geer,	Lyons,	Robertson,	Young,
Gibson,	Madden,	Rose,	Ziegler,
		Rosen,	Sorg,

Gleason,  
Good,

Madigan,  
Markley,

Rovanek,

Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

#### SENATE INSISTS ON AMENDMENTS NON-CONCURRED IN BY HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 1102, entitled:

An Act to provide for liens for the cost of hospital care and treatment of persons wilfully or negligently injured the liens to exist on rights of action and on counterclaims and on verdicts and judgments recovered as the result of such injuries and on moneys paid in settlement of such actions and counterclaims and providing rights of action to recover such liens if not paid.

Mr. JOHNSON. Mr. Speaker, I move that the House insist upon its non-concurrence in the amendments made and insisted upon by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

#### APPOINTMENT OF COMMITTEE OF CONFERENCE ON HOUSE BILL NO. 1102

The SPEAKER. The Chair appoints as a Committee of Conference on said bill, Messrs. Kent, Tompkins and Schmidt.

Ordered, That the Clerk inform the Senate accordingly.

#### COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

#### APPROVAL OF HOUSE CONCURRENT RESOLUTION

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, August 17, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 269, Printer's No. 184, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

JOHN S. FINE.

#### COMMUNICATION AND BILL LAID ON TABLE

Mr. TOOMEY. Mr. Speaker, I move that the communication from the Governor together with the bill be laid on the table.

The motion was agreed to.

#### COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:



APPROVAL OF HOUSE CONCURRENT RESOLUTION

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, August 17, 1951.  
To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania::

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 270, Printer's No. 172, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

JOHN S. FINE.

COMMUNICATION AND BILL LAID ON TABLE

Mr. TOOMEY. Mr. Speaker, I move that the communication from the Governor together with the bill be laid on the table.

The motion was agreed to.

COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE CONCURRENT RESOLUTION

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, August 17, 1951.  
To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 1338, Printer's No. 780, for proposed amendments.

Accordingly, the original bill is herewith returned.

JOHN S. FINE.

COMMUNICATION AND BILL LAID ON TABLE

Mr. TOOMEY. Mr. Speaker, I move that the communication from the Governor together with the bill be laid on the table.

The motion was agreed to.

RESOLUTIONS INTRODUCED AND REFERRED

By Messrs. KENT and DENNISON.  
(Concurrent) RESOLUTION No. 76.

In the House of Representatives, August 20, 1951.

Whereas, The question of altering legal truck weights on the public roads and highways of this Commonwealth is a controversial legislative issue at each session of the General Assembly; and

Whereas, The General Assembly's debate of this important problem so far has produced no solution, but has unfortunately resulted only in the unfair labelling of each Member as a partisan either of the trucking industry or the railroad industry; and

Whereas, Various State and Federal agencies as well as private associations have been conducting exhaustive tests to establish proper weight limits, load distributions and speeds in order to avoid damage to public highways and danger to traffic; and

Whereas, The General Assembly can conscientiously do its duty in passing legislation relating to truck weights only when it receives advice and counsel from highway experts as to the facts; now therefore be it

Resolved, (if the Senate concur), That the Joint State Government Commission is hereby directed to study the

problem of the effects of weight on the public roads and highways of this Commonwealth to find what truck weights can be permitted commensurate with safety and economy, and in so doing to gather and compile all the available facts on the matter; and be it further

Resolved, That for such purpose the commission shall consult with experienced road builders, contractors, and engineers representing Federal, State and interested political subdivisions and any other builders, contractors and engineers with such experience as to qualify them as expert in the matters being investigated by the commission. It shall also make or cause to be made any and all necessary investigations to obtain actual evidence in corroboration and extension of such expert opinion, and obtain results of all tests and investigations made or being made to decide proper weights of trucks; and be it further

Resolved, That the Commission shall report its findings together with accompanying proposed legislation if any, to effectuate the same to the General Assembly by February 1, 1953.

Referred to the Committee on Rules.

By Messrs. ROYER and ANDREWS.  
(Concurrent) RESOLUTION No. 77.

In the House of Representatives, August 20, 1951.

Whereas, The General Assembly requires for its use comprehensive, factual information concerning the numerous problems before it;

Resolved (if the Senate concurs), That the Joint State Government Commission is hereby directed to:

1. Study and investigate
    - (a) State License Fees, Except Those Fixed by the Motor Vehicle Code
    - (b) Disability Benefit Laws
    - (c) Needs and Problems of the Aged and Aging
    - (d) State and Local Support of Public Education
    - (e) Instruction for the Deaf
    - (f) Public School Pupil Transportation Costs
    - (g) Available Information Relating to Underground Water Supply
    - (h) Un-American and Subversive Activities in the Commonwealth
    - (i) The Feasibility of Establishing School of Veterinary Medicine at Pennsylvania State College
    - (j) The Feasibility of Establishing a Free City College in Philadelphia
    - (k) The Feasibility of Establishing Medical and Dental Schools at Pennsylvania State College
    - (l) Laws Relating to Milk Control
    - (m) The Proposed Uniform Commercial Code
- and be it further

Resolved, That the Joint State Government Commission report to the next regular session of the General Assembly its findings and recommendations, with such drafts of legislation necessary to carry the recommendations into effect; and be it further

Resolved, That this resolution shall constitute the complete directive to the Joint State Government Commission notwithstanding any resolutions heretofore adopted.

Referred to the Committee on Rules.

By Messrs. ROYER and ANDREWS.  
RESOLUTION No. 78.

In the House of Representatives, August 20, 1951.

Whereas, The General Assembly requires for its use comprehensive, factual information concerning the numerous problems before it;

Resolved, That the Joint State Government Commission is hereby directed to:

1. Study and investigate
  - (a) State License Fees, Except Those Fixed by the Motor Vehicle Code
  - (b) Disability Benefit Laws



- (c) Needs and Problems of the Aged and Aging
  - (d) State and Local Support of Public Education
  - (e) Instruction for the Deaf
  - (f) Public School Pupil Transportation Costs
  - (g) Available Information Relating to Underground Water Supply
  - (h) Un-American and Subversive Activities in the Commonwealth
  - (i) The Feasibility of Establishing School of Veterinary Medicine at Pennsylvania State College
  - (j) The Feasibility of Establishing a Free City College in Philadelphia
  - (k) The Feasibility of Establishing Medical and Dental Schools at Pennsylvania State College
  - (l) Laws Relating to Milk Control
  - (m) The Proposed Uniform Commercial Code
- and be it further

Resolved, That the Joint State Government Commission report to the next regular session of the General Assembly its findings and recommendations, with such drafts of legislation necessary to carry the recommendations into effect; and be it further

Resolved, That this resolution shall constitute the complete directive to the Joint State Government Commission notwithstanding any resolutions heretofore adopted.

Referred to the Committee on Rules.

### RESOLUTION

#### CONDOLENCE

Mr. BRETH offered a resolution which was read, considered and unanimously adopted as follows:

In the House of Representatives, August 20, 1951.

The House of Representatives is in receipt of sad news in learning of the death of a former member of this House—John D. Walker, age 68, a prominent coal operator of Brisbin, who passed away at his residence, Saturday, August 4, after a heart attack.

The Honorable John D. Walker, was a Republican member of this House from Clearfield County during the 1927 and 1929 legislative sessions.

He is remembered here at the Capitol as being the "father" of legislation to benefit poor school districts. Through this legislation many distressed school districts have been able to maintain the high standards of public

education and thereby many boys and girls were given educational opportunities which would have otherwise been substantially curtailed.

Mr. Walker was devoted to public education all of his adult life and was a member of the Brisbin borough School Board for many years and was in fact its treasurer at the time of his death; therefore be it

Resolved, That the House of Representatives hereby expresses its sincere sympathy to his widow, Mrs. John D. Walker and to the other members of his family; and be it further

Resolved, That a copy of this resolution be transmitted to Mrs. John D. Walker, the surviving widow of the Honorable John D. Walker.

### REPORT FROM COMMITTEE

Mr. TOMPKINS from the Committee on Judiciary, reported as amended, Senate Bill No. 188, entitled:

An Act to amend Section 1 and the fourth paragraph of Section 2 of the act approved the twelfth day of July one thousand nine hundred thirteen (P. L. 711) entitled "An act establishing a court for the county of Philadelphia prescribing its jurisdiction and powers providing for the service of its writs process or warrants by the proper officers of the county or city of Philadelphia regulating the procedure therein and appeals therefrom and providing for the expenses thereof" by increasing the number of judges of the Municipal Court of Philadelphia

### COMMITTEE MEETINGS

Cities—Third Class, Mr. Dalrymple, Chairman, Room 521, Tuesday, August 21, at 10:00 a. m.

Judiciary, Mr. McKinney, Chairman, Room 520, Tuesday, August 21, at 10:00 a. m.

All times are Eastern Standard Time.

### ADJOURNMENT

Mr. SMITH. Mr. Speaker, I move that this House do now adjourn until Tuesday, August 21, 1951 at 12:00 noon EST.

The motion was agreed to, and (at 9:46 p. m.) EST) the House adjourned.



# Legislative Journal.

Session 1951.

139th of the General Assembly.

Vol. 32.

HARRISBURG, PA., TUESDAY, AUGUST 21, 1951.

No. 80.

## SENATE

TUESDAY, August 21, 1951.

The Senate met at 12:00 o'clock, m., Eastern Standard Time.

The MAJORITY LEADER (John M. Walker) in the Chair.

### PRAYER

The Chaplain, Rev. ALFRED L. TAXIS, Pastor of the First Presbyterian Church, Port Carbon, Pennsylvania, offered the following prayer:

O God, we are ashamed when we feel Thy searching glance scanning our shortcomings. We have to acknowledge that we knew better than we have acted. We have desired Thy fellowship, but we chose rather to have comradeship with those who did not know Thee or honor Thee. We have sought to build reputations rather than character. May we find Thy forgiveness now.

Lift up our heads, put a new light in our eyes and a new song in our hearts. Amen.

The MAJORITY LEADER. Will the gentleman from Somerset, Mr. Hare, come to the rostrum to preside?

The PRESIDING OFFICER (Fred P. Hare) in the Chair.

### JOURNAL APPROVED

The PRESIDING OFFICER. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WALKER and Mr. CROWE, further reading was dispensed with, and the Journal was approved.

### LEAVE OF ABSENCE

Mr. Haluska asked and obtained leave of absence for Mr. DENT.

### NOMINATIONS BY THE GOVERNOR REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows, and referred to the Committee on Executive Nominations.

### MEMBERS OF THE PENNSYLVANIA AERONAUTICS COMMISSION

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, August 21, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Members of the Pennsylvania Aeronautics Commission:

Ralph C. Hutchison, Easton, Northampton County, to serve until June 2, 1955, and until his successor shall be duly appointed and shall have qualified.

Alan M. Scaife, Pittsburgh, Allegheny County, to serve until March 6, 1955, and until his successor shall be duly appointed and shall have qualified.

William R. McMillen, Black Lick, Indiana County, to serve until December 1, 1952, and until his successor shall be duly appointed and shall have qualified.

Charles C. Smith, Mt. Airy, Philadelphia, Philadelphia County, to serve until December 1, 1952, and until his successor shall be duly appointed and shall have qualified.

T. Newell Wood, Alderson, Luzerne County, to serve until December 1, 1954, and until his successor shall be duly appointed and shall have qualified.

JOHN S. FINE.

## HOUSE MESSAGES

### HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 111\*

The Clerk of the House of Representatives being introduced, presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 111, entitled:

An Act to further amend section 506 of the act approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "The Penal Code," providing for the modification of support orders in bastardy cases.

### HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 213

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 213, entitled:

An Act to further amend section one of the act approved the twenty-eighth day of June one thousand nine hundred thirty-five (P. L. 477) entitled as amended "An act providing for the payment of the salary medical and hospital expenses of policemen and firemen by cities boroughs towns and townships who are injured in the performance of their duty and providing that absence during such injury shall not reduce any usual sick leave period" by adding a presumption of relationship to employment of diseases of the heart and tuberculosis of the respiratory system and providing disability benefits for such conditions



### HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1171

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1171, entitled:

An Act to further amend the act, approved the first day of June, one thousand nine hundred thirty-one (P. L. 299), entitled "An act requiring retail dealers in liquid fuels to state the rate of the liquid fuels tax, separately from the price of such liquid fuels, on liquid fuel price display signs; and imposing a penalty," by requiring the posting of signs on liquid fuels dispensing devices, stating the brand, quality and price of liquid fuels; prohibiting the posting of signs not conforming to prescribed standards; and increasing penalties.

### HOUSE INSISTS UPON ITS NON-CONCURRENCE IN AMENDMENTS TO HOUSE BILL No. 1102 AND APPOINTS COMMITTEE OF CONFERENCE

He also informed the Senate that the House insists on its non-concurrence in Senate amendments to House Bill No. 1102, entitled:

An Act to provide for liens for the cost of hospital care and treatment of persons wilfully or negligently injured, the liens to exist on rights of action and on counterclaims and on verdicts and judgments recovered as the result of such injuries and on moneys paid in settlement of such actions and counterclaims; and providing rights of action to recover such liens if not paid.

and has appointed Messrs. KENT, TOMPKINS and SCHMIDT as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences shall appoint such committee) to consider the differences existing between the two houses in relation to said bill.

### HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence bills of the House, as follows:

House Bill No. 390, entitled:

An Act requiring all buildings under construction which are to be fifty feet or more in height to be equipped with an elevator for the use of building construction workmen and providing penalties

Which was committed to the Committee on Labor and Industry.

House Bill No. 1557, entitled:

An Act to amend clause (h) of Section 9 of the act, approved the twenty-fourth day of May, one thousand nine hundred forty-five (P. L. 991), entitled "Urban Redevelopment Law," by clarifying the provisions of said section with respect to the power of redevelopment Authorities to acquire real property.

Which was committed to the Committee on Local Government.

House Bill No. 1644, entitled:

An Act declaring the Communist Party illegal; making membership in the Communist Party or any organization furthering the revolutionary conspiracy by force and violence a felony and providing penalties.

Which was committed to the Committee on Judiciary General.

House Bill No. 1647, entitled:

An Act to add section three hundred twenty-seven to the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "The Penal Code," by making it a crime to picket or parade in or near any building housing a court of the Commonwealth of Pennsylvania, with the intent of influencing any judge, juror, witness or court officer in the discharge of his duty" and prescribing penalties.

Which was committed to the Committee on Judiciary General.

### REPORTS FROM COMMITTEES

Mr. CROWE, from the Committee on Mines and Mining reported as committed, Senate Bill No. 832, entitled:

An Act to amend rule fifty-five of article XII of the act approved the second day of June, one thousand eight hundred ninety-one (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith," by permitting the removal of props or timber by blasting or by means of a prop puller.

Mr. WATSON, from the Committee on Insurance, reported as committed, House Bill No. 907, entitled:

An Act to further amend section nine hundred fifteen of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1053) entitled "An act relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utility business by prescribing defining and limiting their duties powers and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicles and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale method of regulating rates providing for the supervision of financial and contractual relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alteration relocation protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporation (except municipal corporations) subject to regulation the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for



review by the courts of commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" by permitting motor carriers not qualified to be self-insurers to furnish surety bonds or public liability insurance.

### BILLS INTRODUCED AND REFERRED

Mr. YOSKO, read in his place and presented to the Chair Senate Bill No. 837, entitled:

An Act making it unlawful to print or otherwise produce wall charts, tip sheets, scratch sheets, bookmaking tickets or other items in furtherance of illegal gambling or to transport, sell or possess the same; and providing penalties.

Which was committed to the Committee on Law and Order.

Mr. PECHAN read in his place and presented to the Chair Senate Bill No. 838, entitled:

An Act to establish as a State Highway a certain section of public road in the County of Butler.

Which was committed to the Committee on Highways.

### RECESS

Mr. HALUSKA. Mr. President, I move that the Senate do now take a recess for ten minutes, for the purpose of a Democratic Caucus.

Mr. WALKER. Mr. President, I second the motion. The motion was agreed to.

### AFTER RECESS

The PRESIDING OFFICER. The time of recess having elapsed the Senate will be in order.

### RECESS

Mr. WALKER. Mr. President, I move that the Senate do now take a recess for five minutes, to permit a meeting of the Committee on Executive Nominations.

Mr. WOLFE. Mr. President, I second the motion. The motion was agreed to.

### AFTER RECESS

The PRESIDING OFFICER. The time of recess having elapsed the Senate will be in order.

### RECESS

Mr. WALKER. Mr. President, I move that the Senate do now take a recess for ten minutes, to permit a meeting of the Committee on Labor and Industry.

Mr. BERGER. Mr. President, I second the motion. The motion was agreed to.

### AFTER RECESS

The PRESIDING OFFICER. The time of recess having elapsed the Senate will be in order.

### HOUSE BILL No. 1102 TAKEN FROM TABLE

Mr. WALKER. Mr. President, I call from the table House Bill No. 1102, entitled:

An Act to provide for liens for the cost of hospital care and treatment of persons wilfully or negligently injured, the liens to exist on rights of action and on counterclaims and on verdicts and judgments recovered as the result of such injuries and on moneys paid in settlement of such actions and counterclaims; and providing rights of action to recover such liens if not paid.

and move a committee of conference on the part of the Senate be appointed.

Mr. WADE. Mr. President, I second the motion.

The motion was agreed to.

### COMMITTEE OF CONFERENCE APPOINTED ON HOUSE BILL No. 1102

The PRESIDING OFFICER. The Chair announces on behalf of the President pro tempore the appointment of Messrs. WADE, MALLERY and NEFF as a committee of conference on the part of the Senate to confer with a similar committee of the House (already appointed) to consider the differences existing between the two houses in relation to House Bill No. 1102.

Ordered, That the Clerk inform the House of Representatives accordingly.

### HOUSE BILL No. 1645 CALLED UP OUT OF ORDER

Mr. WALKER. Mr. President, at this time I would like to call up out of order a bill that the House is waiting for for signature, and if the gentlemen of the Senate will bear with me, I call up on page 15 of the Senate Calendar, House Bill No. 1645, Printer's No. 863, on Third Reading, and ask that it be read for the third time and presented to the Senate for final passage.

### BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1645, as follows:

An Act transferring money from the World War II Veterans' Compensation Fund to the World War II Veterans' Compensation Sinking Fund for the purpose of meeting interest and sinking fund requirements on World War II Veterans' Compensation Bonds

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of six million dollars (\$6,000,000) is hereby transferred from the World War II Veterans' Compensation Fund to the World War II Veterans' Compensation Sinking Fund and is hereby appropriated to meet interest and sinking fund requirements on the World War II Veterans' Compensation Bonds during the two fiscal years ending May thirty-first one thousand nine hundred fifty-three according to the following schedule

September 1 1951	\$2,812,500.00
February 15 1952	471,250.00
March 1 1952	2,716,250.00
Total	\$6,000,000.00

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?



The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bane,	Haluska,	McPherson, Jr.,	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Propert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahany,	Rosenfeld,	Watson,
Diehm,	Mallery,	Ruth,	Wolfe,
DiSilvestro,	McCreesh,	Scarlett,	Wood,
Fleming,	McGinnis,	Silvert,	Yosko,
Freed,	McMenamin,	Snowden,	Hare,
		Stevenson,	Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

## HOUSE CONCURRENT RESOLUTION TAKEN FROM TABLE

Mr. WALKER. Mr. President, I call up from the table at this time, the Adjournment Resolution.

The resolution was read as follows:

In the House of Representatives, August 20, 1951.

Resolved, That when the House of Representatives adjourns this week, it re-convene on Monday, September 17, 1951 at 3:30 o'clock p. m., E. S. T., unless sooner re-convened at the call of the Speaker of the House of Representatives and when the Senate adjourns this week, it re-convene on Monday, September 17, 1951 at 2:00 o'clock p. m., E. S. T., unless sooner re-convened by the President Pro Tempore of the Senate.

On the question,

Will the Senate concur in the same?

## SENATE CONCURS IN HOUSE RESOLUTION

Mr. WALKER. Mr. President, I move that the Senate do concur in the House resolution.

Mr. WATSON. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. HALUSKA. Mr. President, with reference to the resolution just read, I would like to make a brief statement.

Mr. President, we have spent eight months here in this Senate chamber, and we have accomplished very little. Time in and time out our Floor Leader, Senator Dent, speaking for the Democratic Party, has offered our services. We have asked to sit down with the Majority Party to try to help solve the knotty problem confronting this Legislature. It seems that it has been a cry in the wild. As yet we have not been invited at any time into a conference to try to settle the tax problem.

Mr. President, we feel we have a responsibility. We are willing to help, but it is quite apparent, Mr. President, that our help is not wanted. It is our wish, it is our desire to stay in Session to complete the job. It must be met sooner or later, but again we have not been consulted in any manner whatsoever with regard to a recess. The Democratic Party goes on record: that we want to finish

the job now, but if the Majority Party insists upon a recess, once again there is little we can do about it. So, Mr. President, our members are going on record as opposing the recess.

And the question recurring,

Will the Senate agree to the motion?

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

## REQUEST TO PRESENT RESOLUTION

Mr. HOLLAND. Mr. President, I ask unanimous consent to present a resolution at this time.

Mr. WALKER. Mr. President, may I ask the gentleman if he would yield until we come to resolutions? We have quite a number of them to be presented, and I do not want to deprive—

Mr. HOLLAND. Mr. President, this pertains to the subject matter at hand.

Mr. WALKER. I appreciate that. I have on my desk copies of resolutions that Members of the Senate are desirous of presenting that deal with the subject matter, and if I open the gate for one, I will have seven or eight resolutions, and I have four committees that would like to meet before we get into the Calendar and into resolutions. I would earnestly ask the gentleman if he would mind yielding until we come to resolutions. We have not come to that point in the agenda as yet.

Mr. HOLLAND. Mr. President, not wishing to tie up the work of this Senate, as I know that our time is limited, since we have been so awfully busy for the last eight months, I will agree to wait until the time of resolutions.

The PRESIDING OFFICER. The Chair thanks the gentleman from Allegheny, Senator Holland.

The PRESIDENT pro tempore (M. Harvey Taylor) in the Chair.

## BILL SIGNED

The PRESIDENT pro tempore (M. Harvey Taylor) announced that the Chief Clerk having reported that the following bill had passed both Houses of the General Assembly and the same being correct, the title was publicly read as follows:

House Bill No. 1628, entitled:

An Act to amend the title and certain sections of and to add new sections to the act approved the thirtieth day of June, one thousand nine hundred forty-seven (P. L. 1154), entitled "An act to prohibit the manufacture and sale of oleomargarine or butterine and other similar products when colored in imitation of yellow butter; to provide for license fees to be paid by manufacturers, wholesale and retail dealers, and by proprietors of hotels, restaurants, dining-rooms, and boarding-houses; for the manufacture or sale of oleomargarine, butterine or other similar products not colored in imitation of yellow butter; to regulate the manufacture, sale and advertising of oleomargarine, butterine or other similar products, not colored in imitation of yellow butter; and prevent and punish fraud and deception in such manufacture, sale, and advertising as an imitation butter; to prescribe penalties and punishment for violation of this act and the means and method of procedure for its enforcement; to regulate certain matters of evidence in such procedure; and to prescribe certain powers and duties of the Department of Agriculture," by permitting the manufacture and except



in certain cases the sale of colored oleomargarine, butterine and similar products.

Whereupon,

The PRESIDENT pro tempore (M. Harvey Taylor) in the presence of the Senate signed the same.

### RECESS

Mr. WALKER. Mr. President, I move that the Senate do now take a recess for five minutes, to permit a meeting of the Committee on Judiciary General.

Mr. BERGER. Mr. President, I second the motion.

The motion was agreed to.

### AFTER RECESS

The PRESIDING OFFICER (Fred P. Hare) in the Chair.

The PRESIDING OFFICER. The time of recess having elapsed the Senate will be in order.

### SENATE RESOLUTION

#### REPUBLICAN MAJORITY OF THE GENERAL ASSEMBLY TO STUDY WAYS AND MEANS TO CUT GOVERNMENT EXPENSES DURING RECESS

Mr. HOLLAND offered the following resolution which was twice read as follows:

In the Senate, August 21, 1951.

The General Assembly has been in session since January, and in that time the Republican Administration, as well as the Republican Majority have insisted on placing upon the people of Pennsylvania new taxes, instead of practicing economy.

With callous disregard to the wishes and demands of capital, management and labor, for economy in State Government, the Republican Administration have spent days, weeks and months trying to find ways and means to find new forms of taxes to place on the shoulders of every individual and enterprises in our Commonwealth. No honest effort was made by them to find ways and means to cut the cost of Government and blunt refusal was the answer to the Democratic Minority attempts to use the services of the Economy League, the Chamber of Commerce or have the experience and wisdom of Certified Public Accountants and Economists to assist the members of the General Assembly in compiling a State Budget in keeping with the wishes and demands of the times.

Therefore, Be It Resolved that the Democratic Minority of the General Assembly again reiterates their request that during the recess voted upon by the Republican Majority that they spend more time studying ways and means to cut expenses of Government, instead of spending the entire time of a recess finding ways and means to tax, and tax, and tax, and

Be It Further Resolved, that the Democratic Minority suggests to the Republican Majority that at any time the services and help of the Democratic Minority is requested to suggest ways and means to cut costs of government, we stand ready at all times to give our counsel and wisdom.

#### REQUEST THAT RULE 39 BE SUSPENDED

Mr. HOLLAND. Mr. President, I ask unanimous consent that Rule 39, which requires resolutions be referred to an appropriate committee, be dispensed with and the Senate proceed to the consideration of the foregoing resolution.

The PRESIDING OFFICER. Is there objection?

Mr. WALKER. Mr. President, I object to the immediate consideration of the resolution, and may I say to the gentleman from Allegheny, thanks very much. I enjoyed

the last paragraph of the letter and the thump you heard was the people fainting in Washington.

The PRESIDING OFFICER. The resolution is referred to the Committee on Rules.

Mr. HOLLAND. Mr. President, I agree with the Majority Leader that what you hear is a thump of the Republican economists in Washington. Senator Duff—

### POINT OF ORDER

Mr. WALKER. Mr. President, I rise to a point of order.

The PRESIDING OFFICER. The gentleman from Allegheny, Mr. Walker, will state his point of order.

Mr. WALKER. Mr. President, there is nothing before the Senate at this time but the assignment of the resolution just offered by the gentleman. I must object at this time to the gentleman debating the resolution that is not before us.

The PRESIDING OFFICER. There is nothing before the Senate because there has been objection to the immediate consideration of the resolution. The Chair has already referred the resolution to the Committee on Rules.

Mr. HOLLAND. Mr. President, I ask unanimous consent to make a brief statement.

Mr. WALKER. Mr. President, if the gentleman will wait until we are finished with resolutions, I will have no objection to him making a statement. At this time, I must object until we complete resolutions.

The PRESIDING OFFICER. Will the Senator yield until we have completed our resolutions?

Mr. HOLLAND. Mr. President, no I won't.

### POINT OF ORDER

Mr. WALKER. Mr. President, I object to the gentleman making a statement. I rise to a point of order.

The PRESIDING OFFICER. The gentleman from Allegheny, Mr. WALKER, will state his point of order.

Mr. WALKER. Mr. President, there is nothing before the Senate but the introduction of resolutions.

The PRESIDING OFFICER. The objection of the gentleman from Allegheny, Mr. Walker, is well taken.

Mr. HOLLAND. Mr. President, I would like to suggest to the Majority Leader that if he had the same push and pull in the last eight months, we would be through with the Session by this time.

The PRESIDING OFFICER. The remarks of the gentleman will be spread upon the record.

### INTERROGATIONS

Mr. YOSKO. Mr. President, I wish to present a resolution and desire to make a brief statement before doing so.

Mr. WALKER. Mr. President, may I interrogate the gentleman from Northampton, Senator Yosko?

The PRESIDING OFFICER. Will the gentleman from Northampton, Mr. Yosko, permit himself to be interrogated?

Mr. YOSKO. Yes, Mr. President.

Mr. WALKER. Mr. President, may I ask the gentleman from Northampton if the remarks he is going to make are on the resolution which he proposes to offer?

Mr. YOSKO. Yes, sir.

Mr. WALKER. Mr. President, may I ask the gentleman to yield on his remarks until the resolution is read? Will



the gentleman offer his resolution and make his remarks after?

Mr. YOSKO. In my opinion, Mr. President, I think the remarks ought to precede the introduction of the resolution.

The PRESIDING OFFICER. There has been objection to unanimous consent to making a statement prior to presenting the resolution.

Mr. WALKER. Mr. President, I will bear with the gentleman's decision that in his opinion the remarks would sound better coming ahead of the resolution than behind, and I withdraw my objection and permit the gentleman to make his remarks, but may I ask him to please confine them to the resolution?

The PRESIDING OFFICER. The gentleman from Northampton, Mr. YOSKO, has been granted unanimous consent to make a brief statement prior to presenting a resolution.

Mr. YOSKO. Mr. President, before I make the statement, may I interrogate the gentleman from Allegheny?

The PRESIDING OFFICER. Will the gentleman from Allegheny, Mr. Walker, permit himself to be interrogated?

Mr. WALKER. It is always a pleasure, Mr. President.

Mr. YOSKO. Mr. President, will the distinguished Majority Leader tell me why he is objecting to anyone exercising his prerogatives in this chamber?

Mr. WALKER. Mr. President, I have no objection to the gentleman speaking at length on any subject that might occur to him as soon as we finish the introduction of resolutions. I am merely trying to hold to that agenda until we have completed it. I have no objection at all to the gentleman speaking as long as he so desires on any subject he so desires as soon as we finish resolutions. We are merely in the introduction of resolutions, and I might say, Mr. President, for the information of or to remind the gentleman from Northampton, that he has presented me with three resolutions which he proposes to introduce at this time. I am perfectly willing to have him introduce them and discuss them, but I am asking the gentleman to please confine his discussion at this point to the resolution which he is offering. Now anything that is not germane to the resolution, I have no objection to him discussing that as soon as we have completed the resolutions. I think that is fair enough, Senator.

#### PERMISSION TO ADDRESS SENATE

Mr. YOSKO asked and obtained unanimous consent to address the Senate.

Mr. YOSKO. May I proceed with my remarks, Mr. President?

The PRESIDING OFFICER. The gentleman from Northampton will proceed with his remarks on the resolution he is about to offer.

Mr. YOSKO Mr. President, I want to talk about rackets and racketeers. That is the subject matter of my resolution.

The PRESIDING OFFICER. The gentleman will proceed.

Mr. YOSKO Mr. President, every once in awhile I like a little sport, and every once in awhile I go to the race tracks. I have been at race tracks in Jersey, New York, Maryland and Delaware, and each time I have been to the race track I went there by automobile, and if you have ever been at a race track you know that there is great

space made available to those who drive to the track, and when the races were over and I went out to get my automobile, I naturally had a chance to see the license plates, and at each one of these tracks, to my amazement I found that a number of cars that were parked in the lots at these race tracks were Pennsylvania cars, Pennsylvania cars in the great majority, and that only told me one thing, that there were millions of dollars being poured into other States by Pennsylvanians, and that Pennsylvania was not getting one iota of benefit from it. So, I thought probably since every State surrounding Pennsylvania had legalized racing, that it might be a good idea to legalize racing in Pennsylvania, so that Pennsylvania could get the benefit of these tax dollars, as well as Pennsylvania business houses get the benefit of the business that would be brought into Pennsylvania as a result of legalized racing. So, I went to the Legislative Reference Bureau early in the Session and I asked them to prepare a bill for me that would authorize the General State Authority to build three race tracks, one in the Philadelphia area, one in the Pittsburgh area and one in the Wilkes-Barre-Scranton area, and the bill calls for these tracks to operate on a State monopoly basis; that is, whatever profit would be realized from the tracks would go to the State, and under the terms of the bill whatever profits were realized would be used to pay off the soldiers' bonus or as much as was taken in to be applied toward the payment of the soldiers' bonus.

Mr. President, I will not go into the other details of the bill, but since it was a revenue raising bill, I gave it to one of my colleagues in the House, Francis Bucchin, from the City of Bethlehem, and he introduced it here and, of course, like many progressive bills that have been introduced during this Session, it was referred to committee and there it lies, there it lies, in spite of the fact that the millions in tax dollars could be used to help finance the obligations of the Commonwealth just as the tax dollars realized at race tracks in every State neighboring Pennsylvania help to finance the obligations of those States.

Mr. President, for my information, and I am going to give it to you, I compiled some statistics from tracks surrounding Pennsylvania, and during the year 1950, tracks surrounding Pennsylvania, there were, in round figures, 16,000,000 people who went to the race tracks. There was \$870,000,000 bet last year at those race tracks. There was approximately \$60,000,000 paid to those States in taxes, and by the way, in the State of New York, in addition to the State getting this revenue, they now provide that a portion of the taxes collected be allocated to the local municipalities, and there was fifteen and one-half million dollars from the race tracks that was allocated to the local municipalities in the State of New York last year. There was paid to the owners about \$50,000,000, in round figures, and paid to the betters, \$566,000.00.

I repeat, Mr. President, of all these millions, of all these millions, Pennsylvania dollars are well represented, but yet Pennsylvania does not get a nickel of it. All of the Pennsylvania dollars pour into the neighboring States. I frankly see nothing wrong with legalizing racing. Some people will disagree with me, that is true. People disagree with a lot of things, but in one breath we refuse



to legalize racing and in the next breath we permit the bookies and all sorts of other racketeers to function in Pennsylvania, and they all reap the harvest. If the bookies are permitted to function, then, of course, the Treasury lotteries, the Treasury balance lotteries say, if the bookies can function, we can function, and if the bookies and the Treasury balance lotteries function, then the slot machine racket says, we can function, and the result is we have a whole conglomeration of rackets functioning all over Pennsylvania.

Mr. President, you know and I know that the United States Senate Crimes Investigating Committee is now conducting an investigation on racketeering throughout the United States, and it made no exception of Pennsylvania. It has been in Pennsylvania, and just recently it held a hearing in Washington, and at that hearing a captain of the Pennsylvania State Police testified that about \$30,000,000 is milked from Pennsylvania on the Treasury balance racket, and this same Pennsylvania State Police Captain, Captain McElroy, said that the head of this racket in Pennsylvania was a Louis Cohen, who divided his time between Pennsylvania, the Pocono Mountains, his home, and Florida. I do not know whether he said this or not, but this same Louis Cohen, I am reliably informed, has that summer home in the Pocono Mountains just a stone's throw from the State Police Barracks up there. The State Police seem to know all about what is going on. They seem to know how much money is coming in, they seem to know who operates these rackets, and yet the people who they name walk the streets just as free as those who participate in no rackets at all, and it is about time, Members of this Senate, that the Pennsylvania State Police, if it has all these facts, do something about these rackets.

Here a short time ago the head of the State Police came before the Senate Appropriations Committee to justify a \$20,000,000 appropriation, and I asked him then what he was doing about these rackets, what he was doing about cleaning up these rackets, in particular the Treasury balance racket, and he asked me how I would go about stopping it, and I told him then, and I repeat now, that if I had the twenty-million that he was asking for, and I had the personnel of the State Police available to me, and all of the other things that he has available to him, I would do something about the rackets with direct positive action and not in words, and I repeat that now. I say to you, Mr. President, one of the things that is perhaps wrong with the State Police is that most of the personnel has been reduced to traffic cops. If anyone thinks that every Member of the State Police is at liberty to go out and break up rackets, all they have to do is ask them, and they will give you the answer. It is about time they organize a real honest aggressive racket busting division within the State Police, and give every State Policeman the right to break up a racket wherever he knows it to exist, and the sooner we do that the sooner we are going to break up these rackets here in Pennsylvania.

Mr. President, if we want to be lily white and we do not want to legalize racing, all right, let us be lilly white, but let us try to stop those who are reaping a harvest in millions, and if we do that, then we can with justification say we in Pennsylvania are not for legalized racing.

Mr. President, just a short time ago the State Authority had a picnic here in Harrisburg, and if anybody in Pennsylvania ought to be an example of being opposed to rackets, it ought to be every branch of the State Government, but yet, from the story I read in the papers, they held this picnic and what did they have but a lot of slot machines functioning, which is an indication to me, at least, that the slot machine racket is functioning in this area, with the main office of the State Police right here in its midst and yet nothing done about it. I say to you, Mr. President, we ought to do one or the other. We ought to fall in line with other States and get some of those tax dollars, or we ought to do something about stopping the racketeers from getting the millions of dollars from our citizens.

### SENATE RESOLUTION

#### SENATE COMMITTEE ON RULES TO ACT ON CERTAIN RESOLUTION IN ITS POSSESSION DEALING WITH RACKETS OPERATING IN PENNSYLVANIA

Mr. YOSKO offered the following resolution which was twice read as follows:

In the Senate, August 21, 1951.

Whereas, Investigations conducted by the United States Crimes Committee relative to racketeering in Pennsylvania, particularly the Treasury Balance racket, established the need for a bi-partisan State Legislative Crime Committee, and

Whereas, Captain Harry E. McElroy of the Pennsylvania State Police, at a recent hearing of the United States Senate Crime Investigating Committee testified that the Treasury Balance racket milks more than \$30,000,000 (30 million dollars) from Pennsylvania residents each year, and

Whereas, Captain McElroy further testified that the head of the Treasury Balance racket in Pennsylvania is Louis Cohen, who has a home in the Pocono Mountains in Pennsylvania and

Whereas, Captain McElroy also testified that in addition to the Treasury Balance syndicate operated by Louis Cohen, Pennsylvania has a half dozen "independents" who run Treasury Balance lotteries and take is "a couple of million" dollars a year, and

Whereas, Although this information is known to the Pennsylvania State Police, Louis Cohen and others operating the Treasury Balance racket have not been molested, apprehended, or arrested, but on the contrary apparently continue to operate this huge racket, and

Whereas, The Pennsylvania State Police have failed to organize an active, aggressive racket busting squad for the purpose of eliminating racketeering in Pennsylvania

Therefore Be It Resolved, That the Senate Committee on Rules be directed to act immediately and favorably on the resolutions in its possession calling for the establishment of a bi-partism crime committee to investigate all forms of rackets operating in Pennsylvania.

#### REQUEST THAT RULE 39 BE SUSPENDED

Mr. YOSKO. Mr. President, I ask unanimous consent that Rule 39, which requires resolutions be referred to an appropriate committee, be dispensed with and the Senate proceed to the consideration of the foregoing resolution.

The PRESIDING OFFICER. Is there objection?

Mr. WALKER. Mr. President, I object to immediate consideration of the resolution.

The PRESIDING OFFICER. The resolution is referred to the Committee on Rules.



## PERMISSION TO ADDRESS SENATE

Mr. HALUSKA asked and obtained unanimous consent to address the Senate.

Mr. Haluska. Mr. President, in regard to the statement made by my colleague from Northampton County, I believe that every man has the right and the prerogative to introduce resolutions or introduce bills, but I want to go on record and state that the Democratic Party has not gone on record by his resolution advocating or sponsoring legislation to legalize horse racing in Pennsylvania. That has not been our position, and the gentleman purely spoke on his own behalf. He has a right to do so.

## HOUSE MESSAGE

HOUSE NON-CONCURS IN SENATE AMENDMENTS  
TO HOUSE BILL No. 718

The Clerk of the House of Representatives being introduced, informed the Senate that the House has non-concurred in the amendments made by the Senate to House Bill No. 718, entitled:

An Act making a deficiency appropriation to aid certain school districts

## PERMISSION TO ADDRESS SENATE

Mr. WAGNER asked and obtained unanimous consent to address the Senate.

Mr. WAGNER. Mr. President, I want to make a motion regarding this bill. In order to do so and keep my own position clear, it is absolutely necessary that I preface the motion with an introductory statement.

The PRESIDING OFFICER. The gentleman will proceed.

Mr. WAGNER. Mr. President, I do this for two reasons; one, because we have in the gallery this afternoon, or in the balcony, a very distinguished group of local leaders of the Pennsylvania State Education Association, who are engaged in workshop work at Chambersburg, and who have honored the Senate with their presence for a short time this afternoon. Some of them surely will be from districts that are involved in the appropriation which is covered by this House Bill. They may want to get the story straight and take it home to their teachers, who may not yet be paid up to date. Secondly, I want to say that this is the bill about which we had somewhat furious debate here on two different days. It is the bill over which Senator Haluska and I differed, not, however, about the desire to help distressed teachers. Because of the debate, I feel the House apparently concluded that they should non-concur in the amendment that the Senate put into House Bill No. 718, and possibly have a conference committee and adjust the figure somewhere reasonably satisfactory to everybody.

Unfortunately, Mr. President, developments over which some of us, at least, have no control have put us in the position where we are about to recess for practically a month. If we do not get this bill back to the House for signature in a matter of minutes, no teachers with back salaries will get any money earlier than sometime after the seventeenth of September when we return here. To me that would be tragic. I am terribly disappointed that the House non-concurred in the Senate amendment

increasing the appropriation to \$750,000. I was delighted that the Senate, two committees, the Education Committee, then the Appropriations Committee, and finally the Senate unanimously amended the bill to provide \$750,000 to cover this distress. That was our intent. We are back where we started to \$270,000, but in order that the most urgent need may be cared for, in order that the distressed teachers, from a salary standpoint, may have their situation and condition alleviated just a little bit, because of that, Mr. President, I want to make a motion that the Senate recede from its amendments to House Bill No. 718.

SENATE RECEDES FROM ITS AMENDMENTS NON-  
CONCURRED IN BY THE HOUSE TO HOUSE  
BILL No. 718

Mr. WAGNER. Mr. President, I move that the Senate recede from its amendments non-concurred in by the House to House Bill No. 718, entitled:

An Act making a deficiency appropriation to aid certain school districts.

Mr. WALKER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. HALUSKA. Mr. President, I would like to interrogate the gentleman from Schuylkill County, Senator Wagner.

The PRESIDING OFFICER. Will the gentleman from Schuylkill, Mr. Wagner, permit himself to be interrogated?

Mr. WAGNER. I will, Mr. President.

Mr. HALUSKA. Senator Wagner, if the Senate does not recede from its position to cut the appropriation from \$750,000 to \$270,000 will you tell me whether that money will be divided equally throughout distressed districts or whether the money will be allocated to Schuylkill and Northumberland Counties only?

Mr. WAGNER. Mr. President, the gentleman knows that there is no way I can answer that question. There are rules and regulations established which are very binding upon the Department of Public Instruction and upon the State Tax Equalization Board for the distribution of this money. The amount, the portion of the request that shall be made to a school district has to stand all the various tests of these two groups. There is not any possible way, by law or otherwise, that you can make a per capita distribution or anything approaching it. That is completely beyond my or his or our control.

Mr. HALUSKA. Mr. President, I want to thank the gentleman for his answer. We did debate the issue a number of days, and this entire body in the Senate voted for a \$750,000 appropriation because, while we disagreed with the reason for the appropriation, we all did agree, however, that the teachers must be paid, and I am not trying to put the Senator in a spot in any manner whatsoever. I am only interested in knowing that since the appropriation is being cut from \$750,000 to \$270,000, naturally it is quite a difference, and I am interested in other counties other than Schuylkill and Northumberland.

As the gentleman pointed out last week, we have a number of districts, Cambria County, Fayette County, Greene, Washington, etc., and I trust that they will receive some consideration out of the small sum appropriated. Now, just how they are going to arrive at the ap-



propriation or per capita, I do not know, but I am somewhat alarmed since Schuylkill County is the greatest offender, that they receive only a portion of it and not all of it. Now I realize that the Senator from Schuylkill probably cannot answer that question, but I am also interested in knowing that my county will get what is coming to it.

Mr. WAGNER. Mr. President, if the gentleman will yield for a minute, I would like to say that I presume what he meant to state was that since Schuylkill County was the greatest sufferer, not offender, and that they might get the most money. The only thing I can suggest to the gentleman, and I am not questioning his sincerity and fairness at the moment, the only thing I can suggest is that he has made it evident for the record that there is concern about some alleviation over the distressed areas of the State rather than any one or two places, and I certainly think that the Department, within the limits of the regulations which govern their determinations, will see to it that in so far as possible everybody who is distressed gets some aid to hold them over until the seventeenth, Senator, at which time some further approach can be taken.

Mr. HALUSKA. Mr. President, just to keep the record straight, at no time did I say otherwise than what I knew and felt, that the entire Commonwealth practically was involved in this situation of getting money for the teachers, and I do not want the implication that I only said Schuylkill County. I am fully aware of the fact that other counties in the Commonwealth are finding themselves in the same position, but I did say on a number of occasions that while Schuylkill County may be the greatest sufferer, I said offender, because of lack of proper administration. I said that a number of times, and I mean that. I believe that Schuylkill County has done little to help themselves. Other counties at least have made an effort, an honest effort to help themselves.

Mr. YOSKO. Mr. President, I just want to add this, and say that the objections that were made to the allocation of funds to distressed school districts were not so much objections to a particular school district, but as I pointed out yesterday, when the same school district comes in year after year, year after year, and gets a big chunk of this money, something must be wrong some place and it is about time this thing was brought to a head. It is about time the thing was investigated. I get stories from up in Northumberland and Schuylkill Counties to the effect that the big coal companies just do not pay their taxes. They let the property go by default. The County Commissioners buy it in and then they sell it back to a straw man, and the first thing you know the coal companies have the properties again and then the same procedure follows, and that is year after year, year after year, and it has got to be stopped because it is developing into a racket.

Mr. President, I could see where a school district periodically might get into financial trouble, but as I said before, when they come in year after year, then there is something wrong. They are either not obeying the instructions that they get from the Department of Public Instruction when they got the previous allocation, or there must be collusion, conspiracy some place, because if the Department of Public Instruction gives the money one year and tells them, gives them certain instructions

to follow so that they will not be in the same mess next year, and they do not follow those instructions, then if they come back the next year and they are in the same state, I just do not have any pity for a school district of that kind. They ought to get rid of the school directors, they ought to get rid of somebody, because they are not fit to represent the people of the area that they do represent.

Mr. President, I fully realize that the Commonwealth of Pennsylvania is responsible for the educational system in Pennsylvania, and I think I have a right to say the school directors are the agents of the Commonwealth to carry out the educational program, and if the school directors do not carry out that program and if they do not conduct themselves in accordance with law, then there ought to be some sort of procedure to remove them and replace them, and I understand there is a bill that passed the House that would do that very thing. The bill is in the Senate Committee on Education, and it has not moved out. I talked with Senator Wagner this morning and he told me that there was another bill coming through the House that is on Third Reading that might take care of the situation, and I think he is holding it temporarily for that reason, but I repeat, we have got to do something about it. I told Senator Wagner this morning, and I want to say it to Senator Wolfe, too, my remarks, I hope they will not construe as directed at either one of the Senators, because I think they are doing a good job and they are trying to represent their constituents as best they can, but the fault lies right back home, and the sooner they clean up the mess back home the less time we are going to spend on debating it here in the Senate Chamber.

The PRESIDING OFFICER. The Chair would ask the cooperation of the Membership here. We have allowed wide latitude on the discussion of a motion.

Mr. LANE. Mr. President, I dislike very much to inject myself in this debate here this afternoon. However, I believe we are sort of gilding the lily, because we are re-hashing what has been said over and over again. Senator Wagner stated here it was a matter of minutes and unless we receded from our position, our schoolteachers would not receive any remuneration whatsoever, and, therefore, I believe that the way to end this debate and to go on with our business is to ask that the motion be called and in addition to that, Mr. President, I might add that the only way to correct this situation is to get at the source and we cannot do it by re-hashing the same subject day after day.

The PRESIDING OFFICER. The Chair sympathizes with the remarks of the gentleman from Washington.

Mr. HOLLAND. Mr. President, I do not understand why we all have to be in a hurry all of a sudden after loafing here for eight months. We have had a very fine vacation for eight months, come down for the ride, and stay in the hotels, and eat good meals, and pay for them ourselves—

#### PREVIOUS QUESTION

Mr. BARR. Mr. President, two hundred and eight Members of the House are waiting for this bill. I move the previous question.

Mr. LANE. I second the motion, Mr. President.

Mr. TAYLOR. I second the motion, Mr. President.



Mr. WALKER. I second the motion, Mr. President.  
And the question recurring,  
Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—47

Bane,	Freed,	McPherson, Jr.	Stevenson,
Barr,	Haluska,	Meade,	Stiefel,
Barrett,	Kephart,	Neff,	Taylor,
Berger,	Kessler,	Pechan,	Toole,
Blass,	Lane,	Peelot,	Wade,
Byrne,	Leader,	Propert,	Wagner,
Chapman,	Letzler,	Robinson,	Walker,
Crowe,	Mahany,	Rosenfeld,	Watkins,
Diehm,	Mallery,	Ruth,	Watson,
DiSilvestro,	McCreesh,	Scarlett,	Wolfe,
Fleming,	McGinnis,	Silver,	Wood,
	McMenamin,	Snowden,	Hare,
			Presiding Officer.

## NAYS—2

Holland,      Yosko,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

## SENATE RESOLUTION

## MEMORIALIZING CONGRESS TO APPOINT A COMMISSION OR COMMITTEE WITH THE POWER TO RE-ALLOCATE REVENUES

Mr. YOSKO offered the following resolution which was twice read as follows:

In the Senate, August 21, 1951.

Any study of existing tax structure that attempts to delve beneath the politically expedient surface of conditions now menacing the independent status of the American citizen reveals a shocking lack of tax coordination among the several levels of government under which an American citizen lives, thrives, and dies.

In particular, the extent to which confusion and overlapping of federal, state and local taxes have developed is strikingly illustrated by the report for the fiscal year 1948—in which ninety per centum of the 39½ billions of federal tax collection and the 6½ billions of state revenue was accounted for by dual taxation on the part of both governmental agencies.

Even a brief survey of the duplication and the triplication of taxes in the major fields of tax revenue—personal income, corporate earnings, inheritance, tobacco products, alcoholic beverages, gasoline, amusements, etc.—leads to the inescapable conclusion that a major overhauling of tax structures is imperative to provide relief to the harassed American taxpayer, therefore be it

Resolved, That the Senate memorialize Congress to appoint a commission or a committee with the power to reallocate revenues in order that government services which can be more effectively performed at state and local levels be returned to state and local governments along with a restoration to them of the taxes and the tax-raising functions now supporting these services at the federal level, and be it further

Resolved, That the Senate memorialize Congress to invest said commission with the powers to examine every phase of national, state, and local governments with respect to their interlocking fiscal problems.

## REQUEST THAT RULE 39 BE SUSPENDED

Mr. YOSKO. Mr. President, I ask unanimous consent that Rule 39, which requires resolutions be referred to an appropriate committee, be dispensed with and the

Senate proceed to the consideration of the foregoing resolution.

The PRESIDING OFFICER. Is there objection?

Mr. WALKER. Mr. President, I object.

The PRESIDENT. The resolution is referred to the Committee on Rules.

## PERMISSION TO ADDRESS SENATE

Mr. YOSKO asked and obtained unanimous consent to address the Senate.

Mr. YOSKO. Mr. President, this resolution calls for the establishment of a committee on expenditures in the Senate. We have been here for eight months, as was said time and time again. We have been talking about spending money, allocating money and talking about taxes. It is about time we started to scrutinize expenditures, it is about time we set up a Senate Committee for that purpose, and I am sure that if this committee is set up and if it is permitted to function while the Legislature is not in Session, we can probably curtail some of the expenditures, and in that way reduce the amount of the budget which, of course, will follow by the need for less taxes.

## SENATE RESOLUTION

## PROVIDING FOR AN ADDITIONAL STANDING COMMITTEE IN THE SENATE TO BE KNOWN AS THE COMMITTEE ON EXPENDITURES

Mr. YOSKO offered the following resolution which was twice read as follows:

In the Senate, August 21, 1951.

Resolved, That there is hereby created an additional standing committee to consist of twenty members, to be known as the Committee on Expenditures, and whose duty shall be to meet during the session of the General Assembly and during the interim between sessions, at the call of the chairman, to inspect and analyze the expenditures made from the appropriations to all departments, boards and commissions of the executive and legislative branches of the State Government, and to make recommendations to the Committee on Appropriations, which its findings warrant.

## REQUEST THAT RULE 39 BE SUSPENDED

Mr. YOSKO. Mr. President, I ask unanimous consent that Rule 39, which requires resolutions be referred to an appropriate committee, be dispensed with and the Senate proceed to the consideration of the foregoing resolution.

The PRESIDING OFFICER. Is there objection?

Mr. WALKER. Mr. President, I object.

The PRESIDING OFFICER. The resolution is referred to the Committee on Rules.

## SENATE RESOLUTION

## AUTHORIZING THE SUSPENSION OF CERTAIN PER DIEM EMPLOYEES DURING RECESS

Mr. WALKER offered the following resolution which was twice read as follows:

In the Senate, August 21, 1951.

Resolved, That the President pro tempore is hereby granted the authority to temporarily suspend certain per diem Senate employees as he deems necessary during the recess already agreed to by the Senate and the House.



## RULE 39 SUSPENDED

Mr. WALKER. Mr. President, I ask unanimous consent that Rule 39, which requires resolution be referred to an appropriate committee, be suspended and the Senate do now proceed to the consideration of the resolution just read.

The PRESIDING OFFICER. Is there objection?

The Chair hears none.

On the question,

Will the Senate agree to the resolution?

Mr. HALUSKA. Mr. President, with regard to the resolution just read whereby the President pro tempore is granted the authority to dismiss from the pay roll as of tonight all the per diem Senate employees, may, I say, Mr. President, that I believe in economy. We all do, but certainly if a patient is sick, you would not cut off his arm to try to make him well, and that is just what you are trying to do now with this resolution.

Mr. President, the mere pittance that we receive for serving in the Senate is only a pittance. We do have, by virtue of a resolution, the right to hire the services of a stenographer, and I think every person in the Commonwealth will agree that at no time in the history of Pennsylvania was there more need for that service than now. Right now we are tussling and grappling with the tax problem. I am receiving more mail now from my constituents, pro and con, on the tax measure, more than I ever received in all the years I served in this chamber. I want to do my duty properly. Every person is entitled to an answer, whether I agree or disagree with his or her opinion, and now we are in recess for a few weeks, and if this resolution is passed, Mr. President, we must go out and hire our own stenographers, if they are available, and pay for it to conduct the business of the Commonwealth. Now, I think that is false economy. I think it is unfair for any man in this body, for the meager salary of fifteen hundred dollars per year, to be called upon to go out and hire and pay for the services of a stenographer. If there are persons in this chamber who have nothing to do during the interim, I find no fault in granting that authority to the President pro tempore. They could be dismissed. Even for them, it would be unfair, because they must earn their livelihood, they must give up their jobs, seek new employment or wait and wait until we come back. In the meantime, they go in debt. For the little amount you save, it means nothing.

Now, Mr. President, I am told that one of the newspapers will blast us. Well, if any newspaper has the audacity to attack any Member in this chamber on such a trifling matter, in my opinion, Mr. President, he is very low. I think most of the papers are fair. They have been fair throughout this Session. They have given this chamber proper publicity, and I am proud of the newspaper reporters, but if one of them now can stoop to the low level and attack this, I think he is hitting below the belt.

Now, Mr. President, speaking very frankly and very sincerely, I say again, Mr. President, that if ever we needed the services of our secretaries, not myself only but every man in this chamber, this is the time we need them. I would like to amend the resolution to exclude the secretaries of the Senators.

Mr. WALKER. Mr. President, I am sorry, I did not

get the last statement from the gentleman from Cambria. Would the gentleman mind repeating the last statement he made?

Mr. HALUSKA. I would like to have your permission, Mr. President, to amend the resolution to exclude the dismissal of the Senators' secretaries.

Mr. WALKER. Mr. President, may I interrogate the gentleman from Cambria?

The PRESIDING OFFICER. Will the gentleman from Cambria, Mr. Haluska, permit himself to be interrogated?

Mr. HALUSKA. Certainly, Mr. President.

Mr. WALKER. Mr. President, I desire to ask the gentleman from Cambria, do I understand he is offering, as an amendment to the resolution which I just presented, the amendment that we exclude from consideration in the amendment the secretaries employed by the individual Members of the Senate?

Mr. HALUSKA. That is correct, Mr. President.

Mr. WALKER. Is there a second, Mr. President?

Mr. LANE. I second the motion, Mr. President.

The PRESIDING OFFICER. The gentleman from Cambria, Mr. Haluska, has offered an amendment to the resolution offered by the gentleman from Allegheny, Mr. Walker, which has been properly seconded by the gentleman from Washington, Mr. Lane. Are there any remarks?

Mr. WALKER. Mr. President, I desire to keep the very high fraternal spirit among the gentlemen of the Senate. I will not object to the amendment to the resolution offered by the gentleman from Cambria, and seconded by my good friend from Washington.

(The Senate was at ease.)

The PRESIDING OFFICER. There has been a motion to amend the resolution presented. It has been moved by the gentleman from Cambria, Mr. Haluska, and seconded by the gentleman from Washington, Mr. Lane, that the resolution be amended to exclude secretaries to Senators.

The PRESIDING OFFICER. The Clerk will read the resolution as amended.

The Clerk read the resolution, as amended, as follows:

In the Senate, August 21, 1951.

Resolved, That the President pro tempore is hereby granted the authority to temporarily suspend certain per diem Senate employees as he deems necessary during the recess already agreed to by the Senate and the House, excepting, however, the Secretaries of the Members of the Senate.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the resolution, as amended?

The resolution was agreed to, as amended.

## HOUSE MESSAGE

## SENATE BILL No. 172 RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives being introduced, returned to the Senate, Senate Bill No. 172, entitled:

An Act to amend the act, approved the fourth day of June, one thousand nine hundred forty-five (P. L. 1388), entitled "An act relating to the practice, procedure, regulations and adjudications of departments, departmental



administrative boards and commissions, independent administrative boards and commissions, officers and other administrative agencies of this Commonwealth, and judicial review thereof; and preserving equitable jurisdiction in certain cases," by redefining "regulation"; changing provisions governing promulgation of regulations; imposing duties on the Department of State; providing for judicial review of regulations; requiring all appeals to be taken to the Superior Court; and enumerating appeals to be taken to the Superior Court; and enumerating the agencies affected and the extent to which they are affected.

with the information that the House has passed the same with amendments in which concurrence of the Senate is requested.

#### RULE 21 SUSPENDED

Mr. WALKER. Mr. President, I move that Rule 21, which requires amended bills to be noted on the Calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. TAYLOR. Mr. President, I second the motion.  
The motion was agreed to.

#### BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 172, entitled:

An Act to amend the act, approved the fourth day of June, one thousand nine hundred forty-five (P. L. 1388), entitled "An act relating to the practice, procedure, regulations and adjudications of departments, departmental administrative boards and commissions, independent administrative boards and commissions, officers and other administrative agencies of this Commonwealth, and judicial review thereof; and preserving equitable jurisdiction in certain cases," by redefining "regulation"; changing provisions governing promulgation of regulations; imposing duties on the Department of State; providing for judicial review of regulations; requiring all appeals to be taken to the Superior Court; and enumerating the agencies affected and the extent to which they are affected.

which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows:

Amend the Title, page 2, line 3 of the Title, by striking out at the end of the line after the word "the," the following: "Supreme" and inserting in lieu thereof, the following: "Superior"; Amend Section 5, page 7, line 8, by striking out after the word "the" and before the word "Court," the following "[Superior [or] Supreme]" and inserting in lieu thereof, the following: "Superior [or Supreme]"; Amend Section 7, page 9, line 4, by inserting after the word "barbers" and before the right-faced parenthesis, the following: "and in so far as relates to the powers and duties of the Superintendent of Public Instruction under the "Pennsylvania Loyalty Act"; Amend Section 7, page 9, line 9, by inserting after the word "of" and before the word "Examiners," the following "Nurse"; Amend Section 7, page 9, line 9, by striking out after the word "Examiners" and before the right-faced parenthesis, the following: "for the Registration of Nurses"; Amend Section 7, page 10, line 9, by inserting after the word "Board"

and before the word "and," the following: "(47) Public School Employes Retirement Board."

On the question,

Will the Senate concur in the same?

#### SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 172

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 172.

Mr. TAYLOR. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Bane,	Haluska,	McPherson, Jr.	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelot,	Wagner,
Byrne,	Leader,	Probert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahany,	Rosenfeld,	Watson,
Diehm,	Mallery,	Ruth,	Wolfe,
DiSilvestro,	McCreesh,	Scarlett,	Wood,
Fleming,	McGinnis,	Silvert,	Yosko,
Freed,	McMenamin,	Snowden,	Hare,
		Stevenson,	Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

The PRESIDENT pro tempore (M. Harvey Taylor) in the Chair.

#### BILLS SIGNED

The PRESIDENT pro tempore (M. Harvey Taylor) announced that the Chief Clerk having reported that the following bills had passed both Houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 718, entitled:

An Act making a deficiency appropriation to aid certain school districts.

House Bill No. 1578, entitled:

An Act to further amend Section 4 of the act, approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 1019) entitled "Statutory Construction Act," changing the effective date of laws in certain cases.

House Bill No. 1645, entitled:

An Act transferring money from the World War II Veterans' Compensation Fund to the World War II Veterans' Compensation Sinking Fund for the purpose of meeting interest and sinking fund requirements on World War II Veterans' Compensation Bonds.

Whereupon,

The PRESIDENT pro tempore (M. Harvey Taylor) in the presence of the Senate signed the same.

The PRESIDING OFFICER (Fred P. Hare) in the Chair.



### REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. WATSON. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WATSON, from the Committee on Executive Nominations reported with a favorable recommendation the following nominations, made by His Excellency, the Governor of the Commonwealth:

#### SHERIFF, CARBON COUNTY

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, August 20, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Hazel B. Bacon, 153 West Abbott Street, Lansford, Carbon County, for appointment as Sheriff in and for the County of Carbon, until the first Monday of January 1952, vice Robert Bacon, Jr., deceased.

JOHN S. FINE.

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, February 5, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following:

#### MEMBER OF THE STATE BOARD FOR THE EXAMINATION OF PUBLIC ACCOUNTANTS

M. C. Conick, Pittsburgh, Allegheny County, for the term of four years, and until his successor is appointed and qualified.

JOHN S. FINE.

#### MEMBER OF THE PHILADELPHIA COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, July 16, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Lynn Frick (Republican), 1312 Orthodox Street, Philadelphia, Philadelphia County, for appointment as a Member of the Philadelphia County Board of Assistance, to serve until December 31, 1952, and until his successor is duly appointed and qualified, vice Miss Florence Cowanova, resigned.

JOHN S. FINE.

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, February 21, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following:

#### MEMBER OF THE STATE BOARD OF OPTOMETRICAL EXAMINERS

Dr. Jerry F. Neill, Melrose Court Apartments, Melrose Park, Montgomery County, for the term of four years, and until his successor is qualified.

JOHN S. FINE.

### MEMBER OF THE BOARD OF CHIROPRACTIC EXAMINERS

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, July 30, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Dr. James I. Pritchard, Sr., Reading, Berks County, for appointment as a member of the State Board of Chiropractic Examiners, from July 15, 1949, for the term of four years, and until his successor is appointed and qualified.

JOHN S. FINE.

### MEMBERS OF THE STATE COUNCIL FOR THE BLIND

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, July 31, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the State Council for the Blind:

William Taylor, Jr., Esq., Media, Delaware County, for the term of four years, and until his successor shall have been appointed and qualified. (Reappointment)

C. T. Troy, Towanda, Bradford County, from November 4, 1949, for the term of four years, and until his successor shall have been appointed and qualified.

JOHN S. FINE.

### MEMBER OF THE BOARD OF TRUSTEES OF PENNSYLVANIA TRAINING SCHOOL AT MORGANZA

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, July 30, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Ed. O. Golden, Esq., Kittanning, Armstrong County, for appointment as a member of the Board of Trustees of Pennsylvania Training School at Morganza, from August 19, 1949, for the term of four years, and until his successor is qualified.

JOHN S. FINE.

### MEMBER OF THE BOARD OF TRUSTEES OF MANSFIELD STATE TEACHERS' COLLEGE

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, August 6, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Paul H. Conner, Coudersport, Potter County, for appointment as a Member of the Board of Trustees of Mansfield State Teachers' College, to serve until the third Tuesday of January 1957, and until his successor shall have been appointed and qualified, vice Hon. Thomas A. Crichton, whose term expired.

JOHN S. FINE.

### JUSTICES OF THE PEACE

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, August 1, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Ida Bowermaster, Gordonville, Lancaster County, for appointment as Justice of the Peace in and for the Township of



Leacock, Lancaster County, until the first Monday of January 1954, vice Charles S. Bowermaster, deceased.

JOHN S. FINE.

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, August 14, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Evans B. Dague, Boyd's Corner, Parkesburg, Chester County, for appointment as Justice of the Peace in and for the Township of Sadsbury, Chester County, until the first Monday of January 1954, vice Hayes T. Pfitzenmeyer, resigned.

JOHN S. FINE.

### REPORTS FROM COMMITTEES

Mr. KEPHART. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. KEPHART, from the Committee on Judiciary General, reported as committed, Senate Bill No. 833, entitled:

An Act to further amend the act, approved the fifth day of May, one thousand nine hundred eleven (P. L. 198), entitled "An act to establish a county court for the county of Allegheny and prescribing its powers and duties; regulating the procedure therein, and providing for the expenses thereof," by conferring exclusive jurisdiction on the county court of Allegheny County in cases of appeals from decisions of the collector of mercantile taxes imposed by political subdivisions within the territorial limits of its jurisdiction.

He also, from the Committee on Judiciary General, reported as committed, House Bill No. 1445, entitled:

An Act to add section three hundred twenty-eight to the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by making it a crime to falsify a material fact or make fraudulent statements in any matter within the jurisdiction of any department board or commission of the Commonwealth and prescribing penalties.

He also, from the Committee on Judiciary General, reported as committed, House Bill No. 1647, entitled:

An Act to add section three hundred twenty-seven to the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by making it a crime to picket or parade in or near any building housing a court of the Commonwealth of Pennsylvania with the intent of influencing any judge juror witness or court officer in the discharge of his duty and prescribing penalties.

He also, from the Committee on Judiciary General, reported as amended, House Bill No. 1402, entitled:

An Act providing for appeals to the court of common pleas from the decisions of Civil Service Boards and Commissions in cities.

Mr. ROBINSON. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. ROBINSON, from the Committee on Labor and

Industry, reported as committed, Senate Bill No. 542, entitled:

An Act to amend the act, approved the first day of June, one thousand nine hundred thirty-seven (P. L. 1120), entitled "An act to promote the safety of employes and travelers upon railroads by compelling common carriers by railroad to man locomotive trains, and other self propelled engines or machines with competent employes; to provide the least, number of men that may be employed on locomotive trains, and other self propelled engines or machines; to provide the qualifications of certain employes; and to provide a penalty for the violation thereof, and the enforcement thereof by the Public Utility Commission," by further regulating the size of locomotive crews.

He also, from the Committee on Labor and Industry, reported as committed, House Bill No. 1440, entitled:

An Act to further amend Sections 315 and 413 of the act approved the second day of June, one thousand nine hundred fifteen (P. L. 736) entitled as amended "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; and prescribing penalties," by limiting the effect on workmen's compensation claims of insurance payments for non-occupational illness or injury.

He also, from the Committee on Labor and Industry, reported as amended, House Bill No. 1480, entitled:

An Act to further amend the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" by defining and re-defining certain terms by further providing for the submission of reports by the department to the Governor concerning the administration and operation of the act by providing for the selection of certain personnel on a civil service basis by providing for the disposition of obsolete files and records and for the admissibility of copies of such records in evidence for reciprocal arrangements with foreign governments for modification of the manner in which contribution rates are determined and redetermined for modification of the manner in which reports are filed and contributions paid for modification of the provisions with respect to eligibility for benefits and the amount thereof by conferring upon the department the right of appeal by eliminating appeal filing fees and by making further provisions for the prosecution of fraud and for recoupment of benefit payments.

Mr. BERGER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. BERGER, from the Committee on Judiciary General, reported as amended, House Bill No. 1330, entitled:

An Act to quiet title to real estate and to facilitate the alienation thereof creating a conclusive presumption of payment satisfaction or release and making unenforceable any claim for money charged against real estate under



any deed certain mortgages or any decree of any court of record of this Commonwealth and correcting defects in title arising out of unrecorded deeds and breaks in chain of title and making claims thereunder invalid by creating a conclusive presumption of release and satisfaction where such charges and mortgages mature or become due and payable and decrees or defects of record arise occur exist or are dated more than fifty years prior to the time of the institution of any proceeding hereunder to enforce any right arising out of such a defect in title said lien charge or encumbrances or to enforce any right arising out of such a defect in title unless an action is instituted to enforce such charges mortgages and decrees as aforesaid against the present owners or action is taken to enforce any right arising out of such a defect in title within one year after the effective date of this act

Mr. RUTH. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. RUTH, from the Committee on Education, reported as committed, Senate Bill No. 482, entitled:

An Act to amend Section 771 of the act approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by providing for suitable ceremonies affirming and developing allegiance to the Flag of the United States and our American way of life and organization of government.

He also, from the Committee on Education, reported as committed, House Bill No. 124, entitled:

An Act to amend section one thousand twenty-four of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by increasing compensation and mileage rates for attendance at conventions for the election of county superintendents.

He also, from the Committee on Education, reported as committed, House Bill No. 163, entitled:

An Act to further amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing school districts of the second third and fourth classes to levy additional taxes to pay rentals to municipality authorities authorizing boards of school directors to make additional appropriations or to increase appropriations authorizing school districts singly or jointly with other school districts to convey or lease property and appropriate money including proceeds of general obligation bonds to municipality authorities to acquire additional property for authority projects to lease school projects from and pay rentals to municipality authorities to make all other contracts or agreements with municipality authorities deemed necessary or convenient in connection with projects providing for annual payments by the Commonwealth to school districts paying rentals to municipality authorities or non-profit corporations and further providing for annual payments by the Commonwealth to school districts making payments to the State Public School Building Authority.

He also, from the Committee on Education, reported as committed, House Bill No. 1366, entitled:

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further providing for the payment of expenses of teachers' meetings by the county treasurer.

He also, from the Committee on Education, reported as committed, House Bill No. 1367, entitled::

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto" by further providing for payment of the expenses of the annual convention of school directors out of county funds.

## EXECUTIVE NOMINATIONS

### CONSIDERATION OF EXECUTIVE NOMINATION

Mr. WATSON, asked and obtained unanimous consent for immediate consideration of the nomination of Mrs. Hazel B. Bacon as Sheriff in and for the County of Carbon.

The nomination was read as follows:

### SHERIFF, CARBON COUNTY

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, August 20, 1951.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Hazel B. Bacon, 153 West Abbott Street, Lansford, Carbon County, for appointment as Sheriff in and for the County of Carbon, until the first Monday of January 1952, vice Robert Bacon, Jr., deceased.

JOHN S. FINE.

### EXECUTIVE SESSION

A motion was made by Mr. WATSON and Mr. WOOD, that the Senate do now resolve itself into Executive Session, for the purpose of acting upon the nomination reported at today's session.

Which was agreed to.

Whereupon,

A motion was made by Mr. WATSON and Mr. WADE, that the Senate do advise and consent to the nomination reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

### YEAS—49

Bane.	Haluska.	McPherson, Jr.	Stiefel.
Barr.	Holland.	Meade.	Taylor.
Barrett.	Kephart.	Neff.	Toole.
Berger.	Kessler.	Pechan.	Wade.
Blass.	Lane.	Peelor.	Wagner.
Byrne.	Leader.	Probert.	Walker.
Chapman.	Letzler.	Robinson.	Watkins.
Crowe.	Mahany.	Rosenfeld.	Watson.
Diehm.	Mallery.	Ruth.	Wolfe.
DiSilvestro.	McCreesh.	Scarlett.	Wood.
Fleming.	McGinnis.	Silvert.	Yosko.
Freed	McMenamin.	Snowden.	Hare.
		Stevenson.	Presiding Officer

### NAYS—0



Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

#### EXECUTIVE SESSION RISES

Mr. WATSON. Mr. President, I move that the Executive Session do now rise.

Mr. WATKINS. Mr. President, I second the motion. The motion was agreed to.

#### STATEMENT BY THE MAJORITY FLOOR LEADER

Mr. WALKER. Mr. President, before we take up today's Calendar, I would like to ask if any of the gentlemen of the Senate, who previously felt a speech moving them, have any remarks they would like to make before we take up the Calendar. I will certainly raise no objection to any comments that might be made for the good of the order. I do not want to shut off any debate at any time. If any gentleman feels the spirit moving him, now is the time.

#### PERMISSION TO ADDRESS SENATE

Mr. HOLLAND asked and obtained unanimous consent to address the Senate.

Mr. HOLLAND. Mr. President, since he is coaxing me to say a few words, Mr. President, what I wanted to answer the gentleman from Allegheny was that he spoke about hearing a great thud in Washington by the Democrats talking about economy. Now, I believe the shoe is on the other foot. I just read in the paper the other day where both Senator Martin—Senator Duff I believe, Congressman Fulton, who is in the house today, made great attempts in Washington to stand out as the party of economy in government. They were trying to cut everything, and I just noticed the next day that Senator Martin put \$200,000,000 back on for one of his pet projects without very much fanfare, but I do think that the Republican Party should make up their minds whether or not the Republican Party in Pennsylvania is the same party as the Republican Party in the Nation. We just saw a great example of great spending in the last four years under Governor Duff. I have been informed that the \$100,000,000 balance he was supposed to leave as a surplus, the present Governor is still hunting for the \$100,000,000, but has found a lot of deficits rather than the \$100,000,000 surplus, and I think it is about time that the Republican Party in Pennsylvania quits posing as the party of economy and should accept their rightful role as the party who wants to tax and tax and tax, who do not want to get any assistance from any outside interest to try to put economy in government, cut the expense of government, or in any way go over the budget which to them seems to be very sacred, and I should like the gentleman from Pennsylvania, the Majority Leader of the Senate, to at least, in the four weeks of recess, sit down with the Republican Party of the Nation, and maybe he will catch this economy feeling they have, and we can economize in this government of our State and do away with taxes.

Mr. President, I certainly appreciate him condescending to give me a chance to get my few cents worth in, and I wish him a lot of luck in the four weeks recess, and I

know I will see him around Allegheny County campaigning very very vigorously.

#### PERMISSION TO ADDRESS SENATE

Mr. WALKER asked and obtained unanimous consent to address the Senate.

Mr. WALKER. Mr. President, I thank my volunteer campaign manager for those kind remarks. I appreciate his offer of support. It is very welcome. I am very glad to have it. Any kind word he can say for me and the rest of the Republican Ticket in Allegheny County will be very deeply appreciated.

Now, Mr. President, that we have disposed of the November Election, and reunited the Republican Party and Democratic Party is for thrift and economy, too—that has two meanings also—may we revert to the Calendar in the hope that we will get through it without serious delay and without hurting anyone's feelings.

#### PERMISSION TO ADDRESS SENATE

Mr. WALKER asked and obtained unanimous consent to address the Senate.

Mr. WALKER. Mr. President, may I explain to the gentlemen of the Senate, the House bills and the bills that are for concurrence will be put over in order so that it will not be embarrassing to lay them on the Governor's desk during the recess. In case further amendments may be necessary, we would be unable to recall them, and we would have placed on the Governor's shoulder the responsibility of vetoing the bills in order to save the proposed amendments. Therefore, Mr. President, I am going to put certain bills over in order merely to keep them in place so that we can constructively act on them after the recess.

#### CALENDAR

#### BILLS ON CONCURRENCE IN HOUSE AMENDMENTS RECALLED FROM THE GOVERNOR

#### BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1269, on concurrence in House amendments recalled from the Governor, entitled:

An Act to amend Section 15 of the act approved the twenty-second day of April one thousand eight hundred fifty (P. L. 538) entitled "An act to secure the cities of Pittsburgh and Allegheny and the neighborhood thereof from damage by gun powder to incorporate an association for the establishment of a house of refuge for western Pennsylvania and relative to the Pennsylvania State Lunatic hospital" by changing the maximum age for the commitment of delinquents to the Pennsylvania Training School at Morgantown and changing admission requirements relating thereto

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1270, on concurrence in House amendments recalled from the Governor, entitled:

An Act providing for the commitment and transfer of certain female juvenile delinquents to the Pennsylvania Training School for Girls or to certain other institutions and imposing duties on the courts of this Commonwealth and the Department of Welfare relative thereto



go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

#### BILLS ON CONCURRENCE IN HOUSE AMENDMENTS

##### BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 249, on concurrence in House amendments, entitled:

An Act to amend subsection (a) of section 411 of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1053) entitled "An act relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utility business by prescribing defining and limiting their duties powers and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale method of regulating rates providing for the supervising of financial and contractual relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power so regulate or order the construction, alteration, relocation, protection, or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceeding in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulation the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" by relieving cities of the second class A and third class and the counties in which they are located from payment of damages occasioned by and costs of construction reconstruction repair and maintenance of certain bridges and viaducts

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 456, on concurrence in House amendments, entitled:

An Act to further amend the act approved the thirty-first day of May one thousand nine hundred forty-seven (P. L. 368) entitled "An act to protect consumers in the purchase for fuel purposes of the hard coal known as anthracite providing for and regulating the sale offering for sale resale delivery and shipment of anthracite according to a standard provided for in this act requiring producers and dealers and persons engaged in the sale and resale of anthracite from storage yards or otherwise to consumers to keep certain records conferring powers on the Anthracite Committee and its agents and providing penalties" by defining "Retail Dealer" "Wholesale Dealer" "Municipal Weighmaster" and "Municipality" requiring producers wholesale dealers and municipal weighmasters to issue certain statements and keep certain records imposing and changing penalties providing for the payment of fines for violations to the Commonwealth and providing for injunctions to restrain violations

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 598, on concurrence in House amendments, entitled:

An Act to further amend Section 10 of the act approved the twenty-ninth day of May one thousand eight hundred eighty-five (P. L. 29) entitled "An act to provide for the incorporation and regulation of natural gas companies" by providing that natural gas companies shall have the right of eminent domain for underground storage of natural gas or manufactured fuel gas and regulating the exercise of such right

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 615, on concurrence in House amendments, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by increasing annual registration fees for certain commercial motor vehicles truck tractors trailers and semi-trailers prescribing additional equipment requirements for certain vehicles increasing the maximum gross weights and axle loads allowed for certain vehicles changing the requirements for weighing vehicles removal of excess loads and prescribing and changing penalties providing that certain penalties shall be enforced by liens upon vehicles and the sale of such vehicles free of all liens and encumbrances and imposing duties upon operators owners magistrates and sheriffs



go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

### THIRD READING CALENDAR

#### BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 361, on third reading, entitled:

An Act to further amend section 6 of the act, approved the nineteenth day of June one thousand nine hundred eleven (P. L. 1055) entitled "An act authorizing the release on probation of certain convicts instead of imposing sentences the appointment of probation and parole officers and the payment of their salaries and expenses regulating the manner of sentencing convicts in certain cases and providing for their release on parole their conviction of crime during parole and their rearrest and reconviction for breach of parole and extending the powers and duties of boards of prison inspectors of penitentiaries" by further regulating the manner of sentencing of convicts in certain cases

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

#### BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 407, entitled:

An Act to further amend the title and section one of the act approved the third day of May one thousand nine hundred and nine (P. L. 424) entitled as amended "An act providing that in all counties of the first second third fourth fifth and sixth class advertisements and notices required by law or rules of court to be published in newspapers of general circulation unless dispensed with by special order of court shall be published in the legal newspaper issued at least weekly of the proper county designated by rules of court for the publication of court or other legal notices" by extending the provisions of the said act to all counties and further defining publications excepted from its operation

And said bill having been read at length the third time, On the question,

Will the Senate agree to the bill on third reading?

Mr. STEVENSON. Mr. President, I ask unanimous consent to off amendments at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend title, page 3, line 7, by striking out the following words: "and providing certain exceptions"; Amend Sec. 1, page 4, lines 14 to 17, by striking out the following words: "other than those relating to the holding of elections for (1) the increase of indebtedness or (2) the issue and sale of bonds to be paid by taxation".

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

#### BILLS OVER IN ORDER

Mr. STEVENSON. Mr. President, I ask unanimous consent that Senate Bill No. 407, on third reading, go over in its order, as amended.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 620, on third reading, entitled:

An Act to amend clause (b) of Section 207 of the act approved the twelfth day of April one thousand nine hundred fifty-one (Act No. 21) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State Liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" by further providing for the fixing of sale prices for Pennsylvania liquor stores

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 745, on third reading, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by creating the Pennsylvania Library Council prescribing its powers and duties providing for a State librarian and for certification of libraries and librarians and for minimum standards for public library service

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

#### BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 795, as follows:



An Act vesting and confirming in cities of the second class all right title and interest of the Commonwealth in certain streets lanes and alleys situate within such cities

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The General Assembly hereby finds as a fact that (a) the Commonwealth has laid out certain streets lanes and alleys which are presently or may hereafter become situate within the corporate limits of cities of the second class (b) that by virtue of sundry acts of Assembly providing for the erection of boroughs the incorporation of cities and the annexation by cities of the second class have acquired the interests of the Commonwealth in such streets lanes and alleys which are not being maintained by the Commonwealth and (c) that doubts have arisen as to whether or not the Commonwealth has divested itself of all its right title and interest in and to such streets lanes and alleys including its reversionary interests therein It is therefore declared to be the policy of the Commonwealth to promote the interests of the Commonwealth cities of the second class and the public by ratifying and conforming all of the right title and interest of the Commonwealth in and to such streets lanes and alleys which are not being maintained by the Commonwealth as being vested absolutely in cities of the second class

Section 2 All right title and interest of the Commonwealth in and to all streets lanes and alleys laid out by the Commonwealth and not maintained by the Commonwealth including its reversionary rights therein which are now or may hereafter be located within the corporate limits of cities of the second class is hereby ratified and confirmed as being vested absolutely in such cities

Section 3 Nothing herein contained shall be construed to affect deprive or impair any right title or interest of any person or corporation asserting title to or any interest in any such street lane or alley or any portion thereof

Section 4 All acts or parts of acts are hereby repealed in so far as they are inconsistent with the provisions of this act

Section 5 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Bane,	Haluska,	McPherson, Jr.	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Propert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahany,	Rosenfeld,	Watson,
Diehm,	Mallery,	Ruth,	Wolfe,
DiSilvestro,	McCreesh,	Scarlett,	Wood,
Fleming,	McGinnis,	Silvert,	Yosko,
Freed,	McMenamin,	Snowden,	Hare,
		Stevenson,	Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

#### BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 823, on third reading, entitled:

An Act to amend the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by providing for the payment of service increments to such employes in addition to their retirement allowances

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 959, on third reading, entitled:

An Act to amend the act approved the twelfth day of April one thousand nine hundred fifty-one (Act No. 21) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" by further regulating and limiting the issuance of distributors' and importing distributors' licenses and changing residence requirements for stock ownership in corporations licensed as malt and brewed beverage manufacturers distributors and importing distributors

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 976, on third reading, entitled:

An Act to amend Section 1 of the act approved the twentieth day of May one thousand nine hundred forty-nine (P. L. 1489) entitled "An act providing for a two-platoon system for firemen employed and paid by cities of the second class A and fixing the maximum hours of service in any one day or week for such platoons, with certain exceptions" by further prescribing the maximum hours of service for such employes in any one week

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1027, on third reading, entitled:

An Act to amend subsection (b) of Section 4 of the act approved the twenty-third day of May one thousand nine hundred forty-five (P. L. 903) entitled "An act authorizing cities of the third class to establish an optional retirement system for officers and employes independently of any pension system or systems existing in such cities" limiting rights to involuntary retirement and providing for the reinstatement of certain persons to the pension rolls of certain cities

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1030, on third reading, entitled:

An Act to further amend Section 643 of the act approved the twenty-fourth day of June one thousand nine hun-



dred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by prohibiting minors from delivering liquor or malt and brewed beverages

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1039, on third reading, entitled:

An Act to amend sections 401 and 406 of the act approved the twelfth day of April one thousand nine hundred fifty-one (Act No. 21) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" by permitting certain sales of liquor for consumption off the premises.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1056, on third reading, entitled:

An Act to further amend clause (q) of section seven hundred thirty-one of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by changing certain penal provisions.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1060, on third reading, entitled:

An Act to amend the act approved the twelfth day of April one thousand nine hundred fifty-one (Act No. 21) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws by making the serving of food optional with certain licensees and changing certain requirements relating to the serving of food.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1085, on third reading, entitled:

An Act to amend the act approved the twelfth day of April one thousand nine hundred fifty-one (P. L. Act No. 21) entitled "An act relating to alcoholic liquors and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" by making the establishment and operation of Pennsylvania Liquor Stores and the granting of malt and brewed beverage distributors licenses subject to local option and providing where tie vote occurs on local option question the status quo obtains.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1100, on third reading, entitled:

An Act to amend sections 464 and 471 of the act approved the twelfth day of April one thousand nine hundred fifty-one (Act No. 21) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" by further defining the powers of courts on appeal.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1185, on third reading, entitled:

An Act to further amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing school directors of the third class to elect an associate superintendent in lieu of a district superintendent prescribing his powers and duties and fixing his compensation.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1196, on third reading, entitled:



An Act to amend clause (15) of the second paragraph of Section 493 of the act approved the twelfth day of April one thousand nine hundred fifty-one (Act No. 21) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" by making the cashing receiving handling or negotiating of Public Assistance checks or the cashing of payroll checks by licensees of the Pennsylvania Liquor Control Board an unlawful act.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1205, on third reading, entitled:

An Act defining analytical-biochemical-biological laboratory regulating the operation of the same requiring such laboratories to obtain permits and to be operated under the direct supervision of qualified persons imposing certain duties upon the Department of Health and providing penalties.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1286, on third reading, entitled:

An Act authorizing the Commonwealth to negotiate temporary emergency loans to defray current and other expenses of the State government during any fiscal biennium evidenced by tax anticipation notes secured by and payable from current revenues of any current biennium levied assessed collectible and accruing during such fiscal biennium defining the powers and duties of the Governor the Auditor General and the State Treasurer in relation thereto providing for the payment of interest on and the repayment of such loans and making an appropriation.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1351, on third reading, entitled:

An Act to further amend subsection C of Section 1 of the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 1145) entitled "An act empowering cities of the second class cities of the second class A cities of the third class boroughs towns townships of the first class school districts of the second class school districts of the third class and school districts of the fourth class to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes to maximum limitations for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employees to assess and collect such taxes and permitting penalties to be imposed and enforced providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court

and Superior Court by temporarily excluding under certain conditions taxes imposed on real property transfers in certain school districts in determining tax limitations.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

### BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1449, entitled:

An Act to amend the act approved the twelfth day of June one thousand nine hundred fifty-one (Act Number 141) entitled "An act relating to mental health including mental illness mental defect epilepsy and inebriety and amending revising consolidating and changing the laws relating thereto" by further defining "qualified physician" and "medical examiner"

And said bill having been read at length the third time, On the question,

Will the Senate agree to the bill on third reading?

Mr. WALKER. Mr. President, I ask unanimous consent to offer an amendment.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The Clerk read the amendment as follows:

Amend Title, page 1, last line of title, by striking out "medical examiner" and inserting in lieu thereof "the rights of patients in institutions,"

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

### BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1449, on third reading, go over in its order, as amended.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1506, on third reading, entitled:

An Act to amend the act approved the twelfth day of April one thousand nine hundred fifty-one (P. L. 90) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws," by further providing for transfers of certain retail liquor and retail dispenser licenses and changing the quota provisions

go over in its order.



The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1508, on third reading, entitled:

An Act to amend Section 3 of the act approved the twenty-eighth day of July one thousand nine hundred forty-one (P. L. 535) entitled "An act providing for the redemption of real property purchased by political subdivisions at tax sales upon the payment of the amount charged against the same and costs by installment payments and prescribing the procedure therefor" by providing that default in the payment of any installment when due or the payment of current taxes shall terminate the right of redemption.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1513, on third reading, entitled:

An Act to amend Section 412 of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1242) entitled "An act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto" by defining the estate of substitute rights of way for public service companies and requiring conveyance thereof

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1562, on third reading, entitled:

An Act to amend sections one and two of the act approved the twenty-third day of May one thousand nine hundred forty-five (P. L. 926) entitled "An act for the protection of the public health by regulating the conduct and operation of public eating and drinking places within this Commonwealth requiring their licensing imposing certain duties on the Department of Health of this Commonwealth and on the local health authorities and providing penalties" by providing for the licensing of public eating or drinking places by county departments of health or joint-county departments of health in certain political subdivisions

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President I ask unanimous consent that House Bill No. 1577, on third reading, entitled:

An Act fixing the salary of the Director of the Legislative Reference Bureau

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

## SECOND READING CALENDAR

### BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 177, entitled:

An Act to further amend sections two hundred three

and two hundred four of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled as amended "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers and employees' mutual banking associations defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and employees' mutual banking associations and of the officers directors trustees shareholders attorneys and other employees of all such corporations employees' mutual banking associations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by further restricting changes in location of principal places of business of banking institutions and by limiting the establishment and maintenance of branch banks to counties in which the principal places of business of banking institutions are located

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 634, on second reading, entitled:

An Act to amend the act approved the first day of June one thousand nine hundred fifteen (P. L. 701) entitled "An act regulating the payment of persons in the employ of the Commonwealth" by providing for pay-days every two weeks

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

### BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceedd to the second reading and consideration of Senate Bill No. 652, entitled:

An Act to further amend the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by providing credit for retirement purposes for out-of-state service in certain cases

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,



The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 828, entitled:

An Act to further amend Section 1 of the act approved the eighteenth day of June one thousand nine hundred forty-one (P. L. 136) entitled "An act authorizing certain officers on active duty with the armed forces of the United States to act as notaries public and requiring certification of their authority" changing the provisions of said act in order to make it conform in certain respects to certain Acts of Congress

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 836, entitled:

An Act making an appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred fifty-one

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1326, on second reading, entitled:

An Act to further amend the act approved the nineteenth day of March one thousand nine hundred nine (P. L. 46) entitled "An act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing of osteopaths in this State and to provide penalties for the violation of this act" by providing for the licensing without examination of persons licensed by the provinces of the Dominion of Canada in certain cases

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1356, on second reading, entitled:

An Act to amend sections one eight and thirteen of the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 940) entitled "An act relating to boarding houses for children providing for the licensing and inspection thereof and the adoption of rules and regulations for the maintenance operation and conduct thereof by the Department of Welfare defining offenses and prescribing penalties" by redefining "boarding houses for children" providing for an advisory committee with which the department shall confer in adopting rules and regulations and increasing penalties

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1357, on second reading, entitled:

An Act to amend the act approved the fourteenth day of April one thousand nine hundred and twenty-five (P. L. 234) entitled "An act relating to Boarding Houses for Infants providing for the licensing thereof and the adoption of rules and regulations for the maintenance operation and conduct thereof by the Department of Welfare and fixing penalties by redefining "boarding houses for infants" eliminating license fees providing for an advisory committee with which the department shall confer in adopting rules and regulations and increasing penalties"

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1378, on second reading, entitled:

An Act providing for the examination licensure and registration of persons firms or corporations engaged in the business or work of plumbing or house and building drainage and prescribing certain rules regulations and requirements for the construction of plumbing house and building drainage and cesspools in cities of the second class second class A and third class and imposing fines penalties and forfeitures for violation thereof and providing for administration of this act by county departments of health or joint-county departments of health in cities of the second class second class A and third class which are within the jurisdiction of such departments of health and repealing certain laws

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1505, on second reading, entitled:

An Act to amend the act approved the twelfth day of June one thousand nine hundred thirty-one (P. L. 510) entitled "An act providing for the licensure and regulation of certain private nursing homes and private hospitals conferring certain powers and duties upon the Department of Welfare and providing penalties" by further providing for the licensure and regulation of such nursing homes and hospitals

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

### BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1554, entitled:

An Act to authorize the Secretary of Public Assistance of the Commonwealth of Pennsylvania to apply to the Secretary of Agriculture of the United States for the return of assets of the former Pennsylvania Rural Rehabilitation Corporation to receive deposit and administer such assets for rural rehabilitation or other authorized purposes and to enter into agreements with the Secretary of Agriculture of the United States with respect to the future administration of said assets

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILLS ON FIRST READING

Mr. WALKER. Mr. President, I move that the Senate



do now proceed to the first reading of all bills reported from committee for the first time at today's session.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 124, entitled:

An Act to amend section one thousand twenty-four of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by increasing compensation and mileage rates for attendance at conventions for the election of county superintendents.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 163, entitled:

An Act to further amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing school districts of the second third and fourth classes to levy additional taxes to pay rentals to municipality authorities authorizing boards of school directors to make additional appropriations or to increase appropriations authorizing school districts singly or jointly with other school districts to convey or lease property and appropriate money including proceeds of general obligation bonds to municipality authorities to acquire additional property for authority projects to lease school projects from and pay rentals to municipality authorities to make all other contracts or agreements with municipality authorities deemed necessary or convenient in connection with projects providing for annual payments by the Commonwealth to school districts paying rentals to municipality authorities or non-profit corporations and further providing for annual payments by the Commonwealth to school districts making payments to the State Public School Building Authority.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 482, entitled:

An Act to amend Section 771 of the act approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by providing for suitable ceremonies affirming and developing allegiance to the Flag of the United States and our American way of life and organization of government.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 542, entitled:

An Act to amend the act, approved the first day of June, one thousand nine hundred thirty-seven (P. L. 1120),

entitled "An act to promote the safety of employes and travelers upon railroads by compelling common carriers by railroad to man locomotive trains, and other self propelled engines or machines with competent employes; to provide the least, number of men that may be employed on locomotive trains, and other self propelled engines or machines; to provide the qualifications of certain employes; and to provide a penalty for the violation thereof, and the enforcement thereof by the Public Utility Commission," by further regulating the size of locomotive crews.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 832, entitled:

An Act to amend rule fifty-five of article XII of the act approved the second day of June, one thousand eight hundred ninety-one, (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith," by permitting the removal of props or timber by blasting or by means of a prop puller.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 833, entitled:

An Act to further amend the act, approved the fifth day of May, one thousand nine hundred eleven (P. L. 198), entitled "An act to establish a county court for the county of Allegheny and prescribing its powers and duties; regulating the procedure therein, and providing for the expenses thereof," by conferring exclusive jurisdiction on the county court of Allegheny County in cases of appeals from decisions of the collector of mercantile taxes imposed by political subdivisions within the territorial limits of its jurisdiction.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 907, entitled:

An Act to further amend section nine hundred fifteen of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1053) entitled "An act relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utility business by prescribing defining and limiting their duties powers and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale method of regulating rates providing for the supervision of financial and contractual relations between public utilities and affiliated



interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alteration relocation protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporation (except municipal corporations) subject to regulation the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" by permitting motor carriers not qualified to be self-insurers to furnish surety bonds or public liability insurance.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1330, entitled:

An Act to quiet title to real estate and to facilitate the alienation thereof creating a conclusive presumption of payment satisfaction or release and making unenforceable any claim for money charged against real estate under any deed certain mortgages or any decree of any court of record of this Commonwealth and correcting defects in title arising out of unrecorded deeds and breaks in chain of title and making claims thereunder invalid by creating a conclusive presumption of release and satisfaction where such charges and mortgages mature or become due and payable and decrees or defects or record arise occur exist or are dated more than fifty years prior to the time of the institution of any proceeding hereunder to enforce payment perfect revive or continue the aforesaid lien charge or encumbrances or to enforce any right arising out of such a defect in title unless an action is instituted to enforce such charges mortgages and decrees as aforesaid against the present owners or action is taken to enforce any right arising out of such a defect in title within one year after the effective date of this act.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1366, entitled:

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further providing for the payment of expenses of teachers' meetings by the county treasurer

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1367, entitled:

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further providing for payment of the expenses of the annual convention of school directors out of county funds

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration House Bill No. 1402, entitled:

An Act providing for appeals to the court of common pleas from the decisions of Civil Service Boards and Commissions in cities.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1440, entitled:

An Act to further amend Sections 315 and 413 of the act approved the second day of June one thousand nine hundred fifteen (P. L. 736) entitled as amended "An act defining the liability of an employer to pay damages for injuries received by an employee in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties" by limiting the effect on workmen's compensation claims of insurance payments for non-occupational illness or injury

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1445, entitled:

An Act to add section three hundred twenty-eight to the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by making it a crime to falsify a material fact or make fraudulent statements in any matter within the jurisdiction of any department board or commission of the Commonwealth and prescribing penalties.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1480, entitled:

An Act to further amend the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for



the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" by defining and redefining certain terms by further providing for the submission of reports by the department to the Governor concerning the administration and operation of the act by providing for the selection of certain personnel on a civil service basis by providing for the disposition of obsolete files and records and for the admissibility of copies of such records in evidence for reciprocal arrangements with foreign governments for modification of the manner in which contribution rates are determined and redetermined for modification of the manner in which reports are filed and contributions paid for modification of the provisions with respect to eligibility for benefits and the amount thereof by conferring upon the department the right of appeal by eliminating appeal filing fees and by making further provisions for the prosecution of fraud and for recoupment of benefit payments.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1647, entitled:

An Act to add section three hundred twenty-seven to the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by making it a crime to picket or parade in or near any building housing a court of the Commonwealth of Pennsylvania with the intent of influencing any judge juror witness or court officer in the discharge of his duty and prescribing penalties.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

#### STATEMENT BY MAJORITY LEADER

Mr. WALKER. Mr. President, before I make the motion to adjourn, I would like to advise the gentlemen of the Senate that just as soon as they are in print, copies of the Senate and House Calendars for Monday, September 17, will be mailed to the gentlemen of the Senat so that you will have an opportunity to study the legislation during the interim.

#### ADJOURNMENT

Mr. WALKER. Mr. President, I move that the Senate do now adjourn until Monday, September 17, 1951, at 2:00 o'clock, p. m., Eastern Standard Time.

Mr. WOLFE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 3:13 o'clock, p. m., Eastern Standard Time, until Monday, September 17, 1951, at 2:00 o'clock p. m., Eastern Standard Time.

### HOUSE OF REPRESENTATIVES

TUESDAY, August 21, 1951.

The House met at 12:00 o'clock noon EST.

The SPEAKER (Herbert P. Sorg) in the Chair.

#### PRAYER

The Chaplain, Reverend William Hugh Fryer, offered the following prayer:

Almighty God, Who hast created man in Thine own image grant us, Thy servants, grace fearlessly to contend against evil, and to make no peace with oppression; and, that we may reverently use our freedom, help us to employ it in the maintenance of justice among men and nations, to the glory of Thy Holy Name. Amen.

#### JOURNAL APPROVED

The SPEAKER. Are there any corrections to the Journal of Monday, August 20, 1951? If not, and without objection, the Journal is approved.

#### BILLS INTRODUCED AND REFERRED

By Mr. HEWITT.

HOUSE BILL No. 1681.

An Act to amend Section 1 of the act approved the twenty-sixth day of May, one thousand nine hundred forty-nine (P. L. 1846) entitled, "An act fixing the salaries of State Mine Inspectors under the jurisdiction of the Department of Mines and the expenses incident to their office," by increasing the salary of Mine Inspectors.

Referred to the Committee on Appropriations.

By Mr. HEWITT.

HOUSE BILL No. 1682.

An Act to further amend section four of the act, approved the twenty-ninth day of May, one thousand nine hundred forty-five (P. L. 1132), entitled, "An act to provide for the health and safety of persons employed in and about the coal mines in the Commonwealth of Pennsylvania; the protection and preservation of property connected therewith; the appointment of first aid and mine rescue instructors by the Secretary of Mines, with the approval of the Governor; fixing their salaries and qualifications; providing for the purchase of trucks and necessary equipment to carry on the work and making an appropriation therefor," by further increasing the salary of the first aid and mine rescue instructors.

Referred to the Committee on Appropriations.

By Mr. HEWITT.

HOUSE BILL No. 1683.

An Act to further amend Section 2 of the act approved the twenty-fifth day of April, one thousand nine hundred forty-five (P. L. 289), entitled "An act providing for the health and safety of persons employed in and about the coal mines of the Commonwealth of Pennsylvania; the protection and preservation of property connected therewith; the appointment of electrical inspectors by the Secretary of Mines with the consent and approval of the Governor; the fixing of their salaries and necessary expenses incurred in the performance of their duties; and the fixing of the qualifications which shall be possessed by persons appointed to the position of electrical inspector," by increasing the salary of electrical inspectors.

Referred to the Committee on Appropriations.

By Mr. BEECH.

HOUSE BILL No. 1684.

An Act providing for the licensing of itinerant peddlers by the Department of Revenue; fixing fees; prescribing penalties and repealing inconsistent acts.

Referred to the Committee on Law and Order.

By Mr. ROBERTSON.

HOUSE BILL No. 1685.

An Act relating to the indictment of persons charged with the embezzlement of funds of their employers or of



funds trusted to their employers and permitting any number of acts of embezzlement of such funds to be charged in one indictment.

Referred to the Committee on Judiciary.

## HOUSE MESSAGE

### SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

#### SENATE BILL No. 753.

An Act providing for an enumeration of persons subject to per capita and occupation taxes in counties wherein are situated school districts of the second third and fourth class placing the expense thereof on taxing districts authorized by law to levy such taxes conferring powers and imposing duties on boards of school directors of such school districts county commissioners and chief county assessors in such counties.

Referred to the Committee on Municipal Corporations.

#### SENATE BILL No. 812.

An Act to amend the title and certain sections of and to add new sections to the act approved the thirtieth day of June one thousand nine hundred forty-seven (P. L. 1154) entitled "An act to prohibit the manufacture and sale of oleomargarine or butterine and other similar products when colored in imitation of yellow butter to provide for license fees to be paid by manufacturers wholesale and retail dealers and by proprietors of hotels restaurants dining-rooms and boarding-houses for the manufacture or sale of oleomargarine butterine or other similar products not colored in imitation of yellow butter to regulate the manufacture sale and advertising of oleomargarine butterine or other similar products not colored in imitation of yellow butter and prevent and punish fraud and deception in such manufacture sale and advertising as an imitation butter to prescribe penalties and punishment for violation of this act and the means and method of procedure for its enforcement to regulate certain matters of evidence in such procedure and to prescribe certain powers and duties of the Department of Agriculture" by permitting the manufacture and except in certain cases the sale of colored oleomargarine butterine and similar products.

Referred to the Committee on Agriculture and Dairy Industries.

## REPORTS FROM COMMITTEES

Mr. TOLL from the Committee on Judiciary, reported as committed, House Bill No. 1658, entitled:

A Joint Resolution proposing an amendment to article eight, section eighteen of the Constitution of the Commonwealth of Pennsylvania by further providing for absentee voting by qualified war veterans.

Mr. SCHMIDT from the Committee on Judiciary, reported as committed, Senate Bill No. 104, entitled:

An Act providing for the sentencing of persons convicted of certain crimes to an indeterminate sentence having a minimum of one day and a maximum of life in certain cases; authorizing the criminal courts to impose such a sentence and certain temporary sentences in connection therewith, requiring psychiatric examinations of such persons before the imposition of such a sentence, conferring powers and imposing duties upon the Department of Welfare and the Pennsylvania Board of Parole, and providing for the parole, conditional parole or absolute discharge of persons so sentenced and the procedure relating thereto.

Mr. HAROLD G. MILLER from the Committee on Cities—Third Class, reported as committed, Senate Bill No. 500, entitled:

An Act to further amend the title of and the act approved the eighteenth day of July, one thousand nine hundred thirty-five (P. L. 1286), entitled, as amended, "An act empowering counties of the second class, cities, boroughs, incorporated towns, and townships to charge and collect from owners of and water users in property served thereby, annual rentals, rates, or charges for the use of certain sewers, sewerage systems and sewage treatment works, including charges for operation, inspection, maintenance, repair, depreciation, and the amortization of indebtedness and interest thereon; empowering counties of the second class, cities, boroughs, incorporated towns and townships to contract with authorities organized by counties of the second class, for sewer, sewerage and sewage treatment services; to grant, convey, lease, transfer, encumber, mortgage and pledge to such authorities, their sewers, sewerage systems and sewage treatment works; to assign and pledge to such authorities rentals, rates and charges charged and collected by them for the use thereof, and to assign to such authorities their power to charge and collect the same; and validating all such contracts, grants, conveyances, leases, transfers, assignments, encumbrances, mortgages and pledges heretofore made," by extending to authorities organized by cities of the third class the provisions affecting authorities organized by counties of the second class.

Mr. HAROLD G. MILLER from the Committee on Cities—Third Class, reported as amended, Senate Bill No. 502, entitled:

An Act to amend the sections 1 and 5 of the act approved the fourteenth day of April one thousand nine hundred forty-nine (P. L. 482) entitled "An act authorizing and requiring cities boroughs townships municipal authorities and public utility companies engaged in the supplying of water to shut off the supply of water for nonpayment of sewer sewerage or sewage treatment rentals rates or charges imposed by municipal authorities organized by counties of the second class authorizing and requiring them to supply to such authorities lists of metered water readings and flat-rate water bills and other data authorizing them to act as billing and collecting agents for such authorities and conferring certain powers upon the Pennsylvania Public Utility Commission in connection therewith" by requiring certain political subdivisions to shut off water supply for nonpayments to municipal authorities organized by cities of the third class and exempting public utilities from the obligations imposed in said act.

Mr. HAROLD G. MILLER from the Committee on Cities—Third Class, reported as amended, Senate Bill No. 503, entitled:

An Act to amend the title and sections 1 and 5 of the act approved the fourteenth day of April one thousand nine hundred forty-nine (P. L. 482), entitled "An act authorizing and requiring cities, boroughs, townships, municipal authorities and public utility companies engaged in the supplying of water, to shut off the supply of water for nonpayment of sewer, sewerage, or sewage treatment rentals, rates, or charges imposed by municipal authorities organized by counties of the second class authorizing and requiring them to supply to such authorities lists of metered water readings and flat-rate water bills and other data; authorizing them to act as billing and collecting agents for such authorities; and conferring certain powers upon the Pennsylvania Public Utility Commission in connection therewith," by extending to any municipal authority organized by any city of the third class the powers granted therein and exempting public utilities from the obligations imposed therein.

Mr. HAROLD G. MILLER from the Committee on Cities



—Third Class, reported as committed, Senate Bill No. 504, entitled:

An Act to further amend the title and section 2:1 of the act approved the eighteenth day of July one thousand nine hundred thirty-five (P. L. 1286) entitled as amended "An act empowering counties of the second class cities boroughs incorporated towns and townships to charge and collect from owners of and water users in property served thereby annual rentals rates or charges for the use of certain sewers sewerage systems and sewage treatment works including charges for operation inspection maintenance repair depreciation and the amortization of indebtedness and interest thereon empowering counties of the second class cities boroughs incorporated towns and townships to contract with authorities organized by counties of the second class for sewer sewerage and sewage treatment services to grant convey lease transfer encumber mortgage and pledge to such authorities their sewers sewerage systems and sewage treatment works to assign and pledge to such authorities rentals rates and charges charged and collected by them for the use thereof and to assign to such authorities their power to charge and collect the same and validating all such contracts grants conveyances leases transfers assignments encumbrances mortgages and pledges heretofore made" by authorizing political subdivisions to contract with authorities organized by cities of the third class for sewer sewerage and sewage treatment services.

Mr. DOWLING from the Committee on Judiciary, reported as committed, Senate Bill No. 788, entitled:

An Act to further amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by requiring the establishment of a permanent lot care fund with corporate trustee of a certain amount by cemetery and burial corporations hereafter organized prior to the sale of burial lots and requiring a fixed percentage of the sale price of burial lots to be added to such fund.

#### PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. BOARSE asked and obtained permission for the Committee on Municipal Corporations to meet during the session of the House.

#### SENATE MESSAGE

##### AMENDED SENATE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate Bill numbered and entitled as follows:

##### SENATE BILL No. 365.

An Act to further amend the act approved the fifth day

of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by permitting the Department of State to copy and destroy or return certain documents permitting directors to fill vacancies in the board of directors resulting from an increase in the number of directors deleting certain requirements as to the appointment compensation and duties of agents providing that meetings of shareholders at which directors are to be elected may be adjourned for periods of fifteen days each fixing the method of cumulative voting in cases where directors are elected separately by the holders of different classes of shares providing that courts having jurisdiction over trustees who are evenly divided as to how shares shall be voted may direct the voting of such shares deleting requirements as to the voting of shares of foreign corporations owned by other corporations providing that articles of incorporation may be amended to eliminate the preemptive rights of shareholders and providing for the purchase of and payment of shares of certain shareholders who dissent therefrom specifying cases of merger or consolidation of which sixty days' notice to shareholders must be given providing that shareholders of a parent corporation shall have no right to dissent from a merger or consolidation of such parent and one or more wholly-owned subsidiaries thereof provided the state of incorporation and relative rights and preferences of the shareholders of the parent corporation are not changed thereby further providing for advertising of merger or consolidation by domestic corporations for merger and consolidation of foreign business corporations defining "doing business" by foreign corporations and further providing for service of process on the Secretary of the Commonwealth with respect to such corporations and prescribing procedure for descinding a certificate of election to dissolve

##### SENATE BILL No. 703.

An Act authorizing the capture or destruction of unprotected birds in any city or borough in certain cases

#### COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which read as follows:

##### VETO OF HOUSE BILL No. 74

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, August 17, 1951.  
To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I return herewith, without my approval, House Bill No. 74, Printer's No. 669, entitled "An Act to amend section two thousand five hundred five of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled 'An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto' by changing the basis for payments on account of school nurses."



This bill proposes to amend Section 2505 of the Public School Code by changing the basis for payment to the School District by the Commonwealth on account of the employment of school nurses.

The bill proposes to decrease the ratio of pupils to the number of nurses employed. The effect of it will be to increase the number of nurses employed by the school districts. The reimbursement for these additional nurses is to be made to the various school districts by the Department of Health. This is estimated to cost the Commonwealth one million dollars in excess of the amount recommended in the budget for that Department.

The Legislature has provided insufficient revenues to meet even the requirements of the budget. There are no funds available to increase the payments to the school districts for nurses in the amount of one million dollars.

Furthermore, it is doubtful whether during this biennium it would be possible for the various districts to find sufficient nurses to comply with the provisions of the bill.

An increased number of school nurses might be desirable, and is a matter which might well receive further study by the Department of Health and receive further consideration at the next regular session of the Legislature.

For the reasons set forth above, the bill is not approved.

JOHN S. FINE.

#### COMMUNICATION AND BILL LAID ON TABLE

Mr. HELM. Mr. Speaker, I move that the communication from the Governor together with the bill be laid on the table.

The motion was agreed to.

#### COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

##### VETO OF HOUSE BILL No. 1372

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, August 17, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I return herewith, without my approval, House Bill No. 1372, Printer's No. 683, entitled "An Act to amend Section 308 of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled 'An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations' by further regulating the method of approval of the borrowing of money and disposition of real estate by nonprofit corporations by the members thereof."

This bill amends Section 308 of the "Nonprofit Corporation Law" of May 5, 1933, P. L. 289, by further regulating the method of approval of the borrowing of money and disposition of real estate by nonprofit corporations by the members thereof.

Prior to this amendment a nonprofit corporation was

empowered to borrow money, or purchase or dispose of real estate, only upon the passage of a resolution authorizing the same approved by a majority of the members of a corporation at a regular or special meeting. This amendment provides that the authorizing resolution need be approved only by a majority of the members of the corporation who are then present in person or by proxy.

In the respect that this bill amends Section 308 of the Act of May 5, 1933, P. L. 289, it duplicates an almost identical amendment which, together with other amendments, is proposed by Senate Bill No. 418, Printer's No. 469, approved this day.

Duplication of enactment is to be avoided, making this bill unnecessary.

For this reason, the bill is not approved.

JOHN S. FINE.

#### COMMUNICATION AND BILL LAID ON TABLE

Mr. DOWLING. Mr. Speaker, I move that the communication from the Governor together with the bill be laid on the table.

The motion was agreed to.

#### COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which read as follows.

##### VETO OF HOUSE BILL No. 1238.

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, August 17, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I return herewith, without my approval, House Bill No. 1238, Printer's No. 564, entitled "An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled 'An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto' by further regulating reimbursement by the Commonwealth to certain school districts on account of public transportation."

This bill proposes to amend Section 2541 of the Public School Code of 1949, P. L. 30, as amended, by deleting the provisions relating to contracts for public transportation and providing that such payment shall be approved by the Department of Public Instruction, and where such payment is approved to a district owning and operating its own vehicles such approval shall include the same items of expense for operation and maintenance as those allowed for vehicles under contract. In no case shall depreciation allowance be paid for any vehicles which are more than ten years old. Such payments for pupil transportation as now provided for by law are hereby amended to include school districts for a joint board operation.

This bill would necessitate an expenditure of at least \$400,000.00 in excess of the amount set forth in the budget to the Department of Public Instruction.

Moreover, the purpose of this bill which in essence is an appropriation item was not included in the budget and the State revenues will not permit its approval at this time.

For these reasons, the bill is not approved.

JOHN S. FINE.

#### COMMUNICATION AND BILL LAID ON TABLE

Mr. HELM. Mr. Speaker, I move that the communication from the Governor together with the bill be laid on the table.



## COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing form His Excellency the Governor, which read as follows.

APPROVAL OF HOUSE CONCURRENT RESOLUTION  
RECALLING HOUSE BILL No. 815.

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, August 17, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 815, Printer's No. 586, for proposed amendments.

Accordingly, the original bill is herewith returned.

JOHN S. FINE.

## COMMUNICATION AND BILL LAID ON TABLE

Mr. ROYER. Mr. Speaker, I move that the communication from the Governor together with the bill be laid on the table.

The motion was agreed to.

## COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing form His Excellency the Governor, which read as follows.

APPROVAL OF HOUSE CONCURRENT RESOLUTION  
RECALLING HOUSE BILL No. 548.

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, August 17, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 548, Printer's No. 663, for further amendments.

Accordingly, the original bill is herewith returned.

JOHN S. FINE.

## COMMUNICATION AND BILL LAID ON TABLE

Mr. McNALLY. Mr. Speaker, I move that the communication from the Governor together with the bill be laid on the table.

The motion was agreed to.

## REPORT FROM COMMITTEE

Mr. SPENCER from the Committee on Municipal Corporations, reported as committed Senate Bill No. 742, entitled:

An Act providing for supplementing the police forces of cities boroughs towns and townships for the appointment powers and control of auxiliary police therein and for the transfer during disasters and emergencies of such auxiliary police members of the regular police forces and police equipment thereof.

## BILL ON FIRST READING

Mr. SPENCER asked and obtained unanimous consent for Senate Bill No. 742 to be read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 742, entitled:

An Act providing for supplementing the police forces of cities boroughs towns and townships for the appointment powers and control of auxiliary police therein and for the transfer during disasters and emergencies of such auxiliary police members of the regular police forces and police equipment thereof.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

## SENATE MESSAGES

AMENDED HOUSE BILLS RETURNED FOR  
CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 718.

An Act making a deficiency appropriation to aid certain school districts

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the bill, Section 1, Page 1, line 1, by striking out after the word "of" the words and figures "two hundred seventy thousand dollars (\$270,000)" and inserting and lieu there the words and figures "seven hundred fifty thousand dollars (\$750,000)".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. JOHNSON. Mr. Speaker I move that the House non concur in the amendments inserted by the Senate.

The motion was agreed to.

Ordered, That the clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 826.

An Act to further amend the act approved the eighteenth day of June one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by redefining the term "final salary" and further providing the manner of computing employees' annuities

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:



Amend the bill, Page 3, line 4, by inserting after the figure "1" the following "Be it enacted etc that the following words and phrases as used in this act unless a different meaning is plainly required by the context shall have the following meaning."

Page 3, line 13, by inserting after the second heavy following (I) in the case of a contributor who became a beneficiary before the effective date of this act whether or not such beneficiary subsequently is restored to school service."

Page 3, line 13, by inserting after the second heavy bracket the word "the"; page 3, line 15, by striking out after the word "retirement" the words "except that if the average for any five consecutive years of service exceeds the average of the said ten years the five year average shall become the "final salary" "; page 4, line 5, by inserting after the word "salary" the following "and (II) in the case of a contributor who first becomes a beneficiary after the effective date of this act and in the case of contributors who become beneficiaries between the first day of May one thousand nine hundred fifty-one and the effective date of this act the average annual salary earnable by the contributors as an employee for either the five or the ten years of service immediately preceding retirement whichever is the greater amount".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. JOHNSON. Mr. Speaker, I request that the House concur in the amendments inserted by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—207

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarra,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenshield,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Breisch,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendenning,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varner,
Dalrymple,	Kline,	Penglase,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
DuBols,	Kubacki,	Pichney,	Weidner,
Duffy,	Lafore,	Pitzer,	Welsh,
Dunn,	Lederer,	Polaski,	Wescott,
Erb,	Leisey,	Polen,	Westrick,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Ferster,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Filip,	Leven,	Readinger,	White,
Filo,	Light,	Reagan,	Williams,
Firmstone,	Limper,	Reese,	Wilt,
Flack,	Loftus,	Reidenbach,	Wood,
	Lopresti,	Reilly, J. M.,	Yeakel,

Frost,  
Gaffney,  
Geer,  
Gibson,  
Gleason,  
Good,

Lovett,  
Lutty,  
Lyons,  
Madden,  
Madigan,  
Markley,

Rigby,  
Riley, R. L.,  
Robertson,  
Rose,  
Rosen,  
Rovansek,

Yester,  
Yetzer,  
Young,  
Ziegler,  
Sorg,  
Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 984.

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (P L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further providing for exceptions to compulsory attendance

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 2, line 12, by striking out after the word "parents" the words "or persons in loco parentis"; line 14, by striking out at the beginning of the line the words "or persons in loco parentis"; line 19, by striking out after the word "parents the words "or persons in loco parentis"; page 3, lines 2 and 3, by striking out after the word "parents" the words "or persons in loco parentis."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. JOHNSON. Mr. Speaker, I request that the House concur in the amendments inserted by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—207

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarra,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenshield,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Breisch,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendenning,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,



Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varner,
Dalrymple,	Kline,	Penglase,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
DuBois,	Kubacki,	Pichney,	Weldner,
Duffy,	Lafore,	Pitzer,	Welsh,
Dunn,	Lederer,	Polaski,	Wescott,
Erb,	Leisey,	Polen,	Westrick,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Ferster,	Leven,	Readinger,	White,
Filip,	Light,	Reagan,	Williams,
Filo,	Limper,	Reese,	Wilt,
Firmstone,	Loftus,	Reidenbach,	Wood,
Flack,	Lopresti,	Reilly, J. M.,	Yeakel,
Frost,	Lovett,	Rigby,	Yester,
Gaffney,	Lutty,	Riley, R. L.,	Yetzer,
Geer,	Lyons,	Robertson,	Young,
Gibson,	Madden,	Rose,	Ziegler,
Gleason,	Madigan,	Rosen,	Sorg,
Good,	Markley,	Rovansek,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 1123.

An Act to provide for the registration and protection of trade-marks and to secure the rights property and interests therein providing for the assignment cancellation and revocation thereof and imposing penalties for violations conferring powers and imposing duties upon the Secretary of the Commonwealth in the administration thereof and to repeal all acts inconsistent therewith

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the bill, Section 6, page 7, line 18, by inserting after the second heavy bracket the words "five years".

Amend the bill, Section 12, page 17, by inserting after page 16, line 19, the following: "The provisions of this section shall not apply to any advertising agency publisher of newspapers magazines or other advertising media accepting authorization for the reproduction or copy of any such trade-mark innocently and in good faith in the usual course of business".

Page 17, line 18, by inserting after the word "destroyed" the following: "but no owner of such a trade-mark shall have such right of injunction against an advertising agency publisher of newspapers magazines or other advertising media accepting authorization for the reproduction or copy of any such trade-mark innocently and in good faith in the usual course of business".

Amend the bill, Section 16, page 18, line 16, by striking out after the word "Effect" the words "Repeal of Prior Acts"; page 18, line 19, by striking out the word "All" and inserting in lieu thereof the following:

"Section 17 Repeal of prior acts

"The Act approved the twentieth day of June one thousand nine hundred one (P. L. 582) entitled "An act to provide for the registration of labels trade-marks trade-

names stamps designs devices shopmarks terms brands designations descriptions or forms of advertisement and protect and secure the rights property and interest therein of the persons copartnerships or corporations adopting and filing the same and providing penalties for the violations of the act" and its amendments are hereby repealed

"All other".

On the question,

Will the House concur in the amendments made by the Senate?

## COMMUNICATION AND BILL LAID ON TABLE

Mr. JOHNSON. Mr. Speaker, I move that the communication from the Senate together with the bill be laid on the table.

The motion was agreed to.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 1309.

An Act to amend sections one and two as amended sections four five six seven and eight and sections nine and ten as amended of the act approved the twenty-eighth day of June one thousand nine hundred and twenty-three (P. L. 888) entitled "An act to safeguard human life and health throughout the Commonwealth by providing for the reporting quarantining and control of diseases declared communicable by this act or by regulation of the Department of Health providing for the prevention of infection therefrom and prescribing penalties" by changing the method of approval of communicable disease regulations by the advisory health board and by adding counties which have established a county department of health or joint-county department of health to the political subdivisions required or empowered to perform certain duties relating to the reporting quarantining and control of diseases declared communicable by law or regulation.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the Bill, Page 9, line 1, by striking out after the word "Assembly" the word "the" and inserting in lieu thereof the word "and".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. JOHNSON. Mr. Speaker, I request that the House concur in the amendments inserted by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—207

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarra,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenshield,	Mihm,	Snider,



Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Brelsch,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendenning,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varner,
Dalrymple,	Kline,	Penglase,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
DuBois,	Kubacki,	Pichney,	Weldner,
Duffy,	Lafore,	Pitzer,	Welsh,
Dunn,	Lederer,	Polaski,	Westcott,
Erb,	Lelsey,	Poleh,	Westrick,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Ferster,	Leven,	Readinger,	White,
Filip,	Light,	Reagan,	Williams,
Flo,	Limper,	Reese,	Wilt,
Firmstone,	Lopresti,	Reidenbach,	Wood,
Flack,	Loftus,	Reilly, J. M.,	Yeakel,
Frost,	Lovett,	Rigby,	Yester,
Gaffney,	Lutty,	Riley, R. L.,	Yetzer,
Geer,	Lyons,	Robertson,	Young,
Gibson,	Madden,	Rose,	Ziegler,
Gleason,	Madigan,	Rosen,	Sorg,
Good,	Markley,	Rovansek,	Speaker

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 1370.

An Act to further amend Section 2004 of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by limiting to forty eight hours the work week of police officers except in emergencies.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the title, page 1, line 5, by inserting after the word "forty" the word "eight"; page 1, line 6, by striking out after "cers" the words "in certain cases" and inserting in lieu thereof the words "except in emergencies".

Amend Section 1, page 2, line 10, by striking out after the word "nor" the words "if a city having a police force of fifty or more members for more than forty hours in any one week or if a city having a police force of less than fifty members for"; page 2, line 13, by inserting after the second heavy bracket the words "forty-eight".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. JOHNSON. Mr. Speaker, I move that the House nonconcur in the amendments made by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

## SENATE MESSAGES

## HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 253.

An Act to further amend clause (2) of Section 12 of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employees serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by further providing for disability retirement allowances of persons able to engage in gainful occupations

## HOUSE BILL No. 596.

An Act to amend Section 2 of the act approved the eighteenth day of April one thousand nine hundred twenty-three (P. L. 75) entitled "An act authorizing the courts of common pleas to change the name of persons prescribing the procedure and the effect of the decree thereon" by reducing the time in which the petition shall be heard.

## HOUSE BILL No. 713.

An Act to amend the act approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing boards of school directors to enter into contracts with and make appropriations to the county board of school directors for services; further providing for the appointment and payment of a secretary and a treasurer of the county board of school directors and auditing the treasurer's accounts; and providing for the assessment of school districts for special services furnished by the county board of school directors.

## HOUSE BILL No. 1064.

An Act to amend Section 1132 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by conferring jurisdiction on the County Court of Allegheny County in certain cases of appeal from decisions of the Superintendent of Public Instruction.

## HOUSE BILL No. 1237.

An Act to amend section 1 of the act, approved the sixth day of May, one thousand nine hundred twenty-nine (P. L. 1557), entitled "An act permitting the sale of



mortgaged real estate under a judgment upon the bond accompanying such mortgage to be made by the sheriff upon a writ of fieri facias without inquisition and without any other writ," by extending the provisions thereof to promissory notes accompanying mortgages.

#### HOUSE BILL No. 1318.

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of Clarion State Teachers College to acquire certain tracts of land for the use of Clarion State Teachers College and making an appropriation.

#### HOUSE BILL No. 1431.

An Act providing for the licensure and regulation of commercial boarding homes for the aged conferring certain powers and duties upon the Department of Welfare imposing license fees and providing penalties.

#### HOUSE BILL No. 1482.

An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire by gift suitable ground and buildings to be used by the Department of Welfare as a State training school for female juvenile delinquents.

#### HOUSE BILL No. 1484.

An Act to facilitate vehicular traffic across the Commonwealth by providing for the construction operation and maintenance of a turnpike from a connection with the Pennsylvania Turnpike System at such point east of the Susquehanna River as the Pennsylvania Turnpike Commission may decide is most feasible and practicable to a point on or near the boundary line between the Commonwealth of Pennsylvania and the State of New York between the Susquehanna and Delaware Rivers and conferring powers and imposing duties on the Pennsylvania Turnpike Commission authorizing the issuance of turnpike revenue bonds notes or other obligations of the Commonwealth payable solely from revenues of the Commission including tolls or from such funds as may be available to the Commission for that purpose to pay the cost of such turnpike providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act providing for the collection of tolls for the payment of such bonds notes or other obligations and for the cost of maintenance operation and repair of the turnpike making such turnpike bonds notes or other obligations exempt from taxation constituting the same legal investments in certain instances requiring suits against the Commission to be brought in Dauphin County prescribing conditions on which such turnpike shall become free providing for grade separations grade changes relocations restorations and vacation of public roads and State highways affected by the turnpike providing for the purchasing or condemnation of land and procedure for determining damages in condemnation granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the Commission and authorizing the issuance of turnpike revenue refunding bonds.

#### HOUSE BILL No. 1507.

An Act to further amend section seven hundred six and subsection (c) of section nine hundred three of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities

to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns township within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by increasing the fee for annual registration and the maximum gross weight allowed for certain two-wheeled semi-trailers.

#### HOUSE BILL No. 1526.

An Act authorizing the Department of Property and Supplies to exchange certain lands located in Penn Township Snyder County Pennsylvania necessary for the better administration of the Selinsgrove State Colony for Epileptics.

#### HOUSE BILL No. 1552.

An Act to amend subsection (d) of section 4 and section 9.1 of the act approved the thirty-first day of March one thousand nine hundred forty-nine (P. L. 372) entitled "An act to promote the welfare of the people of the Commonwealth creating The General State Authority as a body corporate and politic with power to construct improve equip furnish and operate projects and to lease the same and to fix fees rentals and charges for the use thereof authorizing and regulating the issuance of bonds for said Authority and providing for the payment of such bonds and the rights of the holders thereof and to enter into agreements with the Government of the United States or any Federal agency and authorizing the Department of Property and Supplies to grant assign convey or lease to the Authority lands of the Commonwealth and interests therein and to acquire lands therefor granting the right of eminent domain empowering The General State Authority to sell and convey projects and property to the Commonwealth and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act" by authorizing the leasing of wholly or partially completed projects of the General State Authority.

#### HOUSE BILL No. 1628.

An Act to amend the title and certain sections of and to add new sections to the act approved the thirtieth day of June one thousand nine hundred forty-seven (P. L. 1154) entitled "An act to prohibit the manufacture and sale of oleomargarine or butterine and other similar products when colored in imitation of yellow butter to provide for license fees to be paid by manufacturers wholesale and retail dealers and by proprietors of hotels restaurants dining-rooms and boarding-houses for the manufacture or sale of oleomargarine butterine or other similar products not colored in imitation of yellow butter to regulate the manufacture sale and advertising of oleomargarine butterine or other similar products not colored in imitation of yellow butter and prevent and punish fraud and deception in such manufacture sale and advertising as an imitation butter to prescribe penalties and punishment for violation of this act and the means and method of procedure for its enforcement to regulate certain matters of evidence in such procedure and to prescribe certain powers and duties of the Department of Agriculture" by permitting the manufacture and except in certain cases the sale of colored oleomargarine butterine and similar products.

With the information that the Senate has passed the same without amendment.



# APPOINTMENT OF CONFERENCE COMMITTEE ON HOUSE BILL NO. 757.

The Clerk of the Senate being introduced, informed that the Senate insists on its nonconcurrence in the amendments made and insisted upon by the House of Representatives to House Bill No. 757, entitled:

An Act to add Article XVI-A to the act approved the seventh day of March one thousand nine hundred one (P. L. 20) entitled "An act for the government of cities of the second class" by providing for the establishment of a municipal traffic court in cities of the second class

And has appointed Messrs. Fleming, Walker and Barr a committee of conference to confer with a similar committee of the House of Representatives (already appointed) on the subject of the differences existing between the two Houses in relation to said bill.

## RESOLUTION

### HOUSE EMPLOYES

Mr. BOWER offered a resolution which was read, considered and adopted as follows:

In the House of Representatives, August 21, 1951.

Resolved, That all employes of the House of Representatives, elected by the House of Representatives and now serving, who are paid a per diem compensation, are hereby removed as of the 25th day of August, 1951.

## BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1680, entitled

An Act to further amend the act approved the fifth day of May one thousand nine hundred eleven (P. L. 198) entitled "An act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" by conferring exclusive jurisdiction on the county court of Allegheny County in cases of appeals from decisions of the collector of mercantile taxes imposed by political subdivisions within the territorial limits of its jurisdiction

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 188, entitled

An Act to amend Section 1 of the fourth paragraph of Section 2 of the act approved the twelfth day of July one thousand nine hundred thirteen (P. L. 711) entitled "An act establishing a court for the county of Philadelphia prescribing its jurisdiction and powers providing for the service of its writs process or warrants by the proper officers of the county or city of Philadelphia regulating the procedure therein and appeals therefrom and providing for the expenses thereof" by increasing the number of judges of the Municipal Court of Philadelphia.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 676, entitled

An Act to amend the act approved the twenty-eighth day of June one thousand nine hundred forty-seven (P. L. 1144) entitled "An act relating to the annual salaries of certain county officers of counties of the second class" by increasing the salaries of certain county officers

And said bill having been read at length the first time. Ordered, To be laid aside for second reading.

## BILLS ON SECOND READING

### BILLS PASSED OVER

There being no objection

Senate Bill No. 319, Printer's No. 270  
Senate Bill No. 494, Printer's No. 528  
Senate Bill No. 653, Printer's No. 407  
Senate Bill No. 654, Printer's No. 449  
Senate Bill No. 655, Printer's No. 378  
Senate Bill No. 656, Printer's No. 405  
Senate Bill No. 658, Printer's No. 504  
Senate Bill No. 668, Printer's No. 357  
Senate Bill No. 675, Printer's No. 489  
Senate Bill No. 677, Printer's No. 491  
Senate Bill No. 678, Printer's No. 492  
Senate Bill No. 679, Printer's No. 478  
Senate Bill No. 680, Printer's No. 516  
Senate Bill No. 681, Printer's No. 494  
Senate Bill No. 682, Printer's No. 397  
Senate Bill No. 688, Printer's No. 517  
Senate Bill No. 729, Printer's No. 402 and  
Senate Bill No. 738, Printer's No. 371

were passed over at the request of the SPEAKER.

## TIME EXTENDED ON SECOND READING BILLS

Mr. JOHNSON. Mr. Speaker, I move that all bills on today's second reading calendar be granted an extension of time as provided by the Rules of the House beyond September 17, 1951.

The motion was unanimously agreed to.

## BILLS ON FINAL PASSAGE AND THIRD READING CALENDAR PASSED OVER

The SPEAKER. If there is no objection, the bill on the final passage calendar and all bills on the third reading calendar, except Senate Bill 172, will be passed over. The Chair hears none.

## BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 172, as follows:

An Act to amend the act approved the fourth day of June one thousand nine hundred forty-five (P. L. 1388) entitled "An act relating to the practice procedure regulations and adjudications of departments departmental administrative boards and commissions independent administrative boards and commissions officers and other administrative agencies of this Commonwealth and judicial review thereof and preserving equitable jurisdiction in certain cases" by redefining "regulation" changing provisions governing promulgation of regulations imposing duties on the Department of State requiring all appeals to be taken to the Superior Court and enumerating the agencies affected and the extent to which they are affected

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows



Section 1 Clause (e) of Section 2 of the act approved the fourth day of June one thousand nine hundred forty-five (P. L. 1388) entitled "An act relating to the practice procedure regulations and adjudications of departments departmental administrative boards and commissions independent administrative boards and commissions officers and other administrative agencies of this Commonwealth and judicial review thereof and preserving equitable jurisdiction in certain cases" is hereby amended to read as follows

Section 2 Definitions The following words and terms shall have the following meanings unless the context clearly indicates otherwise

\* \* \* \* \*

(e) "Regulation" means any rule regulation or order in the nature of a rule or regulation [generally applicable to the public promulgated by an agency authorized by statute so to do but shall not be construed to include the name or facts of any adjudication giving rise to such regulation] of general application and future effect promulgated by an agency under statutory authority in the administration of any statute administered by or relating to the agency or prescribing the practice or procedure before such agency

Section 2 Section 21 of said act as amended by the act approved the seventh day of July one thousand nine hundred forty-seven (P. L. 1367) is hereby further amended to read as follows

Section 21 Regulations [All regulations of any agency which are in effect on the effective date of this act or which shall be adopted thereafter shall have no effect unless they are printed and made available upon written request within thirty days after the date of adoption] All regulations of any agency which are in effect on the first day of December one thousand nine hundred fifty-one shall expire on the first day of January one thousand nine hundred fifty-two unless a copy thereof certified by the executive officer chairman or secretary of the agency is filed in the Department of State in such form and size as shall be prescribed by the Department of State prior to the first day of January one thousand nine hundred fifty-two Regulations adopted after the thirtieth day of November one thousand nine hundred fifty-one shall have no effect until a copy thereof certified by the executive officer chairman or secretary of the agency is filed in the Department of State in such form and size as shall be prescribed by the Department of State Printing of copies of regulations filed with the Department of State shall not be required All regulations shall be approved as to legality by the Department of Justice before they are filed in the Department of State but failure of the agency to submit a regulation for such approval shall not invalidate the regulation Copies of all regulations shall be made available by the adopting agency upon request

Section 3 Said act is hereby amended by adding after Section 21 thereof a new section to read as follows

Section 22 Permanent Record of Regulations The Department of State shall maintain a permanent record of all regulations filed with it Such record may be in the form of microfilm or other reproductions in which event the original certified and approved copies need not be retained The Department of State shall furnish certified copies of any regulation filed with it upon the payment of the charges made for certified copies of other records on file in the department The Department of State shall prepare and publish in such form and at such time or times as it shall determine an index of all regulations on file with it and periodic supplements thereto The Department of State shall have power to adopt and enforce rules governing the physical form and size of regulations to be filed with it and such other rules as it deems necessary in carrying out its functions under the provisions of this act but shall not require regulations to be printed

Section 4 Said act is hereby amended by adding after Section 35 thereof a new section to read as follows

Section 36 Notice to Department of Justice Before notice of any hearing leading to an adjudication is given the agency shall submit the matter to its representative in the

Department of Justice who shall pass upon the legality of the proposed action or defense Failure of the agency to submit the matter to the Department of Justice shall not invalidate any adjudication

Section 5 Section 45 of said act is hereby amended to read as follows

Section 45 Appellate Review The agency or any party affected by any decision of a court on an appeal from adjudication may within thirty days of the filing of such decision appeal to the Superior [or Supreme] Court [as in other cases]

Section 6 Said act is hereby amended by adding after Section 45 thereof a new section to read as follows

Section 46 Final Adjudications Appeals Under Existing Law The provisions of sections forty-one to forty-five shall not apply to any adjudication which under existing law (1) is final or (2) may be appealed to a court other than the Court of Common Pleas of Dauphin County

Section 7 Section 51 of said act is hereby amended to read as follows

#### [Exemptions]

Section 51 (a) None of the provisions of this act except sections twenty-one to twenty-three inclusive shall apply to proceedings before the Department of Revenue Auditor General Board of Finance and Revenue or Secretary of the Commonwealth involving the original settlement resettlement review or refund of taxes bonus interest or payments made into the State Treasury or judicial review of such proceedings The provisions of sections thirty-one to forty-five inclusive shall not apply to an adjudication of an agency from which an appeal to a court is provided by another statute or to an adjudication of an agency whose adjudication is provided by another statute as final

(b) Sections forty-one to forty-five inclusive of this act shall not apply to the adjudications of the Banking Board or of the Building and Loan Board

(c) This act shall not apply to actions of the Secretary of Banking in the taking possession and liquidation of banking institutions and building and loan associations or to actions of the Insurance Commissioner in the taking possession and liquidation of insurance companies]

#### Application of Act

Section 51 (a) Except as provided in section forty-six hereof all of the provisions of this act shall apply to the following agencies (1) Department of Agriculture (2) Department of State (except election cases and except proceedings involving the original settlement resettlement review or refund of bonus interests or payments made into the State Treasury) (3) Insurance Department (4) Department of Public Instruction in so far as relates to its powers and duties in the issuance of licenses to barbers and in so far as relates to the powers and duties of the Superintendent of Public Instruction under the "Pennsylvania Loyalty Act" (5) Board of Property (6) State Council of Education (7) State Board of Censors (8) State Board of Medical Education and Licensure (9) State Board of Pharmacy (10) State Dental Council and Examining Board (11) State Board of Optometrical Examiners (12) State Board of Osteopathic Examiners (13) Osteopathic Surgeons' Examining Board (14) State Board of Nurse Examiners (15) State Board of Veterinary Medical Examiners (16) State Board of Examiners of Architects (17) State Registration Board of Professional Engineers (18) State Real Estate Commission (19) State Board of Examiners of Public Accountants (20) State Board of Private Business Schools (25) State Board of Chiropractic Examiners (26) Pennsylvania Board of Private Correspondence Schools (23) State Board of Private Trade Schools (24) State Board of Cosmetology (25) State Board of Chiropractic Examiners (26) Pennsylvania Securities Commission (27) State Soil Conservation Commission (28) Water and Power Resources Board (29) Flood Control Commission (30) Anthracite Mine Inspectors' Examining Board (31) Mine Inspectors' Examining Board for the Bituminous Coal Mines (32) Pennsylvania Parkway Commission (33) Sanitary Water Board (34) State Board of Undertakers (35) State Workmen's Insur-



ance Board (36) Industrial Board (37) State Board of Vocational Rehabilitation (38) State Welfare Commission (39) State Athletic Commission (40) State Board of Public Assistance (41) Pennsylvania Aeronautics Commission (42) State Planning Board (43) State Civil Service Commission (44) State Tax Equalization Board (45) Unemployment Compensation Board of Review (46) State Employees' Retirement Board (47) Public School Employees Retirement Board and to any other agency which has been made subject to the provisions of this act by any other act of Assembly

(b) Only sections twenty-one and thirty-one to thirty-five inclusive of this act shall apply to the Banking Board the Building and Loan Board and the Board of Arbitration of Claims

(c) Only section twenty-one of this act shall apply to agencies of the Commonwealth not enumerated in subsections (a) or (b) of this section Such agencies shall not be required to have their regulations approved by the Department of Justice

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—207

Amarando.	Goodling.	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarrafi,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenshield,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Brelsach,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendenning,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varnier,
Dairymple,	Kline,	Penglase,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
DuBois,	Kubacki,	Pichney,	Weidner,
Duffy,	Lafore,	Pitzer,	Welsh,
Dunn,	Lederer,	Folaski,	Wescott,
Erb,	Lelsey,	Polen,	Westrick,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Ferster,	Leven,	Readinger,	White,
Filip,	Light,	Reagan,	Williams,
Filo,	Limper,	Reese,	Wilt,
Flack,	Loftus,	Reidenbach,	Wood,
Firmstone,	Lopresti,	Reilly, J. M.,	Yeakel,
Frost,	Lovett,	Rigby,	Yester,
Gaffney,	Lutty,	Riley, R. L.,	Yetzer,
Geer,	Lyons,	Robertson,	Young,
Gibson,	Madden,	Rose,	Ziegler,
Gleason,	Madigan,	Rosen,	Sorg,
Good,	Markley,	Rovansek,	Speaker

NAYS—0

## NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

## TIME EXTENDED ON BILL

Mr. JOHNSON asked and obtained unanimous consent to extend the time five days on House Bill No. 240, Printer's No. 878, on page 28 of today's calendar, bills on third reading postponed.

## BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

### HOUSE BILL NO. 1578.

An Act to further amend Section 4 of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1019) entitled "An act relating to statutory laws prescribing an enacting clause for statutes fixing the effective date and time of statutes hereafter enacted providing for notice of application for local and special legislation for the correction of errors in statutes and for the printing and publication of statutes prescribing rules for the interpretation of statutes defining certain words and phrases when used in statutes and prescribing rules for the construction and operation of amendments reenactments and repeals of statutes' by changing the effective date of laws in certain cases

### HOUSE BILL No. 1628.

An Act to amend the title and certain sections of and to add new sections to the act approved the thirtieth day of June one thousand nine hundred forty-seven (P. L. 1154) entitled "An act to prohibit the manufacture and sale of oleomargarine or butterine and other similar products when colored in imitation of yellow butter to provide for license fees to be paid by manufacturer wholesale and retail dealers and by proprietors of hotels restaurants dining-rooms and boarding-houses for the manufacture of sale of oleomargarine butterine or other similar products not colored in imitation of yellow butter to regulate the manufacture sale and advertising of oleomargarine butterine or other similar products not colored in imitation of yellow butter and prevent and punish fraud and deception in such manufacture sale and advertising as an imitation butter to prescribe penalties and punishment for violation of this act and the means and method of procedure for its enforcement to regulate certain matters of evidence in such procedure and to prescribe certain powers and duties of the Department of Agriculture" by permitting the manufacture and except in certain cases the sale of colored oleomargarine butterine and similar products

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

## QUESTION OF PERSONAL PRIVILEGE

Mr. ANDREWS. I rise to a question of personal privilege. The SPEAKER. The gentleman will state it.

Mr. ANDREWS. Mr. Speaker, if I did not rise to a question of personal privilege on my own behalf I would certainly rise in behalf of the gentleman from York,



Mr. Seyler, and the gentleman from Westmoreland, Mr. Lovett.

In the course of the debate yesterday the gentleman from Erie was moved to say: "It is not only pathetic but regrettable that we have a Member in this House who would defend Communism."

I have no way of knowing whether the gentleman from Erie referred to myself, whether he referred to the gentleman from Westmoreland or whether he referred to the gentleman from York, but I do know, Mr. Speaker, that whatever I may have deserved at the hands of the gentleman from Erie, most certainly the gentleman from York, Mr. Seyler, and the gentleman from Westmoreland, Mr. Lovett, did not deserve that comment.

It was not a comment uttered in the heat of debate as a result of conflict personal in its nature. It was a cruel, deliberate stab with the dagger of untruth.

I cannot endow the gentleman from Erie with either understanding or magnanimity of spirit, but I can, as a Member of this House, demand that there be some semblance of fair play in debate.

It did not require much attention to what the gentleman from Westmoreland said, or what the gentleman from York said, to realize that they did not in any sense by implication, direct or indirect, defend Communism or any similar philosophy.

I would say, Mr. Speaker, that it required far more courage, moral courage, for the gentleman from Westmoreland, Mr. Lovett, and the gentleman from York, Mr. Seyler, to rise in their places and say what they said than it required upon the part of the gentleman from Erie to say what he said.

It is easy to ride the wave of hysteria and point an accusing finger at everyone who does not accept your particular view concerning the problems which face the people in this Commonwealth, and I protect, not only at the semblance of smear but at its real substance in appearance.

I am sure, Mr. Speaker, that no other Member of this House would have thought of rising in his place and intimating that the gentleman from Westmoreland, who has been a Member of this House these many years, was pleading the cause of Communism and neither, I believe, would any other Member of this House have risen in his place to point an accusing finger at the gentleman from York, Mr. Seyler, because of his intellectual convictions to rise and question not only his good faith but his very integrity.

#### PERMISSION TO ADDRESS HOUSE

Mr. WATERHOUSE asked and obtained unanimous consent to address the House.

Mr. Speaker, yesterday I made the statement that the gentleman from Cambria refers to. I made it without any reservation. I made it without malice. I made it with humility. There was no indication that my statement, as I said and remember it, referred to anyone except the gentleman from York; but by that statement I intend now to include anyone who would defend any group which would preach the overthrow of our government by force or violence.

I want to further state that it was very deliberate and I think it was fair. One thing that I have learned in this world is to be fair in a fight, and if you get licked to

take it. Further I think it is very pathetic, indeed, that the floor of this House has to be the battle ground for two individuals.

There is not any question about Communism or any other ism as to whether it is good for us. If they intend to tear down our government by force or violence or even preach it, there is no place in these United States or this Commonwealth for those groups. I do not think it takes courage to get up and defend someone if you have reason for doing so. Lots of times there are selfish interests. I do not happen to have a selfish interest in this. I am interested in all the people and I have no feud with any one individual.

The vote of the House yesterday, I believe, was a clear indication of how the Members of this House felt about this very issue, and I certainly am willing to stand on anything that I said yesterday or say today. I have never been accused at any time of being unfair with anyone when it could be definitely proven. I have a lot of respect for the gentleman from Cambria. I have enjoyed his eloquence many times. There have been times that I have felt that possibly the gentleman was carried away by his own eloquence. I think in this case he is using his talents for a very, very sad thing and that is to even attempt to say that we should not pass legislation which will rule out—make it unlawful—for any person or group of persons to advocate the overthrow of your government and mine by force or violence.

#### INTERROGATION

Mr. ANDREWS. Mr. Speaker, just for the purpose of the record I desire to interrogate the gentleman from Erie, Mr. Waterhouse.

The SPEAKER. Will the gentleman from Erie, Mr. Waterhouse, permit himself to be interrogated?

Mr. WATERHOUSE. I shall, Mr. Speaker.

Mr. ANDREWS. Mr. Speaker, does the gentleman say that as a matter of mature consideration he still desires the record to read that he accuses the gentleman from Westmoreland of defending Communism?

Mr. WATERHOUSE. Mr. Speaker, I did not say that. I said that I felt that it was regrettable that any Member should see fit to oppose legislation that would make it unlawful in this Commonwealth for anyone to advocate the overthrow of the Commonwealth by force or violence. That can apply to anyone.

Mr. ANDREWS. Mr. Speaker, a further question. Can the gentleman produce from his notes what he actually said yesterday? It is not correct that he said: "It is regrettable that we have a Member of this House who would defend Communism?"

Mr. WATERHOUSE. Mr. Speaker, and I went further and said: "or any group which would advocate the overthrow." I will take Communism in that or any other ism.

Mr. ANDREWS. Will the gentleman please, Mr. Speaker, answer the question. Does he accuse the gentleman from Westmoreland and the gentleman from York of having defended Communism? That is the issue. That is the question.

Mr. WATERHOUSE. Mr. Speaker, if the gentleman will get yesterday's statements and repeat them as I said them—he is asking me half of what I said—if he will ask me all I said, then I will be very glad to answer the question.



Mr. ANDREWS. Mr. Speaker, I am only quoting what the Press said the gentleman said. I am only objecting to the fact. Not that you criticized the gentleman for supporting or for opposing the bill; that, sir, was the gentleman's privilege. But it was not his privilege, in view of what they said, to spread broadcast over this Commonwealth the charge that they had risen in their places and defended Communism. No amount of subterfuge upon the part of the gentleman from Erie can obscure that basic fundamental issue, and the gentleman as yet has not answered.

Mr. WATERHOUSE. Mr. Speaker, there is no subterfuge at all. I said yesterday it was regrettable, pathetic, that any Member of this House would take the floor in defense of Communism or any other subversive group which advocated the overthrow of this government by force or violence and I so state now. Does that answer the gentleman's question? I am not angry. I am sincere in my statement and I believe that the gentleman himself is too good an American to differ with that opinion if it were not for personal reasons.

#### PERMISSION TO ADDRESS HOUSE

Mr. ANDREWS asked and obtained unanimous consent to address the House.

Mr. Speaker, the gentleman's statement is still evasive. We are not concerned with the merits of the measure in question. We are only concerned with the matter of whether the gentleman from Westmoreland and the gentleman from York defended Communism, and not whether Communism or any other group allied to it was the sort of group that ought to have been legislated against.

That is the basic issue and it would stand on the record that the gentleman specifically accuses the gentleman from Westmoreland and the gentleman from York of having defended Communism which is a deliberate untruth.

#### PERMISSION TO ADDRESS HOUSE

Mr. WATERHOUSE asked and obtained unanimous consent to address the House.

The gentleman from Cambria again is distorting the statement. I will stand on what I said yesterday or what I have said today and I think it is in the official record. I would suggest that the gentleman get the official record and see exactly what I did say.

If I said anything there which accuses anyone of anything then I will stand on that. I do not think I said a thing about the gentleman from Westmoreland nor did I say a thing about the Minority Leader. But I did say, and again I repeat, in mentioning the gentleman from York, that is was regrettable that anyone would take the stand that he did, and I still think it is.

#### PERMISSION TO ADDRESS HOUSE

Mr. SEYLER asked and obtained unanimous consent to address the House.

Mr. Speaker, I regret that the incident that has occurred has occurred. I wish now to make a statement which will, I hope, clear beyond any doubt in any mind, including the mind of the gentleman from Erie.

My position is this. I am opposed to Communism. I am opposed to Communists. I want to preserve the democratic way of life, the American way of life. I differ from the

sponsors of the bill in regard to the methods they wish to employ for that purpose.

In regard to the gentleman from Erie, I am now rather confused as to what he is intending to say or did intend to say. It was my impression yesterday that he had made a statement which certainly implied that I was rising in defense of Communism.

I wish to brand that statement if he made it, or if he still maintains it, as an untruth, and inasmuch as we have had considerable explanation I can put no other interpretation upon the statement than as a deliberate misunderstanding of my position.

I think the fact that the newspapers have quoted him indicates that there were others beside myself who received that implication.

#### PERMISSION TO ADDRESS HOUSE

Mr. PETROSKY asked and obtained unanimous consent to address the House.

Mr. Speaker, in reference to a resolution that Mr. Mills and I introduced in the House on June 26, regarding flood conditions in Westmoreland County, I note that there has been no favorable action by the Rules Committee upon that resolution.

The condition that exists in Westmoreland County has been very trying to the people, and has been an undoubted hardship upon the industries located in the flood area. We believe that the State Department could aid those communities immensely with a very small amount of work if done by their skilled staff.

I again appeal to the majority in this House to take action on that resolution, and in that connection would like to spread upon the record a communication from the Greensburg Area Industrial Union Council, together with a resolution that was unanimously adopted at their last meeting.

The SPEAKER. Without objection the matter referred to by the gentleman will be noted in the record.

Greensburg Area Industrial Union Council  
C. I. O., 4 N. Pennsylvania Ave.  
Greensburg, Pennsylvania, July 27, 1951.

Hon. Anthony J. Petrosky  
State Legislator  
Slickville, Pennsylvania

Dear Mr. Petrosky:

Enclosed is a resolution adopted by the Greensburg Area Industrial Union Council which deems it necessary to bring to your attention the recent disastrous floods resulting in many thousands of dollars in property damage to Industrial Plants and homes in the Greensburg section of Westmoreland County. Plants were closed for weeks causing loss of production, people by the thousands were forced out of work for indefinite periods.

We feel that necessary action on your part will result in a thorough study and flood dams will be built to relieve the burden of disaster and hardship to the Industrial Plants and the people of Westmoreland County.

Trusting you will give this your immediate attention with thanks.

(Seal)

Respectively yours,

Louis Ewald, President  
Raymond Hearn, Rec-Secretary  
Greensburg Area Industrial Union Council



## RESOLUTION

Whereas, the area of South Greensburg in Westmoreland County is a highly industrialized area engaged almost 100% in production vitally necessary for national defense; and

Whereas, in the last year by reason of heavy rains, floods have resulted causing extensive damage to these plants engaged in defense production causing shut-down of the plants and many days loss of work to the employees and great loss of production to the defense effort; and

Whereas, such floods have in prior years resulted in extensive damage to such industries by reason of the fact that facilities for taking care of the water from the water basin in the area are insufficient;

Now therefore be it resolved by the Greensburg Area Industrial Union Council, on behalf of its 30,000 members in Westmoreland County and on behalf of the employers by whom said employees are employed, that the federal, state, county and municipal authorities having jurisdiction over the area take such steps as are necessary to erect flood control dams so as to eliminate the danger of floods in the future; and

Be it further resolved that copies of this resolution be sent to the proper governmental officials with the request that they take such action as the resolution directs.

Unanimously adopted at Greensburg, Pennsylvania this 27th day of July, 1951.  
(Seal)

Louis Ewald, President  
Raymond Hearn, Recording-Secretary

## SENATE MESSAGES

## CONCURRENCE IN HOUSE RESOLUTION

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, August 20, 1951.

Resolved, That when the House of Representatives adjourns this week, it re-convene on Monday, Sept. 17, 1951 at 3:30 o'clock p. m., E.S.T., unless sooner re-convened at the call of the Speaker of the House of Representatives and when the Senate adjourns this week, it re-convene on Monday, Sept. 17, 1951 at 2:00 o'clock p. m. E. S. T., unless sooner re-convened by the President Pro Tempore of the Senate.

## SENATE RECEDES FROM AMENDMENTS NON-CONCURRED IN BY HOUSE

The Clerk of the Senate being introduced, informed that the Senate recedes from its amendments, non-concurred in by the House of Representatives, to House Bill No. 718, entitled:

An Act making a deficiency appropriation to aid certain school districts.

and, has passed the same without amendments.

## HOUSE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 1645.

An Act transferring money from the World War II Veterans' Compensation Fund to the World War II Veterans' Compensation Sinking Fund for the purpose of

meeting interest and sinking fund requirements on World War II Veterans' Compensation Bonds.

With the information that the Senate has passed the same without amendment.

## BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

## HOUSE BILL No. 718.

An Act making a deficiency appropriation to aid certain school districts.

## HOUSE BILL No. 1645.

An Act transferring money from the World War II Veterans' Compensation Fund to the World War II Veterans' Compensation Sinking Fund for the purpose of meeting interest and sinking fund requirements on World War II Veterans' Compensation Bonds.

## SENATE MESSAGE

## AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 356.

An Act to further amend the act approved the second day of May one thousand nine hundred forty-five (P. L. 382) entitled "An act providing for the incorporation as bodies corporate and politic of "Authorities" for municipalities counties and townships prescribing the rights powers and duties of such Authorities heretofore or hereafter incorporated authorizing such Authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such Authorities authorizing such Authorities to enter into contracts with and accept grants from the Federal Government or any agency thereof and conferring exclusive jurisdiction on certain courts over rates" by extending the provisions thereof to school districts for limited purposes changing provisions for incorporation withdrawal from and joinder in Authorities amendment of articles of incorporation boards of Authorities and citizenship of members thereof and providing for extensions of corporate existence transfer of existing facilities to Authorities and conveyances of projects upon termination or assumption of liabilities.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the title, Page 2, line 7, by striking out after the word "purposes" the words "requiring that bonds of authorities organized by school districts be sold at public sale".

Amend the bill, page 11, by striking out lines 1 to 19 inclusive; page 12, by striking out lines 1 to 18 inclusive.

Amend the bill, page 12, line 19 by striking out after the word "Section" the figure "7" and inserting in lieu thereof the figure "6".

Amend the bill, page 15, line 14, by striking out after the word "Section" the figure "8" and inserting in lieu thereof the figure "7".



Amend the bill, page 19, line 1, by striking out after the word "Section" the figure "9" and inserting in lieu thereof the figure "8".

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—207

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarraf,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenshield,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Breisch,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendenning,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,

Coyle,	Kent,	Olsen,	Varner,
Dairymple,	Kline,	Penglase,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
DuBois,	Kubacki,	Pichney,	Weidner,
Duffy,	Lafore,	Pitzer,	Welsh,
Dunn,	Lederer,	Polaski,	Wescott,
Erb,	Leisey,	Polen,	Westrick,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Fenster,	Leven,	Readinger,	White,
Filip,	Light,	Reagan,	Williams,
Filo,	Limper,	Reese,	Willit,
Firmstone,	Loftus,	Reidenbach,	Wood,
Flack,	Lopresti,	Reilly, J. M.,	Yeakel,
Frost,	Lovett,	Rigby,	Yester,
Gaffney,	Lutty,	Riley, R. L.,	Yetzer,
Geer,	Lyons,	Robertson,	Young,
Gibson,	Madden,	Rose,	Ziegler,
Gleason,	Madigan,	Rosen,	Sorg,
Good,	Markley,	Rovansek,	Speaker

#### NAYS—0

#### NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

#### ADJOURNMENT

Mr. ROYER. Mr. Speaker, I move that this House do now adjourn until Monday, September 17, 1951 at 3:30 p. m. EST.

The motion was agreed to, and (at 2:33 p. m. EST) the House adjourned.







# Legislative Journal.

Session 1951.

139th of the General Assembly.

Vol. 32.

HARRISBURG, PA., MONDAY, SEPTEMBER 17, 1951.

No. 81.

## SENATE

MONDAY, SEPTEMBER 17, 1951.

The Senate met at 2:00 o'clock p. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Lloyd H. Wood) in the Chair.

### PRAYER

The Chaplain, Rev. WILLIAM D. McLEAN, Pastor of St. Peters Episcopal Church, Butler, Pennsylvania, offered the following prayer:

Almighty God, Who hast given us this good land for our heritage, we humbly beseech Thee to send Thy guiding spirit on the Senate of the Commonwealth of Pennsylvania now assembled. Grant that all their deliberations will be settled according to Thy laws, without error and ignorance, without pride and prejudice, so that the safety, honor and welfare of Thy people may be advanced to Thy honor and glory, and for the benefit of all Thy people.

We ask this in the name of Jesus Christ, our Lord. Amen.

### JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WALKER and Mr. CROWE, further reading was dispensed with, and the Journal was approved.

### NOMINATIONS BY THE GOVERNOR REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations.

#### SUPERINTENDENT OF PUBLIC INSTRUCTION

Commonwealth of Pennsylvania,

Governor's Office, Harrisburg, September 17, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Hon. Francis B Haas, Harrisburg, Dauphin County, for reappointment as Superintendent of Public Instruction, for a term of four years, to compute from August 23, 1951.

JOHN S. FINE.

#### MEMBER OF THE ADAMS COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,

Governor's Office, Harrisburg, September 17, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Stanislaus E Krichen (Democrat), 355 Ridge Avenue, McSherrystown, Adams County, for appointment as a member of the Adams County Board of Assistance, to serve until December 31, 1953, and until his successor is duly appointed and qualified, vice William V Sneeringer, Littlestown, resigned.

JOHN S. FINE.

#### JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,

Governor's Office, Harrisburg, September 17, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Herman J Heatter, 243 Main Street, Walnutport, Northampton County, for appointment as Justice of the Peace in and for the Borough of Walnutport, Northampton County, until the first Monday of January 1954, vice E. A. Acker, resigned.

JOHN S. FINE.

#### MEMBER OF THE CRAWFORD COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,

Governors Office, Harrisburg, September 17, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Paul E. Allen (Republican), Trust Company Building, Meadville, Crawford County, for appointment as a Member of the Crawford County Board of Assistance, to serve until December 31, 1952, and until his successor is duly appointed and qualified, vice Kenneth W. Rice, Esq., Meadville, resigned.

JOHN S. FINE.

#### MEMBERS OF THE BEDFORD COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,

Governors Office, Harrisburg, September 17, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the



following persons for appointment as Members of the Bedford County Board of Assistance:

Mrs. Fannie Cessna (Republican), 233 South Richard Street, Bedford, Bedford County, to serve until December 31, 1953, and until her successor is duly appointed and qualified, to fill a vacancy.

Carl Stake (Republican), Saxton, Bedford County, to serve until December 31, 1953, and until his successor is duly appointed and qualified, to fill a vacancy.

Rev. Thomas Garner (Republican), Bedford, Bedford County, to serve until December 31, 1952, and until his successor is duly appointed and qualified, to fill a vacancy.

Ross T. Snyder (Democrat), New Enterprise, Bedford County, to serve until December 31, 1951, and until his successor is duly appointed and qualified, vice A. Ross Diehl, Bedford, resigned.

JOHN S. FINE.

## COMMUNICATIONS FROM THE GOVERNOR

He also presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows:

### APPROVED AND SIGNED SENATE CONCURRENT RESOLUTION RECALLING SENATE BILL No. 739, PRINTER'S No. 442.

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, August 24, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Concurrent Resolution recalling from the Governor Senate Bill No. 739, Printer's No. 442, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

JOHN S. FINE.

The PRESIDENT. The bill will be laid on the table.

### SENATE BILL No. 110, PRINTER'S No. 381 RETURNED WITHOUT APPROVAL

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, August 25, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I return herewith, without my approval, Senate Bill No. 110, Printer's No. 381, entitled "An Act to facilitate traffic in the northern section of the Commonwealth by providing for the construction operation and maintenance of a turnpike from a point on the Erie extension to a point on the Scranton extension of the Pennsylvania Turnpike or to a point on the northeastern extension of the Pennsylvania Turnpike at such points as the Pennsylvania Turnpike Commission may decide are the most feasible and practicable for the further extension of the Pennsylvania Turnpike from or near the City of Erie in Erie County or to or near the City of Scranton in Lackawanna County or to a point on the northeastern extension of the Pennsylvania Turnpike conferring powers and imposing duties on the Pennsylvania Turnpike Commission authorizing the issuance of turnpike revenue bonds of the Commonwealth payable solely from tolls to pay the cost of such turnpike and to issue notes or other evidences of indebtedness providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act providing for the collection of tolls for the payment of such bonds notes or other evidences of indebtedness and for the cost of maintenance operation and repair of the turnpike making such turnpike bonds notes or other evidences of indebtedness exempt from taxation constituting such bonds legal investments in certain instances requiring suits against the commission to be brought in Dauphin County prescribing conditions on which such turnpike shall become free providing for

grade separations grade changes relocations restoration and vacation of public roads and State highways affected by the turnpike providing for the purchasing or condemnation of land and procedure for determining damages in condemnation granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the commission and authorizing the issuance of turnpike revenue refunding bonds."

This bill authorizes the Pennsylvania Turnpike Commission to construct an extension of the Turnpike from a point on the proposed Erie Extension of the Turnpike near Erie to a point on the proposed Scranton Extension or Northeastern Extension of the Turnpike near Scranton.

The Erie Extension was authorized by the Act of May 9, 1949, P. L. 1037, and the Scranton Extension was authorized by the Act of May 9, 1949, P. L. 1050. The Northeastern Extension is authorized by House Bill No. 1484 which has been passed by both houses of the General Assembly, but has not been sent to me for approval as of this date. The Scranton Extension Act, supra, is expressly repealed by said House Bill No. 1484.

Construction of neither the Erie nor the Scranton Extensions has been commenced. This means that the bill is calling for an extension of the Turnpike to connect two presently non-existent extensions or to connect to an extension which has not yet been authorized by law. Such a situation is by no means an orderly method of bringing about the expansion of our excellent Turnpike System and would undoubtedly cause more harm than good.

Furthermore, the condemnation procedure and financing provisions of the bill are not the same as those set forth for the Delaware River Extension authorized by the Act of May 23, 1951 (Act No. 74) and the Northeastern Extension proposed by the aforesaid House Bill No. 1484, and this disparity could seriously hamper its workability in relation to the overall Turnpike System.

The sounder and more orderly approach to this matter would seem to be legislation passed at such time as the extensions, to which the proposed extension is to connect, are constructed or their construction is underway. At that time it will be possible to more accurately gauge the need for such an extension and to pass appropriate legislation if it then seems advisable.

For these reasons, the bill is not approved.

JOHN S. FINE.

### SENATE BILL No. 508, PRINTER'S No. 219 RETURNED WITHOUT APPROVAL

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, August 24, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I return herewith, without my approval, Senate Bill No. 508, Printer's No. 219, entitled "An Act to amend Sections 1 and 2 of the act approved the eighteenth day of April one thousand nine hundred forty-five (P. L. 253 No. 114) entitled 'An act relating to suits by shareholders against officers or directors in a corporation domestic or foreign to enforce a secondary right because the corporation refuses to enforce rights which may be asserted by it requiring that plaintiff be a shareholder at the time of the transaction of which he complains or that his shares thereafter devolved upon him by operation of law requiring security for defendant's expenses including attorneys' fees and providing for the assessment and recovery of such expenses including attorneys' fees' by extending the provisions thereof to corporations having no capital stock and authorizing corporations to indemnify directors officers and other persons against certain expenses."

This bill would amend the Act of April 18, 1945, P. L. 253, which limited derivative suits by shareholders against officers or directors of a corporation to persons who were shareholders at the time of the transaction against which the complaint was filed, and authorized a corporation to require security for costs and attorneys' fees of the plain-



tiffs in such suits when they represent less than five per centum of the outstanding shares.

This bill would extend those provisions of the Act of 1945 to include not only suits by shareholders of a corporation, but also suits by owners of a proprietary interest in the corporation.

Section 3 of the Act of 1945 also provided that the reasonable expenses, including attorneys' fees, incurred in the successful defense of such a suit are to be assessed upon the corporation; and if the defense is only partially successful, the court is to determine and assess the extent of such costs to be paid by the corporation. Without regard to that section, this bill would add a new section to the act to authorize a corporation, with or without capital stock, to indemnify its directors or officers involved in such a suit against actual and necessary expenses incurred in the defense thereof, provided the defendant is not adjudged liable for negligence or misconduct in the performance of duty.

Under the proposed amendment, the costs incurred by the officers or directors would be paid by the corporation irrespective of whether or not such officers or directors were successful in the defense of the suit, so long as there was not an affirmative finding of negligence or misconduct. This seems to be an unwarranted and unnecessary extension of the present provision of the law, which fully indemnify such officers or directors when they successfully defend the suit, and authorize the court to determine to what extent they shall be indemnified when their defense is only partially successful. The court having jurisdiction of the case is in a better position than the corporation to determine the merit and extent of such indemnities.

For these reasons, the bill is not approved.

JOHN S. FINE, Governor.

## NOMINATIONS BY THE GOVERNOR

### NOTARIES PUBLIC

He also presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

### CONSIDERATION OF NOTARIES PUBLIC

Mr. WATSON. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on September 17, 1951.

Mr. WOOD. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,

Governor's Office, Harrisburg, September 17, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

#### ALLEGHENY COUNTY

John M. Marciniak, Pittsburgh, 1103 Grand Ave.

Mrs. M. P. Parsons, Castle Shannon.

Carl F. Sinn, Jr., Pittsburgh, 947-49 Penn Ave.

#### LACKAWANNA COUNTY

Thomas L. Moran, Scranton.

#### LANCASTER COUNTY

Mrs. Ruth M. McCarty, Lancaster.

#### LEHIGH COUNTY

Thomas R. Heidecker, Emmaus.

#### PHILADELPHIA COUNTY

Harry Farber, 5918 Chestnut St.

Mrs. Romaine M. Harding, 2123 Sansom St.

Richard W. Maletz, 7263 Hanford St.

#### WASHINGTON COUNTY

Stanley Michalski, Chartiers Twp., Houston.

#### WESTMORELAND COUNTY

Mrs. Agnes M. Snyder, New Kensington.

JOHN S. FINE.

Commonwealth of Pennsylvania,

Governor's Office, Harrisburg, September 17, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

#### ADAMS COUNTY

John H. Kinports, Gettysburg.

#### ALLEGHENY COUNTY

Gilbert C. Carey, Coraopolis.

Miss H. J. Dale, Pittsburgh, 720 Frick Bldg.

Mrs. Dorothy Mae End, Brentwood.

Miss Marie Heydolph, Pine Twp., Wexford.

C. Murray Jones, Pittsburgh, 5424 Walnut St.

Robert R. Lavelle, Pittsburgh, 3141 Ewart Drive.

Mrs. Helen G. Rhodes, Pittsburgh, 1422 Frick Bldg.

#### ARMSTRONG COUNTY

Otto W. Sander, Kittanning.

#### BEDFORD COUNTY

John M. Caro, Everett.

#### BLAIR COUNTY

John P. Tittler, Altoona.

#### DELAWARE COUNTY

Chalmer H. Cunningham, Upper Darby Twp., Upper Darby.

#### LACKAWANNA COUNTY

Mrs. Marian E. Schofield, Scranton.

#### LEHIGH COUNTY

William R. Breidenthall, Allentown.

#### LUZERNE COUNTY

Mrs. Margaret Glodzik, Duryea.

Miss Rose L. Mitchell, Pittston.

#### MONTGOMERY COUNTY

James L. Strickland, Lower Merion Twp., Ardmore.

#### PHILADELPHIA COUNTY

Miss Regina F. Curry, 4950 N. Smedley St.

Miss Antoinette M. Fenn, 910 Girard Trust Bldg.

Alfred R. Jacobson, 3631 Lancaster Ave.

Lawrence P. McElroy, 1736 W. Columbia Ave.

Henry O. Merritt, 2525 S. 69th St.

Louis G. Rickerson, 3201 N. Broad St.

Robert E. Ryan, 3346 N. Front St.

JOHN S. FINE.



Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, September 17, 1951.  
To the Honorable, the Senate of the Commonwealth of  
Pennsylvania:

In conformity with law, I have the honor hereby to  
nominate for the advice and consent of the Senate the  
following persons for appointment as Notaries Public, for  
terms of four years to compute from the date of con-  
firmation:

#### ALLEGHENY COUNTY

Robert Abraham, Pittsburgh, 4712 Baum Blvd.  
Edward W. Bailey, Pittsburgh, 3125 Breckenridge St.  
Mrs. Marcella M. Boss, Mount Lebanon Twp., 317 Castle  
Shannon Blvd., Pittsburgh.  
Mrs. Iethel D. Collins, Pittsburgh, 239 Fourth Ave.  
William B. Dixon, Pittsburgh, 921 Jones Law Bldg.  
Norman Garfinkel, Millvale.  
Oscar Grierson, Pittsburgh, 5917 Center Ave.  
Miss Ethel I. Hufnagel, Pittsburgh, 117 Sandusky St.  
Mrs. Mary L. Hughes, Pittsburgh, 1104 Investment Bldg.  
James C. Jacobs, Pittsburgh, St. John's Hospital, 3339  
McClure Ave.  
Miss Claire Knorr, Pittsburgh, Rm. 1208, Berger Bldg.  
H. B. Massey, Pittsburgh, 2685 W. Liberty Ave.  
Robert R. McGinnis, West Mifflin, Terrace.  
Charles W. Metzner, McKeesport.  
David N. Oppenheim, Pittsburgh, Rm. 2110 First Na-  
tional Bank Bldg.  
Miss Mary Helen Reagan, Pittsburgh, 620 Bigelow Blvd.  
Winston T. Roberts, Mount Oliver.  
Anthony H. Sacco, Tarentum.  
Charles R. Stowell, Jr., Pittsburgh, 405 Magee Bldg.  
H. J. Vockel, Pittsburgh, 140 8th Ct.  
Mrs. Mary E. Williams, Pittsburgh, 419 Frick Bldg.

#### ARMSTRONG COUNTY

Mrs. Anna F. Armitage, Apollo.

#### BEAVER COUNTY

Wilbert P. Keefer, Rochester.  
Mrs. Helen R. McBride, Aliquippa.  
Mrs. Eleanor P. Peacock, Midland.

#### BRADFORD COUNTY

Mrs. Esther L. VanDerlyke, Towanda.

#### BUCKS COUNTY

Mrs. Nancy B. Glenn, Falls Twp., Langhorne.  
William D. Horbury, Pennel.  
Ralph D. Jones, Morrisville.

#### BUTLER COUNTY

Miss Helen M. Gavula, Butler.  
R. C. Moore, Butler.

#### CARBON COUNTY

George Brazzo, Beaver Meadows.  
Samuel A. Lockwood, Banks Twp., Tresckow.

#### CHESTER COUNTY

Miss M. Evelyn Green, Kennett Square.  
Edward L. Hartz, Coatesville.  
Benny A. Valocchi, Downingtown.

#### CLEARFIELD COUNTY

Fred M. Bennett, Curwensville.

#### DAUPHIN COUNTY

Mrs. Evelyn J. Ruch, Harrisburg.

#### DELAWARE COUNTY

Joseph W. Dorsey, Collingdale.

Mrs. Florence G. Hill, Glenolden.  
Richard A. Kerns, III, Haverford Twp., Havertown.  
Robert M. Price, Chester.  
Vincent A. Spano, Upper Darby Twp., Dréxel Hill.

#### ELK COUNTY

Mrs. Caroline Weissenfluh, Ridgway.

#### ERIE COUNTY

Joseph V. Agresti, Erie.  
Thomas L. Denton, Erie.  
Herbert MacGregor, Erie

#### FAYETTE COUNTY

Miss Jessie M. Darrall, Uniontown.  
Miss Stella D. Evangelista, South Union Township,  
Uniontown.

#### FRANKLIN COUNTY

J. Conrad Skelly, Shippensburg.

#### LACKAWANNA COUNTY

H. W. Harrison, Scranton.  
Joseph J. Keegan, Scranton.  
William H. Klopfer, Blakely, P. O. Peckville.

#### LANCASTER COUNTY

William T. Kline, Columbia.  
Miss Mildred N. Maysilles, Manheim Twp., Lancaster.  
John M. Slater, New Holland.  
Miss Helen P. Stark, Lancaster.  
Miss Geraldine M. Styer, Lancaster.  
Geo. L. Withers, Ephrata.

#### LAWRENCE COUNTY

Michael S. Cirelli, Ellwood City.

#### LEBANON COUNTY

Mrs. Marian McKinney, Lebanon.  
Walter R. Watson, Lebanon.

#### LEHIGH COUNTY

Richard L. Cutshall, Allentown.  
Thomas A. Michael, Allentown.  
Michael S. Turko, Allentown.

#### LUZERNE COUNTY

Mrs. Lorraine E. Benjamin, Hazle Twp., Hazleton.  
Mrs. Sarah P. Boyer, Hazleton.  
Andrew Garber, Hanover Twp., Wilkes-Barre.  
Miss Martha M. Leshko, Hazleton.

#### LYCOMING COUNTY

Mrs. Gladys A. Eaker, Muncy.

#### McKEAN COUNTY

Mrs. Jean Ann Neely, Port Allegany.

#### MERCER COUNTY

David E. Cousins, Coolspring Twp., Mercer.  
J. Bayard Eisaman, Sharon.

#### MIFFLIN COUNTY

Clifford H. Reffer, Derry Twp., Lewistown.

#### MONTGOMERY COUNTY

Eugene B. Baker, Springfield Twp., Chestnut Hill, Phila-  
delphia (18).  
Mrs. Katherine B. H. Bullock, Cheltenham Twp., Wyn-  
cote.  
Allen A. Cloud, Cheltenham Twp., Wyncote.  
S. Ervin Diehl, Jr., Cheltenham Twp., Glenside.



George A. Gambone, Norristown.  
Rayel E. Geschwind, Limerick Twp., Linfield.  
Harold N. Grier, Jenkintown.  
Miss Gladys Halteman, Pottstown.

#### MONTOUR COUNTY

Frank C. Webber, Danville.

#### NORTHUMBERLAND COUNTY

Miss Ramona Savulis, Mt. Carmel Twp., Atlas.

#### PHILADELPHIA COUNTY.

Mrs. Sydney V. Bechtel, 2300 W. Wallace St.  
Martin Brint, 1217 W. Girard Ave.  
Joseph J. Brownstein, 4162 Leidy Ave.  
Mrs. M. Elizabeth Burns, 734 Widener Bldg.  
Anthony Celia, 6538 Girard Ave.  
Miss Dorothea J. Dodds, 1331 Fidelity-Philadelphia Trust Bldg.

Murray Fiebert, 1069 Alcott St.  
LeRoy Murray Gardner, 4047 Castor Ave.  
John C. Gilhooley, 1518 Walnut St.  
Miss Margaret M. Griffin, 5600 Germantown Ave.  
Martin Grossman, 7502 Ogontz Ave.  
George C. Koch, 2405 N. 5th St.  
Miss Joan R. Krantman, 606 Land Title Bldg.  
Meyer Kraus, 1632 Bankers Securities Bldg.  
Mario J. Pasquarella, 2938 Germantown Ave.  
Mrs. Marguerite O. Paul, 1701 Arch St.  
Joseph L. Polya, 702 W. Winghocking St.  
H. E. Reynolds, 1405 Snyder Ave.  
Mrs. Joan Lee Reynolds, 111 S. 15th St.  
Wm. L. Riddle, 1500 Chestnut St.  
Mrs. Catherine F. Rowan, 35 S 9th St.  
Bernard Sher, 1208 Land Title Bldg.  
John H. Shmidheiser, Jr., 1700 E. Washington Lane.  
J. S. Ware, Jr., 1530 Chestnut St.

#### SCHUYLKILL COUNTY

William T. Quinn, Pottsville.

#### VENANGO COUNTY

Carl A. Haun, Franklin.  
Ronald E. Margeson, Franklin.  
Wilson Witherup, Emlenton.

#### WARREN COUNTY

R. M. Kinkead, Warren.  
N. P. Wendelboe, Conewango Twp., North Warren.

#### WASHINGTON COUNTY

Joseph S. Drobiszewski, Donora.  
Miss Cecelia E. Silko, Monongahela.  
Mrs. Esther L. Wright, Charleroi.

#### WAYNE COUNTY

Mrs. Virginia L. Cook, Honesdale.

#### YORK COUNTY

John Edward Dunphy, Spring Garden Twp., York.  
Mrs. Lillian A. Ensminger, York.  
S. J. Sardo, York

JOHN S. FINE.

A motion was made by Mr. WATSON and Mr. WOOD,  
That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

YEAS—50.

Bane,	Haluska,	McPherson, Jr.,	Stevenson,
Barr,	Hare,	Meade,	Stefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peelor,	Wade,
Byrne,	Lane,	Propert,	Wagner,
Chapman,	Leader,	Robinson,	Walker,
Crowe,	Letzler,	Rosenfeld,	Watkins,
Dent,	Mahany,	Ruth,	Watson,
Diehm,	Mallery,	Scarlett,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,	McMenamin,		

NAYS—0.

Two-third of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

#### COMMUNICATIONS FROM THE GOVERNOR

He also presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows:

#### APPROVED AND SIGNED SENATE BILL No. 11, PRINTER'S No. 495.

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, August 24, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 11, Printer's No. 495, entitled "An Act to amend subsection (a) of Section 9 of the act approved the twenty-sixth day of May one thousand nine hundred forty-nine (P. L. 1828) entitled 'An act concerning the investment powers and duties of guardians committees trustees and other fiduciaries except personal representatives and prescribing the nature and kind of investments which may be made and retained by such fiduciaries' By authorizing investments in common stocks meeting certain qualifications and eliminating the requirement that stock must be listed on an exchange as to the stock of banks and insurance companies."

JOHN S. FINE.

#### APPROVED AND SIGNED SENATE BILL No. 54, PRINTER'S No. 508.

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, August 24, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 54, Printer's No. 508, entitled "An Act to provide for an additional law judge of the court of common pleas in the seventh judicial district."

JOHN S. FINE.

#### APPROVED AND SIGNED SENATE BILL No. 303, PRINTER'S No. 144.

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, August 24, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 303, Printer's No. 144, entitled "An Act relating to the apportionment of estate taxes and providing procedure for enforcement of contribution or exoneration."

JOHN S. FINE.



APPROVED AND SIGNED SENATE BILL No. 481,  
PRINTER'S No. 313.

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, August 24, 1951.  
To the Honorable, the Senate of the Commonwealth of  
Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 481, Printer's No. 313, entitled "An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled 'An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds' by defining 'antique motor vehicle' and authorizing the operation of such vehicles with limitations as to use of lighting equipment in certain cases."

JOHN S. FINE.

APPROVED AND SIGNED SENATE BILL No. 496,  
PRINTER'S No. 315.

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, August 24, 1951.  
To the Honorable, the Senate of the Commonwealth of  
Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 496, Printer's No. 315, entitled "An Act authorizing the Department of Highways to erect and construct a bridge on Race Street between Sixth and Broad Avenues over certain railroad tracks in the City of Altoona empowering the Public Utility Commission to fix and determine the proportionate shares of the cost and maintenance thereof including compensation for damages to adjacent land owners and making an appropriation."

JOHN S. FINE.

APPROVED AND SIGNED SENATE BILL No. 499,  
PRINTER'S No. 286.

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, August 24, 1951.  
To the Honorable, the Senate of the Commonwealth of  
Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 499, Printer's No. 286, entitled "An Act to add Section 15.1 to the act approved the eighth day of July one thousand nine hundred forty-one (P. L. 298) entitled 'An act authorizing the creation of and providing for and regulating the maintenance and operation of a county employees' retirement system in counties of the fourth class imposing certain charges on counties and fixing penalties' by providing for optional minimum retirement allowances under certain conditions."

JOHN S. FINE.

APPROVED AND SIGNED SENATE BILL No. 236,  
PRINTER'S No. 496.

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, August 24, 1951.  
To the Honorable, the Senate of the Commonwealth of  
Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 236, Printer's No. 496, entitled "An Act to further amend subsection (a) of Section 722 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled 'An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless-trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds' by including Philippine Pacific War Veterans Navy Club of the United States and the United States Army Ambulance Corps among the organizations exempt from payment of registration fees of vehicles used by such organizations."

JOHN S. FINE.

APPROVED AND SIGNED SENATE BILL No. 379,  
PRINTER'S No. 448.

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, August 24, 1951.  
To the Honorable, the Senate of the Commonwealth of  
Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 379, Printer's No. 448, entitled "An Act to add section 4.1 to the act approved the twentieth day of July one thousand nine hundred seventeen (P. L. 1143) entitled 'An act relating to free public nonsectarian libraries and branch libraries within this Commonwealth providing for their establishment maintenance and regulation and for the maintenance and regulation of such free public nonsectarian libraries as may have been already established by the several counties cities boroughs towns and townships and providing that all library property and all gifts devises grants or endowments for library purposes shall be exempt from taxation and providing that the several counties cities boroughs towns and townships may levy taxes condemn private property and borrow money for library purposes and imposing penalties for injuring library property and for violations of library regulations and repealing existing laws in relation to the above subjects' by further regulating county libraries permitting cities boroughs towns and townships to withdraw from county library districts and payment of county library tax."

JOHN S. FINE.

APPROVED AND SIGNED SENATE BILL No. 733,  
PRINTER'S No. 403.

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, August 24, 1951.  
To the Honorable, the Senate of the Commonwealth of  
Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 733, Printer's No. 403, entitled "An Act concerning mutual military aid and



assistance by and between the Commonwealth of Pennsylvania and other states in an emergency and agreeing to approving and authorizing and empowering the Governor to enter into a compact with the State of New Jersey and the State of New York and any other state concurring therein or otherwise approving thereof for such purpose."

JOHN S. FINE.

### HOUSE MESSAGES

#### HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 356

The Clerk of the House of Representatives being introduced, presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 356, entitled:

An Act to further amend the act, approved the second day of May, one thousand nine hundred forty-five (P. L. 382), entitled "Municipality Authorities Act of 1945," by extending the provisions thereof to school districts for limited purposes; changing provisions for incorporation, withdrawal from and joinder in authorities, amendment of articles of incorporation, boards of Authorities and citizenship of members thereof; and providing for extensions of corporate existence, transfers of existing facilities to Authorities, and conveyance of projects upon termination or assumption of liabilities.

#### HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL NO. 826

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 826, entitled:

An Act to further amend the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "School Employes' Retirement Law," by redefining the term "final salary" and further providing the manner of computing employes' annuities.

#### HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL NO. 984.

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 984, entitled:

An Act to amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "Public School Code of 1949," by further providing for exceptions to compulsory attendance.

#### HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL NO. 1309.

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1309, entitled:

An Act to amend sections one and two, as amended, sections four, five, six, seven and eight, and sections nine and ten, as amended, of the act, approved the twenty-eighth day of June, one thousand nine hundred and twenty-three (P. L. 888), entitled "Communicable Disease Control Law," by changing the method of approval of communicable disease regulations by the advisory health board and by adding counties which have established a county department of health or joint-county department of health to the political subdivision required or empowered to perform

certain duties relating to the reporting, quarantining, and control of diseases declared communicable by law or regulation.

### PETITIONS AND REMONSTRANCES

Mr. YOSKO. Mr. President, I regret very much that after this recess I have to be the first Member of the Senate to stand up and make a speech, and I regret, too, that the kind of a speech I am going to make is probably at least as distasteful to me as I am sure it will be to the other Members of the Senate.

Mr. President, I have to talk a little bit about our State mental institutions, and in particular the Allentown State Hospital. When I was an employee of the Auditor General's Department, the auditors used to come back and tell me weird stories about our State institutions, things that they saw, things they heard and things they learned during the course of making the audit in an institution, which took in some cases two, three and four weeks. Some of the things they said were almost unbelievable. So, a survey was made on the quiet to determine whether or not some of the conditions complained of were actually true, and when the report came back I am sorry to say that many of the things that were complained of were found to be true. I have reports on those institutions here in my files, but since this survey was made, back in, I think 1946, I have never referred to it because I was always under the impression that the conditions had been remedied.

You will remember Life Magazine portrayed the terrible conditions at Byberry and other State institutions. You will remember that we had scandals at White Hill, Pennhurst, Morganza and the Scranton Oral School for the Deaf I am not going to go into what happened at that time. It is all a matter of record. Each scandal was thoroughly publicized and because of that, as I said before, I sort of came to the conclusion that those things were corrected.

Then Mr. President, the State Authority came along and put on a building program, and millions and millions of dollars were spent for new construction and for improvements in our State institutions, but it seems to me that four walls do not make a mental health program. I remember Governor Duff when he campaigned last year for the United States Senate, that one of the things he boasted about was the Mental Health Program in Pennsylvania. He said it was second to none, and I am assuming that he said that because of the millions that were being spent for construction and improvements at the State institutions, but I say again, Mr. President, that buildings do not make good hospitals. If treatment for the sick people is not provided for, if you do not have a sufficient number of nurses, if you do not have a sufficient number of doctors, if you do not have a sufficient number of attendants, if the food is not good if the discipline is not the kind it ought to be and if the institution is not clean, if those things do not exist, then an institution is nothing more than four walls where people are sent to die. That is all it amounts to, and I repeat, Mr. President, that after hearing from Governor Duff and others talk, I assumed that the things I just mentioned existed in our State Hospitals.

Mr. President, last Wednesday Albert Prospero came to my office, and he told me that his brother was out at the Allentown State Hospital. He told me that he had died



there and he told me that when his body was delivered to the undertaker it was found to be full of bruises and marks. I called the undertaker to verify the statements of Mr. Prospero and, sure enough, the undertaker told me that he had bruises about his face and neck, on his side from his hips to his shoulders, and his legs and his back, and then Mr. Prospero asked me if I would not request the proper State officials to conduct an investigation. So, I wrote a letter to the Secretary of Welfare, Mr. Brown, and sent copies to the Attorney General and to the Governor, and I gave them the facts and asked them to make an investigation. In the meantime, I suggested to Mr. Prospero that he have pictures taken of the body. He had those pictures taken and I want every Member of the Senate to take a look at these pictures. As a matter of fact, I am going to pass them around, and I want you to take a look at them and see for yourselves the marks on the body of this dead man.

Now, Mr. President, this man walked into the institution, of course with a defective mind, without any marks on his body, and three months later he was sent home on a slab in this condition. I do not know what to make of this, but there was a young fellow that worked down at the Allentown State Hospital as an attendant, who learned that pictures were going to be taken, and he said to Albert Prospero, "When you take these pictures," he said, "just look around the heart and see if there are any marks there." He said, "Don't ask me any more questions, just look," and, sure enough, when the photographer took the pictures—I was not over there myself—I asked him whether there were any marks around the heart, and, sure enough, there are three of them. How they got there, I do not know, but they are there. What effect they had on this man's death, I do not know, either. There was no autopsy performed because the coroner got down to the funeral parlor about fifteen minutes before the body was taken from the funeral parlor to the church. He approached the wife of this man and asked her whether or not she wanted to have an autopsy performed, and that if she did they would have to postpone the funeral until next week. Of course, she did not want to go through that. She did not want to delay the funeral. She was satisfied that the marks were there, she was satisfied that the evidence would be prevalent from the pictures that were taken. So, she signed the statement that they prepared for her to the effect that he had died from natural causes.

Mr. President, how could she know whether he died from natural causes? How could the doctor, or the coroner or anybody else determine that he died from natural causes unless there was an autopsy performed? It was not the job of the coroner to go to the wife of Mr. Prospero and ask her whether or not she wanted an autopsy performed. As a public official, as the coroner, it was his duty, with this evidence, to perform the autopsy and he would not have had to delay the funeral until next week either, because he could have performed that autopsy and it would not have taken him any more than four hours, at the most, and he could have determined the cause of death himself.

Mr. President, the Secretary of Welfare wrote me and told me there was an investigation being made by the State Police, and I am assuming that such an investigation

is being made. There were statements made in the paper by the doctors at the Allentown State Hospital, and they attributed this man's death to two strokes and two heart attacks. I do not know whether that is true or not, but whether it was from strokes or whether it was from heart attacks, they did not explain how those bruises got on this man's body. I submit to you, Mr. President and Members of this Senate, that if this man was beaten, a sick man, sure it could have caused a stroke and it could have caused a heart attack, certainly it could have, but I know what is going to be in the report when it is ready. I have an idea just from what the statements that are being made, but I want somebody to explain to me, and I am sure the Members of the Senate want somebody to explain to them, how these marks got on this man's body. He did not have them when he went in the institution, but he had them when he was taken out.

Mr. President, his wife visited him last Wednesday, and while I am not going to go into even describing the things that he said to her, she made a statement here and I have it, and I may ask to introduce it in the record. Before she left,—I am a little ahead of my story—when she got into the institution there he was on a bed, covered with a white sheet, and she asked him why he held the sheet up as far as his neck and he said nothing. So, she took it off and there she found him naked in bed, and the bed all wet, and when she asked him why the bed was wet he said he had been asking for a uninal bottle, nobody brought it to him and he was forced to urinate in the bed. His lips were so dry he could hardly talk for want of water, and before she left he said to her, "Please take me home because after you leave here they are going to beat me again." There were some marks on his body at that time but not all of the marks that were on the body after it was delivered to the undertaker.

Mr. President, Mrs. Prospero went to the office of the doctor in charge, and she told him the story and he was supposed to have said, "I cannot help what the attendants do back there. My job is to treat these people medically, my job is not to look after the attendants." If that is the attitude he takes, he ought to be fired because he is not fit to take care of sick people. He should not only be fired, they ought to bring him in to show cause why his license should not be suspended. Anyway she said to the doctor, "I want to take my husband home." He said, "All right, you sign this furlough paper here." So, she signed the furlough paper to take him home. She left the hospital at four o'clock and at seven o'clock the hospital called her. This is all in the same day. At seven o'clock the hospital called her, and told her that her husband was dead. They sent the undertaker out to the hospital, brought him to the morgue and there they found these marks on his body.

Mr. President, if that was just one case, you could perhaps pass it by, but when these things happen and they are publicized you get all sorts of information. I have had telephone call after telephone call. Some identified themselves, others did not. Those that would not, I would not talk to. I have a lot of stories I am going to submit to Mr. Brown and to others here in authority in the State Government to follow through and investigate these stories that were submitted to me, but this is not the first case. Before I go on, I want to hand you these pictures and I wish you would pass them on so everybody gets a chance to look at



them. This is not the first incident of this kind at the Allentown State Hospital. Just a short time ago a Lehigh County Jury gave a \$20,000 verdict against the doctors there for the negligent manner in which they treated one of the patients that made him a cripple for life. I have a letter here from an attorney out in Pittsburgh complaining about a boy that was supposed to have been beaten to death over there at White Hill, asking me to see what I could find out about it. I understand that when the case was submitted to the Governor, the Governor submitted it to the Attorney General.

Mr. President, I talked to somebody that came to my office voluntarily right out of the hospital. I will not divulge his name, but he told me that just a short time ago, about three or four weeks ago, a Walter Rudolph was so severely beaten that they had to put him in a private room there and put three special nurses on duty so nobody could get in to see him. He died on September 10

Mr. President, just last Wednesday a William Yost received a terrible beating at the Allentown State Hospital; a Joseph Ferraro, an infantile paralysis case, a young boy, I think he is being buried today, fell out of bed, fell out of bed and laid there on the floor for hours before he was picked up. A Mrs. Trevena and her son came to my office on Saturday night and told me a story about Mr. Thomas Trevena, the husband of Mrs. Trevena and the father of the boy, and they told me that the father was a good Christian man all his life, that he worked at an Allentown plant for forty-three years as a master mechanic, that he worked at the Trojan Powder Company as a maintenance superintendent, and worked at the Oak Ridge Atomic Plant, and then his mind went bad. He was seventy-four years old, and since Mrs. Trevena was home alone she was afraid that he might get one of his spells and do her some harm. So, she inquired as to where they should put him, and she was told that the Allentown State Hospital would be all right. So, she took him there. He was there about three days and they came to visit him and there they found him with two black eyes. They came back several days later, and he was in bed with a cut under his arm and pain on his chest. They could not lift him, they could not touch him because he was so sore from his hips on up. A little bit later, scabs developed on his elbows, his nose and his ankles, because he was not given proper care while he was in bed. His buttocks were raw, Mr. President, because of the baths they give them in the tubs there. I was told by a person from right within the hospital that those tubs, the enamel is eaten from them and I suppose just a cast iron bottom remains. They said it was like a file and they put people in those tubs for a period of anywhere from twenty-four to seventy-two hours, and it just eats off the skin from the body. When I asked what they did about it, they said "What can you do about it?" They put them to bed and if it heals, it is all right and if it does not heal, it is all right, too. Those tubs were condemned by a State inspector one year ago and they were told to replace them. They are still there and they are still bathing poor unfortunate people in that hospital, still bathing them in those tubs. I cannot understand the kind of people that they are.

Mrs. Trevena and her son thought it was best, after

one week's experience, to take their father out of there. So, they applied to the Darlington Sanitarium to have him transferred, with the consent of one of the doctors at the hospital, and when they came to the Allentown State Hospital with the ambulance the doctor in charge said, "I am sorry, you cannot remove him. You have got to get an approval from Harrisburg." They wrangled and wrangled, but he stuck to his word and said he would try to expedite the approval so that he could be transferred as soon as possible. Two weeks went by and the transfer never came through, and while they were waiting for the transfer, a doctor called the Trevena home and said, "Mr. Trevena is dying." So, they went to the hospital and there he was on his deathbed after a little more than two weeks. He, too, walked in except that his mind was affected, and in three weeks time they took him out on a slab with marks all over his body. While the Trevenas were in this room where the father lay dying, an orderly came in with the meal that was to be served to this dying man. A light diet was prescribed for him, and do you know what it consisted of? It consisted of a plate of cabbage, two boiled potatoes, a piece of bread, a piece of bologna and an apple. They brought this into a man that was dying. No orange juice or other things might be fed to a person in that condition.

Mr. President, what sort of a place is this anyway? Are we going to sit idly by here and permit these things to go on? When the wife and son of this man asked to use the phone to call a clergyman, the doctor said to them, "What do you want with a clergyman? He would not know him anyway when he got here. What good can he do for him?" When the father died, they forcibly ejected the son out of the room. They sent for the undertaker, and the thought was to have an autopsy performed, because they could not believe that he could die from natural causes so quickly, within a period of three weeks, that something must have been done to him, but the undertaker told them that if he were to perform an autopsy, there would be a lot of trouble getting the body out of the hospital, so they took him home. The clergyman saw the marks on him, the undertaker saw the marks on him and they will testify to it any time or any place or before anybody. When they opened his mouth, his lower plate was broken. It certainly was not from eating hard food. Let somebody else explain that.

Mr. President, if those are the conditions in our State institutions, we, the Members of this Senate, absolutely got to do something about it because those institutions, and the department that runs them, are creatures of this Legislature. Therefore, the policy and the practice and the procedure under which those institutions and the department involved function certainly is the business of this Legislature. That is why we are here, that is why we meet to represent all of the people and give them the best that is available, but one of the big faults at these mental institutions is the attendants. I said in the statement when I wrote the letter that the attendants are drunks and bums, and I mean that and I will prove it right down in the Allentown State Hospital. Some of the attendants come in drunk and when they are off duty, they are hanging around the Rittersville Fire House and another beer joint across the street from



the Hospital, and I will prove that, too. We ought to find out how these people are selected. Are they properly trained, are there sufficient nurses in the hospitals? You probably would not believe this when I tell it to you, but just imagine in this institution there are no nurses on duty from four-thirty in the afternoon until seven-thirty the next morning. All of the responsibility is left to these attendants, some of them drunks and bums, and that is not all. Three attendants, three, are to take care, or are now assigned to take care, of one hundred seventy-five men in one ward and two men are taking care of two hundred twenty-five men in another ward at the Allentown State Hospital, at least on the night shift, and from what I am told—I do not know whether it is true or not, but I am going to look into it, there is to be one attendant for every twelve patients, and if that is true, certainly the law ought to be complied with.

Mr. President, I told this story, and I am passing these pictures around for you to take a look at them with the hope that this resolution that I am going to introduce tomorrow, calling upon the Legislature to appoint a bipartisan committee to make a survey and an investigation of the institutional situation in the entire State might be favorably considered, so that these conditions, if they are true, can be corrected, because they ought to be corrected. You never know, Mr. President or Members of this Senate, when some dear friend of yours may have to become a patient in one of these hospitals, or maybe some member of your immediate family. I am sure you would like to see them get the best care that is possible. If our institutions are places of torture, if they are concentration camps, let us change it, because we owe it to the public. Let us make our institutions not places of confinement where people are set to die, let us make our institutions places of cure.

Mr. WALKER. Mr. President, I first want to apologize to the gentleman from Northampton. I have no way of checking, of course, because of the newness of the information that has been conveyed to the gentleman of the Senate in his remarks. Some of his remarks I assume are factual and some, as he admitted in his discussion, were conjectures on his part. I want to suggest, Mr. President, in all fairness to the Department of Welfare and to the Allentown State Hospital, that perhaps it would be of exceeding progress if the gentleman would consult with Secretary Brown as to the facts contained in the first case—I think Prospero was the name of the gentleman or the patient that was mentioned—because, Mr. President, in his remarks the gentleman first said that the attendants were all drunks and bums, and then he amended it by saying some of them were drunks and bums. Now, Mr. President, I do not want to just have a blanket indictment like that of the attendants at any of our State institutions. I would not want to have those attendants suggest that the Members of the General Assembly are drunks and bums because we merely happen to be loafing in the vicinity of a licensed establishment and, Mr. President I also am aware of the fact that according to the statistics that were preached by the former distinguished Governor of Pennsylvania, the present Junior Senator, Senator, Senator James Henderson Duff, two out of fifty are subject to become or are in danger of becoming inmates

in a mental institution. I think that is the average he used, and that startled me when it dawned on me that there were fifty Members of the Senate here and, Mr. President, I certainly would not want to subject any Member of this Senate to the treatment suggested by the gentleman from Northampton.

Now, Mr. President, if memory serves me correctly, in the first case, if I might touch briefly on that, referred to by the gentleman from Northampton, Mr. Prospero was admitted to the hospital at Allentown in April of 1951. He was there about three months! At the time he was admitted he had been a patient elsewhere, if memory serves me correctly, and he was also in a very serious physical condition because of a syphilitic condition contracted during the First World War. I think a complete analysis, Senator Yosko, of the physical condition of this gentleman when he was admitted, as well as the fact that after the death of Mr. Prospero, the matter of the bruises, was taken up with the District Attorney of Lehigh County.

Now, Mr. President, I noticed in his discussion that Senator Yosko mentioned the fact that it was the coroner's duty to perform an autopsy. That is problematical, Mr. President. I would not want to engage in a collateral debate as to what are the duties of any county official in a matter of this type, but I am advised on reliable authority, Mr. President, and I am merely saying this in order to clarify any impression that might have been created, that the Coroner of Lehigh County, I am advised, is a Republican. The District Attorney of Lehigh County and the three Judges of Lehigh County are all Democrats. Now, I do not say that in order to stir up any partisan discussion. I merely want to clarify the impression I received during the gentleman's discussion. The coroner took the matter up with the District Attorney of Lehigh County, who made an investigation, and his office decided there was no further need for any further investigation or any prosecution of any type whatsoever. Now, Mr. President, if there is information that would prompt a district attorney to take an adverse position, I am certain that that information could be placed in the hands of the District Attorney of Lehigh County, who is a very capable public official and who, no doubt, will discharge his duties of office with swiftness and with fidelity.

Mr. President, with regard to the operation of the Allentown State Hospital, it is always difficult to take isolated cases because those cases, like the law, by their universality wreck hardships in individual cases, and that is what you have here. You have a situation where impliedly all of the trustees of the Allentown State Hospital are at fault because they do not pay more attention to what is going on.

Now, Mr. President, I want to say to you very frankly, that individually I do not know any of the trustees of that hospital, but I am confident that they are representative of the outstanding citizenry of that very fine county, and I know that they would not deliberately permit this to go on, and I think information of a factual nature should be placed before them. I think it should be placed before Mr. Brown and if investigation is warranted, I am certain that the Department and/or the trustees and/or the District Attorney, would make it.

Now, Mr. President, most of the discussion which Sen-



ator Yosko made here on the floor was conjectural on his part. Nobody is quarreling with the objective to be obtained. It is merely a matter of procedure that we are now discussing. I think he should place his facts before the officials that are charged with that responsibility, and permit them to do the things that they have been sworn to do under their oath of office.

Mr. YOSKO. Mr. President, the facts that I gave here I got from responsible persons, and I will turn the names of those persons over to the Secretary of Welfare or to any other investigating body, and they can be interviewed and I am sure the same set of facts will be conveyed to them under oath.

Mr. President, when I spoke about the attendants, I am going to ask to see the record, because I am sure I said, "the attendants at least some of them;" I do not want to involve them all. There are some good attendants, but I say to you from what I have been told by somebody within the hospital, there are some sadists employed there right now, and I say they are drunks and bums. That is what they are because I know them personally, and I know something of their background and they are not fit to work in a hospital and take care of sick people.

Mr. President, so far as the District Attorney of Lehigh County is concerned, I talked with him, and the District Attorney of Lehigh County did order an investigation, and I think he took the right position. He said if that investigation discloses facts that indicate the commission of a crime, he will certainly take steps to see that those persons are punished, but so far as a Grand Jury investigation is concerned, he did not think that the facts, as he had them thus far, would warrant such an investigation. He did, however, order an investigation, and since my good friend, Senator Walker, talked about submitting facts to the proper officials for investigation, may I call his attention to the fact that when this scandal was in progress down at Pennhurst, I asked for a Grand Jury investigation then. I was told that the State Police were making an investigation, and within the first few weeks or months after this Legislature convened, I just do not know the exact time, I went to Colonel Wilhelm and I asked Colonel Wilhelm to let me read the copy of the investigation report made by the State Police at Pennhurst. After fiddling around a little bit he said he did not have it, that the Attorney General had it and that I would have to get permission from the Attorney General to see that report. So, I went to the Attorney General and I asked the Attorney General to see the report, and the Attorney General told me he would have to first determine whether the information in that report was confidential or whether it was of a public nature, and he would let me know. To this very date I have not heard from him, but since the gentleman brought it up, I am going to insist on seeing the report. I want to see that report not only of Pennhurst, but of every State institution that was involved in the scandal where the State Police made investigations.

Mr. President, if you are going to make an investigation, spend the taxpayers' money to make it, type it on paper and bury it in the file, what is the sense of making the investigation? It is worthless. I want somebody to tell me, since my good friend, Senator Walker, brought this up, how many people were arrested at Pennhurst, at Byberry, at White Hill, at Morganza, at the Scranton Oral School

for the Deaf or any other State institution where violations of the law were committed. I will tell you what they do with them. They just fire them just like they fired this attendant at the Allentown State Hospital that beat Mr. Trevena, that beat Mr. Rudolph up. The only thing they did was fire them. They should have reported them to the District Attorney and had them arrested. If I walk down the street here and I attack somebody and beat them, I will be arrested for assault and battery, but that does not happen in the State. The only thing they do in the State Government is fire them.

Mr. President, there was a man, the head of this institution over here at White Hill—I do not want to attack him—but the record indicates what he was. They did not fire him. They just transferred him over to the Department of Welfare where today he holds a responsible position there, and when I talked to Mr. Brown about it, you know what he said to me? He said, "As long as he behaves himself on the job, I do not care what he does at night or I do not care what he does outside of working hours, and I do not want to discuss the type of acts involved." If we are going to have that kind of investigation, the Administration investigating itself, and after the investigation is made bury the report and treat it as confidential information, then they may as well not make it at all because it does not do any good. I hope Senator Walker and the rest of you would help me to get those reports and let's take a look at them before we adjourn, because we might be able to get something out of them to cure the situation that I am talking about and the situation that appears in the papers from time to time.

Mr. President, if you want to know something about the mental institutions, do not only take my word for it, but read the series of stories that are being published in the Philadelphia Inquirer and have been appearing in that paper for the last week, and it will tell you something about conditions at our mental institutions.

Mr. WALKER. Mr. President, I have no desire to continue this horseback gallop over the entire Commonwealth, but may I suggest to the gentleman from Northampton that he obtain those reports and familiarize himself with the facts before he files the resolution that he has discussed.

Mr. FREED. Mr. President, I would like to rise in defense of some of our trustees in the Allentown State Hospital. It so happens that there were three new one put on to that trusteeship in the last few months. It also happens that I happen to come from Lehigh County where the Allentown State Hospital is located. I said to the people in Lehigh County in the past two weeks that I certainly will give everything that I possibly can to Senator Yosko to see that the Allentown State Hospital will be cleaned up, if it should be cleaned up.

Mr. President, I have had a number of requests coming to me regarding the Allentown State Hospital, and in every instance I said, "Let's go." The last one that I had happened to come from the Veterans' Bureau, and in that particular case they were showing me where the man was there with all kinds of sores and were telling me what the conditions of this particular fellow was in. They said right now there are rats and mice running around in that particular room, everything is filthy, you can hardly stand it in the room. I said, "Now is the time to go," and



at the same time I had to call up my Mrs. and say "dinner is out." I grabbed this fellow, and we go over to the State Hospital. The head of the State Hospital wanted to refuse me admittance until I told him I thought it far better to allow me to get in to see this particular fellow, so he left me in then. We got the doctor in there, and I do not know where Yosko gets the information from as to being in there at four, five o'clock or a little after five, and that there were no attendants or no nurses because, after all, nurses were all around me when I was in there at five, and as far as the food was concerned, I could have eaten that food and thought I had a very good meal, because the food was good. I looked the food over because it was time to feed, and I looked over this particular room and I certainly did pay particular attention to see if there had been any rats or mice around the place, and I saw none. I then went further than that, and I took the covers off the gentleman and looked him over. I said, "Well, man, you have never seen spots in your life or you would not say this fellow has been abused because there are a few bed sores on him."

Mr. President, I have had the pleasure, if you want to call it that, to be in with and see lots of these people in my time, and I was very much surprised but certainly glad that I went in there unexpectedly. I don't tell them I am coming. I walk into the place and tell them I am here, and then I want to see who I want to see and I don't care which particular department they are in. I think any man who goes in an institution, he should go in and look at it.

Mr. President, I want to work with Senator Yosko. I want to help clean it up, but I do not want to come in with a bunch of people and tell me about this case and that case, and that this man has been abused or something of that type. I want to go in and see just what that particular thing is, and when I see it I form my opinion on that. My opinions at this time on what I investigated at the State Hospital are absolutely as good as I might want to expect them if I should be one of those two that our good Senator referred to out of the fifty. I do not think I could go to a finer place than that, as I have seen a lot of places a whole lot worse than that. I have seen county jails worse than that. I have seen them in city hospitals worse than that. So, I think that our Allentown State Hospital is doing a pretty good job as far as my investigation goes, but as I have said before I will certainly appreciate going along with Senator Yosko to check the institution further. Those particular trustees are reliable men, they are reliable all the way through, and if we go to them, they will certainly run it down and clean the works out. Thanks a lot.

Mr. YOSKO. Mr. President, I am not an investigator or I am not going to take it upon myself to investigate any hospital. The way to do that is the way my resolution is going to call for it to be done, appoint a bipartisan committee and go into these institutions and spend some time in them, and really get the facts and find out what is wrong, if anything. Before I sit down I would like to interrogate the gentleman from Lehigh, Senator Freed.

The PRESIDENT. Will the gentleman from Lehigh, Mr. Freed, permit himself to be interrogated?

Mr. FREED. I will, Mr. President.

Mr. YOSKO. Senator Freed, Doctor Hoffman resigned

from the Allentown State Hospital just a short time ago while under fire because of conditions out there?

Mr. FREED. Mr. President, I do not know that, sir, as to the condition end of it. I know he did leave the hospital.

Mr. YOSKO. Thank you.

#### MAJOR GENERAL STRICKLER PRESENTED TO SENATE

The PRESIDENT. The Chair wishes to advise the Members of the Senate that my very distinguished predecessor in office is a visitor today, and I have taken the liberty to invite him to spend a few minutes with us, and at this time the Sergeant-at-Arms will escort Major General Daniel B. Strickler to the rostrum.

I could not think of letting him get away without inviting him to say a few words to us. It is no problem to present to the Senate a distinguished former Lieutenant-Governor who presided over most of the present Members of the Senate. I am, however, very proud to have the privilege and the honor of presenting to you one of Pennsylvania's outstanding statesmen and soldiers, General Strickler.

GENERAL STRICKLER, Mr. President and Members of the Senate, you have no idea how grand it is to be able to stand up here again at this rostrum and be able to say hello to you and to many of my friends of the Senate. Back in 1949, my last act in this very spot was to bring down the gavel and say, "This Senate will now adjourn sine die." Since that time, while Lieutenant-Governor, as you know, the 28th Infantry Division which I command has been called into Federal Service and has been out in Indiana for the past year. I know that you will want to know a few things about what has been going on out in Indiana, because we took about eleven thousand Pennsylvania boys out there under Federal call to train them as soldiers of the 28th Infantry Division. Our mission was to complete the program of training within ten months so that we could accept the mission to which the Department of the Army might assign us.

In October or November of last year, we got some eight thousand fillers, new men, who were brought in under Selective Service, to bring us up to war strength of some eighteen thousand. We were going along in fine shape heading toward finishing our program when in February and March the situation in Korea became so serious that the Federal Government decided they had to have men and men quickly. So, they took six thousand of our boys who had fourteen weeks training and sent them to Korea. As I told the Members of the House awhile ago, it was rather significant to me to see the value of military training displayed so vividly when within one month after those boys left, we had quite a number of them back in the Camp Atterbury Hospital as wounded patients. We got six thousand additional men immediately in February and March, along with three thousand over strength, and we had to train them along with our own group, which was trying to perfect its mission as an infantry division to enter the field of maneuvers for tests in August of this year. We completed the program and we went into maneuvers, and we are now pretty well finished with out schedule of training and have been tabbed by the Department of the Army, as you know, to become one of



the six divisions in Europe as part of the North Atlantic Treaty Command. We will leave in November of this year as a full division, some eighteen thousand officers and men, and we go over there to take up a strategic position near the Iron Curtain for the purpose of warding off the enemy in the event he should make an attack or to take part in any kind of armed conflict if necessary. However, the real purpose behind it all is to create the impression, at least, that we are ready to do something and to prevent war if possible.

I suppose that a great many of the Senators know a great deal about the military, because I see quite a number here with whom I served. You might feel that the boys go away from home to learn soldiering, to go into the military, the navy or the air, and to learn to shoot and march and all those things, but I cannot help but tell you that today things have changed so much that life in the Army is a tremendous business. Today, under modern conditions, business enters into everything. In our division it is true we are trained as combat people to enter into conflict if necessary, but with it all we have to know so much more than just plain soldiering. The logistics of a command demand men of talent who know how to handle business, and we have many of them on our staff. When you stop to think of a division such as we have, which was reared here in Pennsylvania and which receives such marvelous support at the hands of the Senate and the House in a military way, of going into the field, we have the job, admittedly, of handling over two hundred twenty-five million dollars worth of property; that is what we have in the 28th Infantry Division today. That property is very valuable, and we have to learn to take care of it in a business way. We have the maintenance we have to repair it, we have to safeguard it and we have to keep it in shape constantly. The tanks of the division alone are a very valuable piece of equipment. The tanks cost \$250,000, and we have over one hundred fifty in the division. So, you can just see how well we must take care of that tank as it rolls along, but the big job is not only to handle all this property but it is to take care of individuals, the men. They have to be fed, they have to be clothed, they have to have recreation, they have to have their morale kept high and they need constant attention. The matter of dollars and cents, of course, is important, but we today in the Army try to make the individual feel that he is important. I do not think there was ever a time when the average soldier, whether he carries a rifle or serves as a member of the artillery crew or whatever it is, must be made to feel that he is recognized as an important individual in the whole scheme of military affairs, because if we lose that, we lose the value of the team which we try to develop.

The boys from Pennsylvania make grand soldiers. We now have in the division men from every State in the Union, but the bulk of the whole business comes from the Keystone State. These boys are really a grand lot, and again I want to repeat, as I have said several times since I have come home, in all my experience I never had a finer group of young Americans than we have at the present time in our group. They are well behaved, they are interested, they are serious, responsible men, eager to learn. They are a smart group of young fellows, and we have no trouble with them whatsoever. In fact,

it is a tremendous improvement over conditions we had in World War II, and I think it is a fine tribute to our American youth when in these days we hear so much about the carryings on of young people in various colleges and so forth.

We do not know how long we are going to be away. The Army and the Government determine how long we stay. It is hoped that war can be prevented, and that after a tour of duty over there the division may be returned to Pennsylvania. However, if an emergency should really arise greater than it is at the present time, of course we will be kept in indefinitely until that emergency is over.

I sort of feel that when I leave these parts in November to go overseas that I am serving as your representative because I love Pennsylvania. I like legislative work, having served in the House and in the Senate and I know so many of you people. I miss it, yet on the other hand somebody has to do it and if that is my lot, why so it will be. I do want to express my appreciation for the lovely gift that some of the Members of this Senate made to my wife when I was away. I have not previously had an opportunity to thank you for it. I know she has for herself and for me, and I shall always cherish it as one of the tokens of my association with one of the finest bodies of men in the world. Thank you.

The PRESIDENT. General Strickler, before you escape from the Chamber, I should like to say to you on behalf of myself and the Members of the Senate that you and your valiant men have our best wishes, and I might add that I may be calling upon you to explain to me in detail what the reactions are of an officer in this position dropping the gavel on a sine die adjournment, because it is commencing to look as though I will never have that experience.

#### BIRTHDAY FELICITATIONS EXTENDED TO SENATOR DIEHM

Mr. WALKER. Mr. President, I have lost the attention of my very distinguished colleague from Westmoreland. These remarks are really directed indirectly at him.

It so happens, Mr. President, that not only is this Monday, September 17, but this also happens to be a very distinguished day for one of our very distinguished Members of this very distinguished body. Mr. President, I would like to suggest at this time that the Senate take a ten minute recess to permit a Republican Caucus and a Democratic Caucus in the racket club to the rear of the Senate Chamber, in order to confer with the distinguished gentleman from Lancaster, Senator Graybill Diehm, who is today celebrating his birthday.

#### RECESS

Mr. WALKER. Mr. President, I move that the Senate do now take a recess for ten minutes.

Mr. HARE. Mr. President, I second the motion.  
The motion was agreed to.

#### AFTER RECESS

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

#### HOUSE MESSAGES

HOUSE NON-CONCURS IN SENATE AMENDMENTS  
TO HOUSE BILL No. 1370



The Clerk of the House of Representatives being introduced, informed the Senate that the House has non-concurred in the amendments made by the Senate to House Bill No. 1370, entitled:

An Act to further amend Section 2004 of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "Third Class City Law," by limiting to forty hours the work week of police officers in certain cases.

**SENATE INSISTS UPON ITS AMENDMENTS NON-  
CONCURRED IN BY THE HOUSE TO  
HOUSE BILL No. 1370**

Mr. WALKER. Mr. President, I move that the Senate insists upon its amendments non-concurred in by the House to House Bill No. 1370.

Mr. SCARLETT. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

**SENATE CONCURRENT RESOLUTION  
TIME OF NEXT MEETING**

Mr. ROBINSON offered the following resolution, which was twice read, considered and agreed to:

In the Senate, September 17, 1951.

Resolved (if the House of Representatives concur) That when the Senate adjourns this week it reconvene on Monday, September 24, 1951, at two o'clock, p. m., E. S. T.; and when the House of Representatives adjourns this week it reconvene on Monday, September 24, 1951, at three-thirty o'clock, p. m., E. S. T.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

**BILL INTRODUCED AND REFERRED**

Mr. MALLERY. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MALLERY read in place and presented to the Chair Senate Bill No. 839, entitled:

An Act authorizing the Department of Property and Supplies to sell and convey a tract of land in Allegheny Township, Blair County, Pennsylvania with the approval of the Governor.

Which was committed to the Committee on State Government.

**SENATE RESOLUTION**

**DIRECTING THE JOINT STATE GOVERNMENT COM-  
MISSION TO MAKE A STUDY OF THE PROBLEMS  
INVOLVED IN THE PHYSICAL EXPANSION  
OF CERTAIN UNIVERSITIES**

Mr. NEFF. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Messrs. NEFF, ROSENFELD, BARR, STIEFEL, DENT, HOLLAND, McGINNIS, FLEMING and LEADER, offered the following resolution which was twice read, considered and agreed to:

In the Senate, September 17, 1951.

Whereas, the University of Pittsburgh, Temple University and the University of Pennsylvania have furnished, and are continuing to furnish, educational facilities to tens of thousands of Pennsylvania youths and to many others from all over the world, and

Whereas, their reputations for scholarship attainment and quality of teachings have been acknowledged universally, and

Whereas, said Universities are located in the largest cities of our Commonwealth, where the possibilities of physical expansion have created serious problems, and constitute a serious threat to their normal growth and to their abilities to maintain their excellent standards, and

Whereas, the officials of these Universities have been, and are concerned with this problem, and are faced with the necessity of establishing a long range program with regard to physical expansion, and

Whereas, the citizens of this Commonwealth have a vital interest in the establishment and success of such program.

Now, therefore, be it resolved, that the Joint State Government Commission be authorized and directed, and is hereby authorized and directed to make a study of the problems involved in the physical expansion of the University of Pittsburgh, University of Pennsylvania, and Temple University, reporting and making such recommendations to the General Assembly at the next regular Session of the General Assembly, as the Commission may deem necessary, together with such legislation as it may propose to carry out such recommendations.

**BILLS INTRODUCED AND REFERRED**

Mr. BARR. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BARR read in place and presented to the Chair Senate Bill No. 840, entitled:

An Act to amend the title and Section 1 of the act, approved the tenth day of August, one thousand nine hundred fifty-one (P. L. Act No. 265), entitled "An act regulating the appointment, promotion, suspension, reduction, removal and reinstatement of employes (except superintendents, assistant superintendents, inspectors and chief clerks) in bureaus of police in cities of the second class and defining the powers and duties of civil service commissions in such cities for such purposes," by excepting therefrom certain women police and school guards.

Which was committed to the Committee on Local Government.

Mr. BERGER. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BERGER read in place and presented to the Chair Senate Bill No. 841, entitled:

An Act to amend Section 2 of the act approved the eighteenth day of May, one thousand nine hundred forty-nine (P. L. 1440), entitled "An act concerning notaries public and amending, revising, consolidating and changing the law relating thereto," by making all members of the Senate ex officio notaries public.

Which was committed to the Committee on Judiciary General.

**CALENDAR**

**BILL ON CONCURRENCE IN HOUSE AMENDMENTS  
RECALLED FROM THE GOVERNOR**

Agreeably to order,



The Senate resumed the consideration of House Bill No. 1269, as follows:

An Act to amend Section 15 of the act approved the twenty-second day of April one thousand eight hundred fifty (P. L. 538) entitled "An act to secure the cities of Pittsburgh and Allegheny and the neighborhood thereof from damage by gun-powder to incorporate an association for the establishment of a house of refuge for western Pennsylvania and relative to the Pennsylvania State Lunatic hospital" by changing the maximum age for the commitment of delinquents to the Pennsylvania Training School at Morganza and changing admission requirements relative thereto

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 15 of the act approved the twenty-second day of April one thousand eight hundred fifty (P. L. 538) entitled "An act to secure the cities of Pittsburgh and Allegheny and the neighborhood thereof from damage by gun-powder to incorporate an association for the establishment of a house of refuge for western Pennsylvania and relative to the Pennsylvania State Lunatic hospital" as repealed in part by the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 932) is hereby amended to read as follows

Section 15 That it shall be lawful for the [board of managers of said house of refuge at their discretion] Board of Trustees of the Pennsylvania Training School at Morganza to receive into their care and guardianship infants males under the age of [twenty-one] eighteen years and females under the age of [twenty-one] eighteen years committed to their custody [in either of the following modes to] [wit] by any juvenile court any quarter sessions court or any court of oyer and terminer

[First Infants committed by an alderman or justice of the peace on the complaint and due proof made thereof by the parent guardian or next friend of such infant that by reason of incorrigible or vicious conduct such infant has rendered his or her control beyond the power of such parent guardian or next friend and made it manifestly requisite that, from regard to the morals and future welfare of such infant he or she should be placed under the guardianship of the managers of the said house of refuge]

[Second Infants committed by the authority aforesaid where complaint and due proof have been made that such infant is a proper subject for the guardianship of the managers of the said house of refuge in consequence of vagrancy or of incorrigible or vicious conduct and that from the moral depravity or otherwise of the parent or guardian or next friend in whose custody such infant may be such parent guardian or next friend is incapable or unwilling to exercise the proper care and discipline over such incorrigible or vicious infant]

[Third Infants who shall be taken or committed as vagrants or upon any criminal charge or duly convicted of criminal offenses as may in the judgment of the court of oyer and terminer or of the court of quarter sessions of the peace of any county within the western district [and the said managers] The board shall have power to place the said children committed to their care during their minority at such employment and cause them to be instructed in such branches of useful knowledge as may be suitable to their years and capacities and they shall have power at their discretion to bind out the said children with their consent as apprentices during their minority to such persons and at such places to learn such proper trades and employments as in their judgment will be most conducive to the reformation and amendment and will tend to the future benefit and advantage of such children

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

# SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO HOUSE BILL No. 1269, RECALLED FROM THE GOVERNOR

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to House Bill No. 1269, recalled from the Governor for the purpose of amendment.

Mr. CROWE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bane,	Haluska,	McPherson, Jr.,	Stevenson,
Barr,	Hare,	Meade,	Stiefel,
Berrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peelot,	Wade,
Byrne,	Lane,	Probert,	Wagner,
Chapman,	Leader,	Robinson,	Walker,
Crowe,	Letzler,	Rosenfeld,	Watkins,
Dent,	Mahany,	Ruth,	Watson,
	Mallery,	Scarlett,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnia,	Snowden,	Yosko,
Freed,	McMenamin,		

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

# BILL ON CONCURRENCE IN HOUSE AMENDMENTS RECALLED FROM THE GOVERNOR

Agreeably to order,

The Senate resumed the consideration of House Bill No. 1270, as follows.

An Act providing for the commitment and transfer of certain female juvenile delinquent to the Pennsylvania Training School for Girls or to certain other institutions and imposing duties on the courts of this Commonwealth and the Department of Welfare relative thereto

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Upon the completion of the new Pennsylvania Training School for Girls in accordance with the provisions of the act approved the fifteenth day of May one thousand nine hundred forty-five (P. L. 574) entitled "An act authorizing a State training school for female juvenile delinquents creating a board of trustees to supervise and manage such institution making the admission and cost of care and maintenance of such juvenile delinquents" the Department of Welfare shall transfer from the Pennsylvania Training School at Morganza Pennsylvania all females who are then detained therein and all books papers records and documents relating to such females to the Pennsylvania Training School for Girls. Thereafter all commitments of females which were heretofore made by the courts of this Commonwealth to the Pennsylvania Training School at Morganza shall be made to the Pennsylvania Training School for Girls. The Department of Welfare shall advise all of the courts of this Commonwealth of the date after which commitments shall be made to the new school

Section 2 The Department of Welfare may transfer from the Pennsylvania Training School at Morganza all females who are therein detained and all books papers records and documents relating to such females to any state in-



stitution acquired for the purpose of carrying out the provisions of said act and all commitments of females made by the courts of this Commonwealth to the Pennsylvania Training School at Morganza may be made to such state institution so acquired

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate concur in the same,

# SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO HOUSE BILL No. 1270, RECALLED FROM THE GOVERNOR

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to House Bill No. 1270, recalled from the Governor for the purpose of amendment.

Mr. TAYLOR. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bane,	Haluska,	McPherson, Jr.	Stevenson,
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peelor,	Wade,
Byrne,	Lane,	Propert,	Wagner,
Chapman,	Leader,	Robinson,	Walker,
Crowe,	Letzler,	Rosenfeld,	Watkins,
Dent,	Mahany,	Ruth,	Watson,
Diehm,	Mallery,	Scarlett,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,	McMenamin,		

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

## BILLS ON CONCURRENCE IN HOUSE AMENDMENTS

### BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 249, on concurrence in House amendments, entitled:

An Act to amend subsection (a) of section 411 of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1053) entitled "An act relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utility business by prescribing defining and limiting their duties powers and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and cer-

tain other matters authorizing a permissive or mandatory sliding scale method of regulating rates providing for the supervising of financial and contractual relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alteration relocation protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulation the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" by relieving cities of the second class A and third class and the counties in which they are located from payment of damages occasioned by and costs of construction reconstruction repair and maintenance of certain bridges and viaducts

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 456, on concurrence in House amendments, entitled:

An Act to further amend the act approved the thirty-first day of May one thousand nine hundred forty-seven (P. L. 368) entitled "An act to protect consumers in the purchase for fuel purposes of the hard coal known as anthracite providing for and regulating the sale offering for sale resale delivery and shipment of anthracite according to a standard provided for in this act requiring producers and dealers and persons engaged in the sale and resale of anthracite from storage yards or otherwise to consumers to keep certain records conferring powers on the Anthracite Committee and its agents and providing penalties" by defining "Retail Dealer" "Wholesale Dealer" "Municipal Weighmaster" and "Municipality" requiring producers wholesale dealers and municipal weighmasters to issue certain statements and keep certain records imposing and changing penalties providing for the payment of fines for violations to the Commonwealth and providing for injunctions to restrain violations

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 598, on concurrence in House amendments, entitled:

An Act to further amend Section 10 of the act approved the twenty-ninth day of May one thousand eight hundred eighty-five (P. L. 29) entitled "An act to provide for the incorporation and regulation of natural gas companies" by providing that natural gas companies shall have the right of eminent domain for underground storage of



natural gas or manufactured fuel gas and regulating the exercise of such right

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 615, on concurrence in House amendments, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens and encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by increasing annual registration fees for certain commercial motor vehicles truck tractors trailers and semi-trailers prescribing additional equipment requirements for certain vehicles increasing the maximum gross weights and axle loads allowed for certain vehicles changing the requirements for weighing vehicles removal of excess loads and prescribing and changing penalties providing that certain penalties shall be enforced by liens upon vehicles and the sale of such vehicles free of all liens and encumbrances and imposing duties upon operators owners magistrates and sheriffs

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

### THIRD READING CALENDAR

#### BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 177, entitled:

An Act to further amend sections two hundred three and two hundred four of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled as amended "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers and employes' mutual banking associations defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and employes' mutual banking associations and of the officers directors trustees shareholders attorneys and other employes of all such corporations employes' mutual banking associations or private bankers or of affiliated corporations associations or persons restricting the exercise of

banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by further restricting changes in location of principal places of business of banking institutions and by limiting the establishment and maintenance of branch banks to counties in which the principal places of business of banking institutions are located

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. BARR. Mr. President, I rise to voice my protest against Senate Bill No. 177. I am calling the attention of the Members of the Senate to the bottom of page 4, where it states: "An institution may in the case of an incorporated institution in the regular manner provided by this Act for an amendment to its articles and in the case of a private bank with the prior written approval of the department change its principal place of business."

Mr. President, this bill provides that a bank cannot establish a branch bank in a county other than where the main bank is located. In other words, it eliminates banking in a contiguous county. Now, I know that it is important in the great western part of the State, and I presume the same thing is of great importance in the eastern part of the State where your main banks or principal banks that do any branch banking are located, either in the City of Pittsburgh or in the City of Philadelphia. The City of Pittsburgh is the focal point for business from probably seven southwestern counties. The City of Philadelphia is the focal business point, I would say, for probably four or five counties surrounding Philadelphia, and I am sure that probably the Girard Trust and many of the other banks have branch banks in Chester, Delaware, Bucks and Montgomery Counties, such as some of our large banks have branch banks in Washington, Westmoreland and other counties nearby. It is the opinion, Mr. President, that some members of the branch banks are better than some of these individual bankers, because I think the large institutions watch just a little closer, because in one town out in the western end of the State, in the last three weeks two banks have been pilfered for over a million dollars.

Mr. President, I have no personal ax to grind, but I would like to ask the proponent of this bill, why. Would Senator Probert be willing to be interrogated?

The PRESIDENT. Will the gentleman from Montgomery, Mr. Probert, permit himself to be interrogated?

Mr. PROBERT. I will, Mr. President.

Mr. BARR. Senator Probert, if it is not being too personal, why this bill?

Mr. PROBERT. Mr. President, first I would like to say that this bill is the result of a resolution passed by the Pennsylvania Bankers Association, covering just this subject, and the resolution, incidentally, passed by a vote of over six hundred thirty some to forty some votes in the Pennsylvania Bankers Association. Furthermore, Mr. President, in answer to the gentleman from Allegheny, Mr. Barr, I would like to say that this bill does not affect any branch bank already established.

Mr. BARR. Mr. President, I read the bill, and I know



that answer is correct, but I do know this, that when the Bankers Association have their convention, take for example, the People's of Pittsburgh which probably has twenty-eight or thirty branch banks connected with them, they only have one vote at this bankers convention. The same thing would be true of the Girard Trust and the rest of them, just one, and I could easily see where the tail would wag the dog at the bankers convention.

Mr. PROPERT. Well, Mr. President, again I say that this bill is the result of a comprehensive survey by the member banks of the Pennsylvania Bankers Association, and it was introduced at their request.

Mr. BARR. Well, Mr. President, I just want to go back to the time that Senator Becker was Chairman of the Banking Committee, and I thought he was one of the most able chairmen we ever had, and at that time the subject of branch banking came up and it was only after about four months of meetings and studies, and with the approval of the State Banking Department, that we passed bills allowing branch banking in the State banks in Pennsylvania. Now, Mr. President, I would like to further interrogate Senator Propert.

The PRESIDENT. Will the gentleman from Montgomery, Mr. Propert, permit himself to be further interrogated?

Mr. PROPERT. I will, Mr. President.

Mr. BARR. Senator Propert, has the State Banking Department put their o.k. on this bill or do you know that?

Mr. PROPERT. I would say, Mr. President, that I have received a letter from the Secretary of Banking opposing this legislation, but I am willing to be guided by a majority of the member banks in the Pennsylvania Bankers Association.

Mr. BARR. Mr. President, I have great faith in a great many bankers, but some I have lost a heck of a lot of faith in just the last few weeks. If you have been reading the papers in the last few weeks, you would not have the faith in some of these bankers that you had at the time you introduced this bill.

Mr. President, I am going to ask as many as I can to vote Senate Bill No. 177 down.

Mr. WALKER. Mr. President, on this Senate Bill No. 177, as the gentleman from Allegheny has suggested, this is more or less of a geographic bill rather than a political bill or a partisan bill.

At the present time, under the present law, banks may extend branches not only into the county where the parent bank or the home office is located, but into counties that are contiguous to the home county. Under this present amendment which is reflected here in Senate Bill No. 177, the banks would be prohibited from further expansion into the contiguous counties. The Secretary of the State Banking Department is opposed to this bill. I appreciate the statement made by the gentleman from Montgomery. I think that it is very obvious that there are quite a number of banks in counties that are contiguous to the metropolitan areas of Pittsburgh and Philadelphia who are not enthusiastically in favor of branch banking, because they do not want large banks to spread on and on across the State. The present law would only permit the invasion of contiguous counties. Evidently, if I might use the word "rural" without being misunderstood, the rural banks are not happy about the extension of branch banks into con-

tiguous counties, and they are trying to put an end to that expansion.

Mr. President, I do not want to deal in past history because we all have our eyes on the future, but, Mr. President, there was a time back in Western Pennsylvania when the banks in the contiguous counties were very very happy, and many people went to bed thanking the Lord that there were banks like the People's of Pittsburgh and the Mellon Banks that were willing to come in and take over these practically defunct institutions.

Mr. President, I think that this bill is harmful to the spread of the banking industry. I know it is looked upon with disfavor by the people of Allegheny County, who are certainly in favor of the present setup, and by the banks in Allegheny County that are in favor of it, and I, like my colleague, Senator Barr, propose to vote against this bill because I do not think at this time, especially in the light of the attitude taken by the Secretary of the Department of Banking, that there should be any interference in the banking setup in the Commonwealth.

Now, Mr. President, as I said on the threshold of my remarks, this is not a matter for either the Democratic or Republican Caucus. In fact, it is a geographic matter, and that is the reason for the position we have taken here as individuals and not reflecting any party leadership whatsoever.

Mr. PROPERT. Mr. President, I should like to call the attention of the Members of the Senate to the fact that a survey was made, a questionnaire was distributed and action taken at the Pennsylvania Bankers Association. That resolution was passed at the Bankers Association by a vote of over six hundred thirty some to forty some, and one of the more serious aspects of the present law is its tie-up with the Federal Act. Although State banks may only establish branches in places where adequate banking facilities are not found to exist, there obviously can be no guarantee that the Federal authorities will place the same interpretation on the word "adequate" in any given place. This can result in discrimination against State banks, and in favor of National banks.

Therefore, Mr. President, I ask the membership to vote in favor of this bill.

Mr. DENT. Mr. President, the question of banking has become very important in Westmoreland County. It seems that we have had a couple of instances out there that are very interesting. Two banks within a very short period of time have had the officers arrested for embezzlement of sums ranging from \$550,000 to \$600,000 apiece. The only saving thing about it is that they both kept abreast of each other, and I was noticing in the paper that it was compared to the bank over in Washington County, in a little town called Cecil. It seems that in the town of Cecil, in Washington County, a bank officer took a million dollars, so that the question now is whether or not the bankers in Washington County are twice as—I don't like the word—twice as big thieves as they are in Westmoreland County, or whether Westmoreland County is supposed to have twice as many thieves. However, seriously, we are losing sight of the main issue of this particular bill, what is best for the public. Banks are service institutions. Which type of bank gives the best service? Is it the branch bank?

Mr. President, incidentally, in the City of New Kensington, there are three banks. Two of them have been victims of embezzlement and the third one is a branch



bank. At least up to date, no one has been caught and that bank has a clean record. I know that my memory serves me right when I say that just as Senator Walker has pointed out, the large banking institutions did save the situation in many of the smaller communities of Pennsylvania when the small independent banks found themselves in a precarious position during the depression days. Banking institutions are service institutions to the people. I can easily understand the vote of the Bankers Association's meeting. You can easily see why they would vote to stop branch banking, but if it is wrong in the contiguous territories to a county, isn't it wrong within the county? What is the difference? Does geography make it right? Does the location make it a better service? The question then resolves itself into the proposition as to whether branch banking in itself is right or wrong. If it is wrong, it ought to be stopped entirely. If it is right, it ought to be allowed to expand.

Now, Mr. President, branch banking—this is the first instance. Next you will have a meeting of the Association of Retail Drug Dealers, or Retail Grocery Dealers, or Retail Milk Dealers, or retail dealers in any kind of a line of endeavor, and if this Legislature can act at the behest of one particular group to pass legislation in their behalf to stop expansion or competition, as it were, in that particular field, what is to stop the Legislature from passing anti-competitive bills in every field of endeavor in the Commonwealth? If the principle of chain store merchandising or branch banking, which is one and the same thing by a different name, if the principle is wrong, let us vote upon that principle, but let us not select one group and favor them with special legislation and then allow the other groups to come in later on and bludgeon the Members of the Legislature into a position where you will have legislation upon the books to strike out competition in every field of endeavor.

Mr. President, I say to all of the Members of the Senate that it is still a question of service, and I for one can testify to the fact that in industrial communities the services rendered by branch banks is at least on a par with the best of the independent banks. I see no harm in it, I see no wrong in it and I intend to vote against the bill.

Mr. LANE. Mr. President, I could not let a blanket indictment of the banking institutions of Washington County go unanswered. Maybe I should have said Westmoreland, too. We in Washington County had one failure in the past fifty years. Of course, that is very unfortunate. I believe that the bank is short to the tune of approximately a million dollars.

Mr. President, I see no harm in permitting branch banks to expand throughout the State of Pennsylvania, because it seems to me that maybe branch banking is a good method of banking, as Senator Dent has stated here. I do not believe we should legislate to regulate all of our economy. I believe that branch banks are a service to the people, and I know that during the black days of the depression those of us in Western Pennsylvania were thankful we had Mellon and a few others to come in and take over.

So therefore, Mr. President, I am in favor of voting this legislation down.

Mr. HALUSKA. Mr. President, I am in favor of this bill. I am going to vote for it because, under the present

law, if we continue permitting these large banks to come into the small communities and set up alongside of the present bank, we will find ourselves in the same position as we have found with chain stores, the A & P, and the American Stores coming in and wiping out the small corner grocery store. After all, the most important part in banking is service, as was stated here, and the ordinary man depends upon his local bank. I will say forty per cent of the loans made in a small town are made upon the merits and upon the honor of the applicant.

Mr. President, I am in the banking business, and I should know a little bit about it. I know many men who could not make a loan in a large bank unless they are well known. We know their background, we know their parents, we know their honesty, their sincerity, their ability to pay, and in many cases, in a great many cases, they procure a loan on that basis alone. They are unfortunate people, they have no collateral, they have no stocks and bonds, they must depend upon their own merits, and who knows better than the local bank?

Mr. President, I say a great injustice will be done to the people of this Commonwealth, the ordinary working man, by permitting branch banking to expand and finally wiping out the local banks.

Mr. BARR. Mr. President, I do not want to prolong this debate. I just have one statement to make. I think Senator Haluska is in error because I know of no instance of branch banking in western Pennsylvania where the People's of Pittsburgh or the Mellon outfit went in and set up next door, across the street or in any neighborhood where there was a present bank. They have always gone in and negotiated and took over the existing facilities, and the securities and notes and everything as if it were an existing bank.

Mr. HALUSKA. Mr. President, I would like to answer my colleague from Allegheny. He said they always come into a place where a bank was needed. Well, that statement is not true because during the Bank Holiday in my little town of Patton, unfortunately our bank folded up, and we plead with all the metropolitan banks to come in to give us a banking system. They all turned thumbs down and finally we, upon our own initiative, a group of ordinary men, including myself, gathered together enough money, and with the aid of R.F.C., opened up our own bank. So, if they were so gracious in helping out, they had the opportunity but they failed to do so.

Mr. BARR. Mr. President, again the gentleman from Cambria is in error. I told him that the branch banking bills were passed when Senator Becker was Chairman of the Banking Committee, and in the days he is speaking about no branch banking was allowed in the State of Pennsylvania, and they could not go in and take over their banks.

And the question recurring,  
Shall the bill pass finally?

(During the calling of the roll the following occurred:)

Mr. PROPERT. Mr. President, I ask for a verification of the roll.

The PRESIDENT. Request has been made to have the roll verified.

The Clerk will call the names of those recorded as having voted in the affirmative.

The Clerk read the names of those recorded as having voted in the affirmative as follows:



Berger,  
Crowe,  
Diehm,  
DiSilvestro,  
Freed,  
Haluska,

Hare,  
Kessler,  
Letzler,  
Mahany,  
Mallery,  
McPherson, Jr.,

Meade,  
Peelor,  
Probert,  
Robinson,  
Scarlett,  
Snowden,

Taylor,  
Wade,  
Wagner,  
Watkins,  
Watson,  
Wolfe,  
Wood,

The PRESIDENT. Are there any corrections?

Mr. HALUSKA. Mr. President, I desire to change my vote from "aye" to "no."

The PRESIDENT. The gentleman from Cambria will be so recorded.

Mr. PROPERT. Mr. President, I desire to change my vote from "aye" to "no."

The PRESIDENT. The gentleman from Montgomery will be so recorded.

The PRESIDENT. Are there any further corrections? The Chair hears none. The roll will stand as corrected.

The Clerk will call the names of those recorded as having voted in the negative.

The Clerk read the names of those recorded as having voted in the negative as follows:

Bane,  
Barr,  
Barrett,  
Byrne,  
Chapman,

Dent,  
Fleming,  
Holland,  
Lane,  
Leader,

McCreesh,  
McGinnis,  
Neff,  
Pechan,  
Rosenfeld,  
Ruth,

Silvert,  
Stevenson,  
Stiefel,  
Toole,  
Walker,  
Yosko,

The PRESIDENT. Are there any corrections? The Chair hears none. The negative roll will stand as verified.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—23

Berger,  
Crowe,  
Diehm,  
DiSilvestro,  
Freed,  
Hare,

Kessler,  
Letzler,  
Mahany,  
Mallery,  
McPherson, Jr.,  
Meade,

Peelor,  
Robinson,  
Scarlett,  
Snowden,  
Taylor,  
Wade,

Wagner,  
Watkins,  
Watson,  
Wolfe,  
Wood,

#### NAYS—24

Bane,  
Barr,  
Barrett,  
Byrne,  
Chapman,  
Dent,

Fleming,  
Haluska,  
Holland,  
Lane,  
Leader,  
McCreesh,

McGinnis,  
Neff,  
Pechan,  
Probert,  
Rosenfeld,  
Ruth,

Silvert,  
Stevenson,  
Stiefel,  
Toole,  
Walker,  
Yosko,

Less than a Constitutional majority of all the Senators having voted "aye" the question was determined in the negative.

### BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 361, as follows:

An Act to further amend section 6 of the act approved the nineteenth day of June one thousand nine hundred eleven (P. L. 1055) entitled "An act authorizing the release on probation of certain convicts instead of imposing sentences the appointment of probation and parole officers and the payment of their salaries and expenses regulating the manner of sentencing convicts in certain cases and providing for their release on parole their conviction of crime during parole and their rearrest and reconviction for breach of parole and extending the powers and duties of boards of prison inspectors of penitentiaries" by further regulating the manner of sentencing of convicts in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1 Section 6 of the act approved the nineteenth day of June one thousand nine hundred eleven (P. L. 1055) entitled "An act authorizing the release on probation of certain convicts instead of imposing sentences the appointment of probation and parole officers and the payment of their salaries and expenses regulating the manner of sentencing convicts in certain cases and providing for their release on parole their conviction of crime during parole and their rearrest and reconviction for breach of parole and extending the powers and duties of boards of prison inspectors of penitentiaries" as amended by the act approved the twenty-ninth day of June one thousand nine hundred twenty-three (P. L. 975) is hereby further amended to read as follows

Section 6 Whenever any person convicted in any court of this Commonwealth of any crime punishable by imprisonment in a State penitentiary shall be sentenced to imprisonment therefor in any penitentiary or other institution of this State or in any county or municipal institution the court instead of pronouncing upon such convict a definite or fixed term of imprisonment shall pronounce upon such convict a sentence of imprisonment for an indefinite term Stating in such sentence the minimum and maximum limits thereof and the maximum limit shall never exceed the maximum time now or hereafter prescribed as a penalty for such offense and the minimum limit shall never exceed one-half of the maximum sentence prescribed by any court

Whenever any person is convicted of any crime punishable by simple imprisonment the court may in its discretion pronounce a sentence either for a fixed term or for an indefinite term as may seem proper under the circumstances of the case but in no case to exceed the maximum term prescribed by law as a penalty for such offense.

Provided That nothing herein contained shall be construed to derogate from the power of the judges of the courts of quarter sessions and of the courts of oyer and terminer or other court of record having jurisdiction of the several judicial districts of the Commonwealth after due inquiry to release on parole any convict confined in the county jail house of correction or workhouse of their respective districts as provided in section one of an act approved the nineteenth day of June one thousand nine hundred and eleven (P. L. 1059) entitled "An act extending the powers of judges of courts of quarter sessions and of oyer and terminer in relation to releasing prisoners in jails and workhouses on parole" its amendments and supplements And provided further That no person sentenced for an indeterminate term shall be entitled to any benefits under the act entitled "An act providing for the commutation of sentences for good behavior of convicts in prisons penitentiaries workhouses and county jails in this State and regulations governing the same" approved the eleventh day of May Anno Domini one thousand nine hundred and one

And provided further That before any parole shall be granted pursuant to the terms hereof notice of an intention so to do shall be given at least ten days prior thereto by the board of prison inspectors to the judge of the county who imposed the sentence if he be still in office but otherwise to the judge or judges of the court of oyer and terminer or the court of quarter sessions then in session or if there be no current term then the next ensuing term thereof and having jurisdiction of cases of the like character Similar notice shall also be given to the district attorney then in office in said county

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:



## YEAS—50

Bane,	Haluska,	McPherson, Jr.,	Stevenson,
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peelor,	Wade,
Byrne,	Lane,	Probert,	Wagner,
Chapman,	Leader,	Robinson,	Walker,
Crowe,	Letzler,	Rosenfeld,	Watkins,
Dent,	Mahany,	Ruth,	Watson,
Diehm,	Mallery,	Scarlett,	Wolfe,
DiSilvestro,	McCreesh,	Silver,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freud	McMenamin,		

## NAYS—0

A majority of all the Senators having voted aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

## BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 407, on third reading, entitled:

An Act to further amend the title and section one of the act, approved the third day of May, one thousand nine hundred and nine (P. L. 424), entitled, "An act providing that in all counties of the first, second, third, fourth, fifth and sixth class, advertisements and notices, required by law or rules of court to be published in newspapers of general circulation, unless dispensed with by special order of court, shall be published in the legal newspaper, issued at least weekly, of the proper county, designated by rules of court for the publication of court or other legal notices," as amended, extending the provisions of the said act to all counties, and further defining publications excepted from its operation.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 620, on third reading, entitled:

An Act to amend clause (b) of Section 207 of the act approved the twelfth day of April one thousand nine hundred fifty-one (Act No. 21) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State Liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" by further providing for the fixing of sale prices for Pennsylvania liquor stores

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 652, on third reading, entitled:

An Act to further amend the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement

board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by providing credit for retirement purposes for out-of-state service in certain cases

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

## BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 745, as follows:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by creating the Pennsylvania Library Council prescribing its powers and duties providing for a State librarian and for certification of libraries and librarians and for minimum stands for public library service

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 As much as applies to the Department of Public Instruction of Section 202 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department missions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments board and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as last amended by the acts approved the ninth day of May one thousand nine hundred forty-nine (P. L. 1003) the twelfth day of May one thousand nine hundred forty-nine (P. L. 1289) and the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1717) is hereby further amended to read as follows



Section 202 Departmental Administrative Boards Commissions and Offices The following boards commissions and offices are hereby placed and made departmental administrative boards commissions or offices as the case may be in the respective administrative departments mentioned in the preceding section as follows

\* \* \* \*

In the Department of Public Instruction

State Council of Education  
 Pennsylvania Library Council  
 State Real Estate Commission  
 Pennsylvania State Board of Censors  
 Public School Employes' Retirement Board  
 Board of Trustees of Thaddeus Stevens Trade School  
 Board of Trustees of Pennsylvania State Oral School for the Deaf  
 Board of Trustees of Pennsylvania Soldiers' Orphan School  
 Board of Trustees of West Chester State Teachers' College  
 Board of Trustees of Millersville State Teachers' College  
 Board of Trustees of Kutztown State Teachers' College  
 Board of Trustees of East Stroudsburg State Teachers' College  
 Board of Trustees of Mansfield State Teachers' College  
 Board of Trustees of Bloomsburg State Teachers' College  
 Board of Trustees of Shippensburg State Teachers' College  
 Board of Trustees of Lock Haven State Teachers' College  
 Board of Trustees of Indiana State Teachers' College  
 Board of Trustees of California State Teachers' College  
 Board of Trustees of Slippery Rock State Teachers' College  
 Board of Trustees of Edinboro State Teachers' College  
 Board of Trustees of Clarion State Teachers' College  
 Board of Trustees of Cheyney Training School for Teachers  
 State Board of Medical Education and Licensure  
 State Board of Pharmacy  
 State Dental Council and Examining Board  
 State Board of Optometrical Examiners  
 State Board of Osteopathic Examiners  
 Osteopathic Surgeons' Examining Board  
 State Board of Examiners for the Registration of Nurses  
 State Board of Cosmetology  
 State Board of Veterinary Medical Examiners  
 State Board of Chiropractic Examiners  
 State Board for the Examination of Public Accountants  
 State Board of Examiners of Architects  
 State Registration Board for Professional Engineers  
 Public Service Institute Board  
 State Board of Private Academic Schools  
 State Board of Private Business Schools  
 State Board of Private Trade Schools  
 State Board of Private Correspondence Schools

Section 2 Article four of said act is hereby amended by adding immediately following Section 408 thereof a new section to read as follows

Section 408.1 Pennsylvania Library Council The Pennsylvania Library Council shall consist of the Superintendent of Public Instruction eight members to be appointed by the Governor and two members of the General Assembly one from the Senate and one from the House of Representatives the members of the Council who are members of the General Assembly shall have no right to vote but shall in all other respects enjoy all the rights and privileges of membership The term of office of each appointed member shall be four years and until his successor is appointed and qualified except that in the initial appointment of members of the council two members shall be appointed for the term of one year two members for the term of two years two members for the term of three years and two members for the term of four years Any vacancy occurring in the council shall be filled by the Governor for the unexpired term

One of the members of the General Assembly shall be appointed by the president pro tempore of the Senate and one by the speaker of the House of Representatives for a term to expire with his concurrent term as a legislator and shall serve until his successor is appointed and qualified unless he shall not be elected for the next succeeding term as a member of the General Assembly in which case a vacancy shall occur

Five members who are not members of the General Assembly shall constitute a quorum

The members of the council shall receive no compensation for their services but shall be reimbursed for actual and necessary expenses incurred in the performance of their duties They may appoint a secretary who need not be a member of the council The council shall select one of the appointed members as chairman who shall serve for the term of one year

Meetings of the council may be called by the chairman and may be called on request of the majority of the members of the council

Section 3 Section 1305 of said act as amended by the act approved the sixth day of June one thousand nine hundred forty-five (P. L. 1398) is hereby further amended to read as follows

Section 1305 Library The [Department of Public Instruction] Pennsylvania Library Council shall have the power and its duty shall be to exercise the powers and perform the duties heretofore by law vested in and imposed upon the State Library and Museum and the several divisions thereof in so far as the same shall in any manner relate to the State Library or the law library or to the following powers duties and functions [The Superintendent of Public Instruction may designate the person in charge of the work to which this section refers as the State Librarian]

The [department] Pennsylvania Library Council shall have the power and its duty shall be

(a) To control direct supervise and manage the State Library

(b) To maintain as a part of the State Library a law library

(c) To give advice and counsel to all free libraries in the State and to all communities which may propose to establish free libraries [in the selection of books cataloging and other details of library management and] as to the best means of establishing and administering such libraries and may provide assistance by any of its employees in organizing such libraries or improving service given by them

(d) [Generally to supervise and] To inspect free libraries which may be established or assisted under any legislative provision for State grants in aid to libraries and to require annual reports from all free public libraries in such manner as may be deemed proper and to establish and maintain a system of traveling libraries as far as possible throughout the Commonwealth

(e) To appoint a State librarian who shall have the care and charge of the State Library and the affairs appertaining thereto and shall perform such other duties as shall be prescribed by the council The State Librarian shall be a graduate of a nationally accredited library school and shall have had at least five (5) years experience in library work in an administrative capacity

(f) To prepare and administer standards for certification of libraries and librarians

(g) To establish minimum standards for public library service and to assist libraries in maintaining such standards

(h) To promote the establishment of libraries in those areas of the State not served by free public libraries and to conduct demonstrations by means of bookmobiles collections of books or otherwise in areas without free public library service for this purpose

(i) To encourage contractual and cooperative relations between school districts school libraries and local county district or regional libraries

(j) To report and recommend to the Governor and the General Assembly legislation needed to make the libraries of this Commonwealth more effective and useful



(k) To collect and preserve statistics undertake research pertaining to libraries and to publish and distribute the resultant findings and to do any and all of the things it may reasonably be able to do to promote and advance library service in the Commonwealth

Section 4 All acts and parts of acts are hereby repealed in so far as they are inconsistent with the provisions of this act

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—29

Bane,	Diehm,	Leader,	Peelor,
Barr,	Freed,	Letzler,	Propert,
Barrett,	Haluska,	Mallery,	Robinson,
Berger,	Hare,	McCreesh,	Rosenfeld,
Byrne,	Holland,	McGinnis,	Ruth,
Crowe,	Kessler,	McPherson, Jr.	Silvert,
Dent,	Lane,	Meade,	Toole,
			Wagner,

#### NAYS—17

Chapman,	Pechan,	Stiefel,	Watkins,
DiSilvestro,	Scarlett,	Taylor,	Watson,
Fleming,	Snowden,	Wade,	Wolfe,
Mahanay,	Stevenson,	Walker,	Wood,
			Yosko,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

#### BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 823, on third reading, entitled:

An Act to amend the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by providing for the payment of service increments to such employes in addition to their retirement allowances

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

#### BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 828, as follows:

An Act to further amend Section 1 of the act approved the eighteenth day of June one thousand nine hundred forty-one (P. L. 136) entitled "An act authorizing certain officers on active duty with the armed forces of the United States to act as notaries public and requiring certification of their authority" by changing the provisions of said act in order to make it conform in certain respects to certain Acts of Congress

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1 of the act approved the eighteenth day of June one thousand nine hundred forty-one (P. L. 136) entitled "An act authorizing certain officers on active duty with the armed forces of the United States to act as notaries public and requiring certification of their authority" as amended by the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 316) is hereby further amended to read as follows

Section 1 Any written instrument may be acknowledged by any person executing the same while on active duty with the armed forces of the United States before

[(1) any person having the general powers of a Notary Public under Article 114 of the Articles of War as amended by the Act of Congress approved December 14 1942 Public Law 800 77th Congress Chapter 730 56 Status 1050 USC Title 10 Section 1586 or

(2) any person authorized to administer oaths under Article 69 of the articles for the Government of the Navy USC Title 34 Section 1200 Article 69] any person having the general powers of a notary public under Article 136 of the Uniform Code of Military Justice Public Law Chapter 169 Section 1 64 Stautes 143 USC Title 10 Section 732 and duly certified under the hand of such person and all such instruments in writing so acknowledged and certified may be offered in evidence without further proof and if such instrument so acknowledged and certified conveys or relates to or concerns any interest in lands it may be recorded in the recorder's office of the county or counties where such lands lies and the record of the same shall be constructive notice of all matters contained therein and such record or exemplification of the same duly certified shall be legal evidence in all cases in which the original would be competent evidence

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Bane,	Haluska,	McPherson, Jr.,	Stiefel,
Barr,	Hare,	Meade,	Silvert,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peelor,	Wade,
Byrne,	Lane,	Propert,	Wagner,
Chapman,	Leader,	Robinson,	Walker,
Crowe,	Letzler,	Rosenfeld,	Watkins,
Dent,	Mahanay,	Ruth,	Watson,
Diehm,	Mallery,	Scarlett,	Wolfe,
DiSilvestro,	McCreesh,	Snowden,	Wood,
Fleming,	McGinnis,	Stevenson,	Yosko,
Freed	McMenamin,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

#### BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 836, entitled:

An Act making an appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred fifty-one



And said bill having been read at length the third time,  
On the question,

Will the Senate agree to the bill on third reading?

Mr. WALKER. Mr. President, I ask unanimous consent to offer amendments to this bill on behalf of the sponsor, Senator Chapman.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Section 3, page 3, line 1, by striking out the words "sixty thousand dollars (\$60,000)" and inserting in lieu thereof: "One hundred twenty thousand dollars (\$120,000)"; Amend Section 3, page 3, line 2, by striking out the words "twenty-five thousand dollars (\$25,000)" and inserting in lieu thereof: "sixty-five thousand dollars (\$65,000)"; Amend Section 3, page 3, lines 4 and 5, by striking out the words "during the month of September one thousand nine hundred fifty-one."

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

### BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 836, on third reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 959, on third reading, entitled:

An Act to amend the act approved the twelfth day of April one thousand nine hundred fifty-one (Act No. 21) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" by further regulating and limiting the issuance of distributors' and importing distributors' licenses and changing residence requirements for stock ownership in corporations licensed as malt and brewed beverages manufacturers distributors and importing distributors

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

### BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 976, as follows:

An Act to amend Section 1 of the act approved the twen-

tieth day of May one thousand nine hundred forty-nine (P. L. 1489) entitled "An act providing for a two-platoon system for firemen employed and paid by cities of the second class A and fixing the maximum hours of service in any one day or week for such platoons with certain exceptions" by further prescribing the maximum hours of service for such employes in any one week

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1 of the act approved the twentieth day of May one thousand nine hundred forty-nine (P. L. 1489) entitled "An act providing for a two-platoon system for firemen employed and paid by cities of the second class A and fixing the maximum hours of service in any one day or week for such platoons with certain exceptions" is hereby amended to read as follows

Section 1 The head of the department having charge of or supervision over the five department or bureau in each city of the second class A shall divide the officers and members of companies of the uniformed fire force in the employe of such cities excepting the superintendent into two shifts bodies or platoons one to perform day service and the other to perform night service The hours of day service shall not exceed ten commencing at eight o'clock in the morning the hours of night service shall not exceed fourteen commencing at six o'clock in the afternoon The hours of day service shall not exceed fifty hours in any one calendar week and the hours of night service shall not exceed seventy hours in any one calendar week unless the hours of day and night service shall be equalized in which case neither the hours of day or night service shall exceed [sixty] fifty-six in any one calendar week In cases of riot serious conflagration or other such emergency the superintendent of the bureau of fire or his first assistant or the chief officer in charge at any fire shall have the power to assign all the members of the fire force to continuous duty or to continue any member thereof on duty if necessary No member of either of said shifts bodies or platoons shall be required to perform continuous day service or continuous night service for a longer consecutive period than two weeks nor be kept on duty continuously longer than ten hours in the day shift body or platoon or fourteen hours in the night shift body or platoon excepting as may be necessary to equalize the hours of duty and service and also excepting in cases of riot serious conflagration or other such emergency as above provided

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Bane,	Haluska,	McPherson, Jr.,	Stevenson.
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Peckan,	Toole,
Blass,	Kessler,	Peelot,	Wade,
Byrne,	Lane,	Propert,	Wagner,
Chapman,	Leader,	Robinson,	Walker,
Crowe,	Letzler,	Rosenfeld,	Watkins,
Dent,	Mahany,	Ruth,	Watson,
Diehm,	Mallery,	Scarlett,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,	McMenamin,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.



## BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1027, entitled:

An Act to amend subsection (b) of Section 4 of the act approved the twenty-third day of May one thousand nine hundred forty-five (P. L. 903) entitled "An act authorizing cities of the third class to establish an optional retirement system for officers and employees independently of any pension system or systems existing in such cities" limiting rights to involuntary retirement and providing for the reinstatement of certain persons to the pension rolls of certain cities

And said bill having been read at length the third time,  
On the question,

Will the Senate agree to the bill on third reading?

Mr. FREED. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Title, page 1, last line of Title, by inserting after the word "to" the following: "and the placing of others upon"; Amend Sec. 2, page 4, line 19, by inserting after the word "and" the following: "any officer or employee who would have been entitled to receive a pension but for the lack of a fixed age in subsection (b) of section four of the act, approved the twenty-third day of May, one thousand nine hundred forty-five (P. L. 903)".

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

## BILLS OVER IN ORDER

Mr. FREED. Mr. President, I ask unanimous consent that House Bill No. 1027, on third reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1030, on third reading, entitled:

An Act to further amend Section 643 of the act approved the twenty-fourth day of June one thousand nine hundred thirty nine- (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by prohibiting minors from delivering liquor or malt and brewed beverages

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1039, on third reading, entitled:

An Act to amend sections 401 and 406 of the act approved the twelfth day of April one thousand nine hundred fifty-one (Act No 21) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage

traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" by permitting certain sales of liquor for consumption off the premises

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

## BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order.

The Senate proceeded to the third reading and consideration of House Bill No. 1056, as follows:

An Act to further amend clause (q) of section seven hundred thirty-one of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by changing certain penal provisions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (q) of section seven hundred thirty-one of the act approved the third day of June one thousand nine hundred thirty-seven (Pamphlet Laws 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" as last amended by the act approved the fourteenth day of April one thousand nine hundred forty-nine (P. L. 434) is hereby further amended to read as follows

Section 731 Penalties Any person violating any of the provisions of the sections of this article shall upon conviction be sentenced to pay the following fines and costs of prosecution for each offense

\* \* \* \* \*

(q) Except as otherwise herein provided for hunting or chasing or catching or taking or killing or wounding or receiving or delivering or transporting or shipping or using or concealing or assisting to conceal or having in possession [or attempting to hunt for catch take kill wound or transport] contrary to this article or regulations adopted thereunder by the commission or for violating any of the provisions of this article relating to the shipping or transportation or removal out of this Commonwealth or relating to the buying or selling or bartering of

I Each elk or part thereof in excess of fifteen pounds two hundred dollars and in the discretion of the court six months' imprisonment

II Each deer or part thereof in excess of fifteen pounds: one hundred dollars

III Each bear or part thereof in excess of fifteen pounds: two hundred dollars

IV Each wild turkey ruffed grouse pheasant quail part-ridge or woodcock or part thereof twenty-five dollars

V Each raccoon or part thereof twenty-five dollars

VI Each other wild bird or wild animal or part thereof ten dollars

\* \* \* \* \*

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,



Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Bane,	Haluska,	McPherson, Jr.,	Stevenson,
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peelor,	Wade,
Byrne,	Lane,	Probert,	Wagner,
Chapman,	Leader,	Robinson,	Walker,
Crowe,	Letzler,	Rosenfeld,	Watkins,
Dent,	Mahany,	Ruth,	Watson,
Diehm,	Mallery,	Scarlett,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko.
Freed.	McMenamin,		

#### NAYS—0

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

#### BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1060, on third reading, entitled:

An Act to amend the act approved the twelfth day of April one thousand nine hundred fifty-one (Act No. 21) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" by making the serving of food optional with certain licensees and changing certain requirements relating to the serving of food

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1085, on third reading, entitled:

An Act to amend the act approved the twelfth day of April one thousand nine hundred fifty-one (P. L. Act No. 21) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" by making the establishment and operation of Pennsylvania Liquor Stores and the

granting of malt and brewed beverage distributors licenses subject to local option and providing where tie vote occurs on local option question the status quo obtains

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1100, on third reading, entitled:

An Act to amend sections 464 and 471 of the act approved the twelfth day of April one thousand nine hundred fifty-one (Act No. 21) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" by further defining the powers of courts on appeal

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1185, on third reading, entitled:

An Act to further amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing school directors of the third class to elect an associate superintendent in lieu of a district superintendent prescribing his powers and duties and fixing his compensation

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1196, on third reading, entitled:

An Act to amend clause (15) of the second paragraph of Section 493 of the act approved the twelfth day of April one thousand nine hundred fifty-one (Act No. 21) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" by making the cashing receiving handling or negotiating of Public Assistance checks or the cashing of payroll checks by licensees of the Pennsylvania Liquor Control Board an unlawful act

go over in its order.



The PRESIDENT. Is there objection? The Chair hears none.

## BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order.

The Senate proceeded to the third reading and consideration of House Bill No. 1205, as follows:

An Act defining analytical biochemical and biological analytical-biochemical-biological laboratory regulating the operation of the same requiring such laboratories to obtain permits and to be operated under the direct supervision of qualified persons imposing certain duties upon the Department of Health and providing penalties

Whereas the health and lives of the citizens of this Commonwealth are endangered by incompetent supervision of analytical-biochemical-biological laboratory tests and

Whereas a due regard for public health and preservation of human life demands that none but scientists competent and properly qualified by sufficient training in the fundamental sciences and experienced in their applications in the analytical-biochemical-biological laboratory shall be permitted to supervise the work of such laboratories

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Short Title This act shall be known and may in the analytical-biochemical-biological Laboratory Act

Section 2 Definitions The term "analytical-biochemical-biological Laboratory" means any place establishment or institution organized and operated primarily for the performance of all or any bacteriological biochemical microscopical serological or parasitological tests by the practical application of one or more of the fundamental sciences to material originating from the human body by the use of specialized apparatus equipment and methods for the purpose of obtaining scientific data which may be used as an aid to ascertain the state of health

The term "Department" means the Department of Health

Section 3 Limitations A analytical-biochemical-biological laboratory shall be under the direct and personal supervision of

1 A holder of a doctor of science degree or its equivalent in the basic sciences including professional degrees in public health pharmacy dentistry and veterinary medicine from a college or university recognized by the National Committee of Regional Accrediting Agencies or the Department of Public Instruction in chemistry biology or bacteriology and who has had two years of experience in a laboratory acceptable to the department

2 The holder of a master of science degree or its equivalent in the basic sciences from a college or university recognized by the National Committee of Regional Accrediting Agencies or the Department of Public Instruction in chemistry biology or bacteriology and who has had a minimum of four years' experience in a laboratory acceptable to the department

3 The holder of a bachelor of science degree or its equivalent in the basic sciences from a college or university recognized by the National Committee of Regional Accrediting Agencies or the Department of Public Instruction in chemistry biology or bacteriology and who has had a minimum of five years' experience in laboratory work in a laboratory acceptable to the department

4 An individual who holds no degree but who has had a minimum of ten years of experience in an acceptable analytical-biochemical-biological laboratory and whose experience covers all of the fields of analytical-biochemical-biological laboratory work and whose individual qualifications are acceptable to the department This clause shall remain effective until December thirty-first one thousand nine hundred fifty-five

5 The foregoing limitations shall not apply to those persons operating an analytical biochemical and biological laboratory prior to the effective date of this act

Section 4 Application for Permit All persons now operating or hereafter desiring to operate a analytical-biochemical-biological laboratory shall make written application to the department for a permit to operate which application shall be accompanied by a fee of twenty-five dollars (\$25) payable to the department and shall be retained by the department

Section 5 Contents of Application The application shall contain at least the following

(a) The name and address of the persons owning the place establishment or institution in which the analytical-biochemical-biological laboratory is to be or is operated

(c) The name and address of the qualified person under whose direct and personal supervision such laboratory is to be or is operated

(d) The kind and nature of the laboratory work to be or is being done

(e) The description of the building its location facilities equipment apparatus and appliances to be furnished or used in the operation of such laboratory

(f) Such additional information as the department may require by any rule or regulation

The facts as set forth in the application shall be duly sworn to or affirmed by one of the owners of such laboratory

Section 6 Revocation of permit (a) Permits shall become void upon change of director and also upon the removal of the laboratory to other quarters A new permit may be issued without charge when the department has passed upon the qualifications of the new director or upon the adequacy of the new quarters and equipment

(b) A permit may be revoked at any time for failure to maintain proper standards of accuracy for unethical practice or for unethical advertising or for any other cause deemed adequate by the department

Section 7 Investigation by Department Upon the filing of any application for a permit or for renewal the department shall investigate the facts as set forth in the application

Section 8 Issuance of Permit If the department finds the statements contained in the application are true the said department shall issue a permit

Section 9 Contents and Signing of Permit The permits shall contain at least the following

(a) The name and address of the laboratory and of its owner

(b) The name and address of the person charged with the operation of the laboratory

(c) The name of the qualified person under whose supervision the laboratory is operated

(d) All permits shall be signed or counter-signed by the Secretary of Health

Section 10 Statement of Grounds for Denial of Permits If the department does not within six months after the filing off the application issue a permit it shall state the grounds and reasons for its refusal in writing furnishing a copy to the applicant

Section 11 Inspection The department may at any time visit enter examine and inspect the premises occupied maintained and conducted by any laboratory and may examine all matters in relation thereto

Section 12 Hearings and Appeals If an application for a permit is denied as provided in section ten hereof the applicant may request and be entitled to a hearing before the Secretary of Health if such request was made within thirty days after the permit was denied A permit issued under the provisions of this act may be revoked or suspended by the department for cause Provided That the permittee is permitted to be heard by the department either personally by counsel or both And provided further That a written copy of the causes be furnished him by registered mail ten days in advance of the date set for hearing Said notice shall fix the time and place for said hearing which shall not be more than thirty days from the date of the mailing of said notice

Any person who shall be aggrieved by any action of the department under this act or by any rule or regula-



tion promulgated by the department shall have the right to file a complaint with the Secretary of Health and to have a hearing thereon before the Secretary of Health. Such hearing shall be conducted and the decision of the Secretary of Health on the issue involved shall be rendered in accordance with the provisions of the Administrative Agency Law and its amendments approved June fourth one thousand nine hundred forty-five (P. L. 1388) relating to adjudication procedure. Any person aggrieved by any adjudication of the Secretary of Health shall have the right to appeal therefrom to the Court of Common Pleas of Dauphin County and have a judicial review of such adjudication within the time and in the manner and with the same effect as is provided by the Administrative Agency Law and the Rules of Civil Procedure promulgated by the Supreme Court for judicial review of adjudications of agencies of the Commonwealth. Such appeal shall not act as a supersedeas but the permittee may continue to operate the laboratory up to the date of the final decision of the court without being held to have violated the provisions of this act.

**Section 13 Exemptions** This act shall not include nor apply to any laboratory or laboratories maintained and operated by the Federal State county or municipal government nor to any laboratory or laboratories maintained and operated purely for research or teaching purposes nor shall it apply to a laboratory operated by a physician licensed to practice in this Commonwealth or to laboratories maintained and operated in hospitals nor shall it apply to a laboratory maintained and operated by any industrial organization provided such laboratory be in charge of a duly licensed physician.

**Section 14 Penalty** Any person operating a analytical-biochemical-biological laboratory without first having obtained a permit from the Department of Health shall upon conviction thereof be sentenced to pay a fine not exceeding five hundred dollars (\$500) or to imprisonment not exceeding one (1) year or both.

**Section 15 Interpretation of Act** The provisions of this act are severable and if any of its provisions shall be held unconstitutional the decision of the court shall not affect or impair any of the remaining provisions of this act. It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provisions not been included herein.

**Section 16 Effective Date** This act shall become effective on the first day of January one thousand nine hundred fifty-two.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Bane,	Hare,	McPherson, Jr.	Stevenson,
Barr,	Holland,	Meade,	Stiefel,
Barrett,	Kephart,	Neff,	Taylor,
Berger,	Kessler,	Pechan,	Toole,
Blass,	Lane,	Peelor,	Wade,
Byrne,	Leader,	Propert,	Wagner,
Crowe,	Letzler,	Robinson,	Walker,
Dent,	Mahanay,	Rosenfeld,	Watkins,
Diehm,	Mallery,	Ruth,	Watson,
DiSilvestro,	McCreesh,	Scarlett,	Wolfe,
Fleming,	McGinnis,	Silver,	Wood,
Freed,	McMenamin,	Snowden,	Yosko,
Haluska,			

#### NAYS—1

Chapman,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

#### BILL OVER IN ORDER

Mr. ROSENFELD. Mr. President, I ask unanimous consent that House Bill No. 1286, on third reading, entitled:

An Act authorizing the Commonwealth to negotiate temporary emergency loans to defray current and other expenses of the State government during any fiscal biennium evidenced by tax anticipation notes secured by and payable from current revenues of any current biennium levied assessed collectible and accruing during such fiscal biennium defining the powers and duties of the Governor the Auditor General and the State Treasurer in relation thereto providing for the payment of interest on and the repayment of such loans and making an appropriation

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

#### BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1351, as follows:

An Act to further amend subsection C of Section 1 of the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 1145) entitled "An act empowering cities of the second class cities of the second class A cities of the third class boroughs towns townships of the first class school districts of the second class school districts of the third class and school districts of the fourth class to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employees to assess and collect such taxes and permitting penalties to be imposed and enforced providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court" by temporarily excluding under certain conditions taxes imposed on real property transfers in certain school districts in determining tax limitations.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

**Section 1 Subsection C** of Section 1 of the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 1145) entitled "An act empowering cities of the second class cities of the second class A cities of the third class boroughs towns townships of the first class school districts of the second class school districts of the third class and school districts of the fourth class to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employees to assess and collect such taxes and permitting penalties to be imposed and enforced providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the supreme court and superior court" as last amended by the act approved the ninth day of May one thousand nine hundred forty-nine (P. L. 398) is hereby further amended to read as follows

**Section 1 \* \* \* \* \***

**C Over-all Limit of Tax Revenues** The aggregate amount of taxes imposed by enactment of an ordinance or resolution by any political subdivision under this



section and in effect during any fiscal year shall not exceed an amount equal to the product obtained by multiplying the total assessed valuation of real estate in such political subdivision at the time of the said enactment by ten (10) mills in cases of cities of the second class cities of the second class A cities of the third class boroughs towns and townships of the first class and by fifteen (15) mills in cases of school districts of the second class third class and fourth class In school districts of the third and fourth class taxes imposed on sales involving the transfer of real property shall not be included in computing the aggregate amount of taxes for any fiscal year in which one hundred (100) or more new homes or other major improvements on real estate were constructed in the school district

Section 2 The provisions of this amending act shall become effective immediately upon its final enactment and shall continue in effect until but not including the first Monday in July one thousand nine hundred fifty-five

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Bane,	Haluska,	McPherson, Jr.	Stevenson,
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peelor,	Wade,
Byrne,	Lane,	Probert,	Wagner,
Chapman,	Leader,	Robinson,	Walker,
Crowe,	Letzler,	Rosenfeld,	Watkins,
Dent,	Mahany,	Ruth,	Watson,
Diehm,	Mallery,	Scarlett,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed.	McMenamin,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1449, as follows:

An Act to amend the act approved the twelfth day of June one thousand nine hundred fifty one (Act Number 141) entitled "An act relating to mental health including mental illness mental defect epilepsy and inebriety and amending revising consolidating and changing the laws relating thereto" by further defining "qualified physician" and the rights of patients in institutions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (13) of Section 102 of the act approved the twelfth day of June one thousand nine hundred fifty-one (Act Number 141) entitled "An act relating to mental health including mental illness mental defect epilepsy and inebriety and amending revising consolidating and changing the laws relating thereto" is hereby amended to read as follows

Section 102 Definitions As used in this act unless the context clearly indicates otherwise the following words and phrases shall have the following meanings

(13) "Qualified physician" shall mean a physician who has been (1) a resident of Pennsylvania for at least three years (2) licensed in Pennsylvania to practice medicine [in Pennsylvania] and surgery within the scope of the act approved the third day of June one thousand nine hundred eleven (P. L. 639) as amended or osteopathy or osteopathic surgery within the scope of the act approved the nineteenth day of March one thousand nine hundred nine (P. L. 46) as amended and (3) in the actual practice of medicine or osteopathy for at least three years or has had at least one year's experience as a medical or an osteopathic physician in an institution

Section 2 Clauses (3) and (4) of subsection (a) of Section 312 of said act are hereby amended to read as follows  
Section 312 Contents of Physician's Certificate Penalty for False Statement

(a) In every qualified physician's certificate required by this act for the admission or commitment of a patient the physician issuing the same shall state

\* \* \* \* \*

(3) That he has been licensed to practice medicine or osteopathy in this State

(4) That he has been in the actual practice of medicine or osteopathy for at least three years or has had at least one year's experience as a medical or an osteopathic physician in an institution

Section 3 Clause 7 of Section 801 of said act is hereby amended to read as follows

Section 801 Rights of Patient

Every patient in any institution shall have the right

\* \* \* \* \*

(7) To be visited and examined at all reasonable hours by any medical or osteopathic practitioner designated by him or by any member of his family or "near friend" with the sanction of a court of the county in which he resided prior to his commitment to such institution With the consent of the patient and of the superintendent the medical or osteopathic practitioner may attend the patient for all maladies other than mental illness in the same manner as if the patient were in his own home

Section 4 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Bane,	Hare,	McPherson, Jr.,	Stevenson,
Barr,	Holland,	Meade,	Stiefel,
Barrett,	Kephart,	Neff,	Taylor,
Berger,	Kessler,	Pechan,	Toole,
Blass,	Lane,	Peelor,	Wade,
Byrne,	Leader,	Probert,	Wagner,
Crowe,	Letzler,	Robinson,	Walker,
Dent,	Mahany,	Rosenfeld,	Watkins,
Diehm,	Mallery,	Ruth,	Watson,
DiSilvestro,	McCreesh,	Scarlett,	Wolfe,
Fleming,	McGinnis,	Silvert,	Wood,
Freed	McMenamin,	Snowden,	Yosko,
Haluska,			

#### NAYS—1

Chapman.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

#### BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1506, on third reading, entitled:



An Act to amend the act approved the twelfth day of April one thousand nine hundred fifty-one (P. L. 90) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" by further providing for transfers of certain retail liquor and retail dispenser licenses and changing the quota provisions

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

### BILL ON THIRD READING DEFEATED ON FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1508, entitled:

An Act to amend Section 3 of the act approved the twenty-eighth day of July one thousand nine hundred forty-one (P. L. 535) entitled "An act providing for the redemption of real property purchased by political subdivisions at tax sales upon the payment of the amount charged against the same and costs by installment payments and prescribing the procedure therefor" by providing that default in the payment of any installment when due or the payment of current taxes shall terminate the right of redemption

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

(During the calling of the roll the following occurred:)

Mr. HALUSKA. Mr. President, I desire to change my vote from "aye" to "no".

The PRESIDENT. The gentleman from Cambria will be so recorded.

Mr. FREED. Mr. President, I desire to inquire how I am recorded as voting.

The PRESIDENT. The gentleman from Lehigh is recorded as voting "no".

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—21

Bane,	Diehlm,	Mallery,	Ruth,
Barrett,	Hare,	McCreesh,	Silvert,
Byrne,	Kessler,	McPherson, Jr.	Stevenson,
Chapman,	Leader,	Pechan,	Wagner,
Crowe,	Mahanay,	Probert,	Wood,
			Yosko,

#### NAYS—21

Barr,	Haluska,	Robinson,	Taylor,
Berger,	Holland,	Rosenfeld,	Wade,
DiSilvestro,	Lane,	Scarlett,	Walker,
Fleming,	Letzler,	Snowden,	Watkins,
Freed,	McGinnis,	Stiefel,	Watson,
			Wolfe,

Less than a Constitutional majority of all the Senators

having voted "aye" the question was determined in the negative.

### BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1513, as follows:

An Act to amend Section 412 of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1242) entitled "An act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto" by defining the estate of substitute rights of way for public service companies and requiring conveyance thereof

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 412 of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1242) entitled "An act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto" is hereby amended to read as follows

Section 412 Occupancy of Right of Way of Public Service Companies Whenever in the construction widening or relocation of any State highway bridge or tunnel or of any part thereof it becomes necessary in the opinion of the secretary to occupy the whole or any part of the right of way of any public service company the department may enter upon and occupy the whole or any part of such right of way for the purpose of such highway bridge or tunnel or part thereof [Before] Whenever such right of way or any part is so occupied either the department or the county whichever is responsible for property damages under the provisions of this act governing the payment of damages for property condemned for highway purposes shall at the expense of the Commonwealth or county provide a substitute right of way on another and favorable location Such public service company shall thereupon provide for the transfer to or reconstruction upon in under or above said substitute right of way of any structures and facilities of said public service company located upon in under or above said original right of way at the time the same is so occupied The department or the county as the case may be is hereby authorized to enter into agreements with such public service company to contribute toward the expense of such transfer or reconstruction and in the event that they are unable to agree on the amount to be paid the matter shall be referred to the Pennsylvania Public Utilities Commission which shall after hearing thereon make a finding of the amount to be paid to such public service company by the Commonwealth or county In case of the failure of such public service company within a reasonable time after notice so to do to remove its facilities to such substitute right of way the Pennsylvania Public Utilities Commission shall have jurisdiction on petition of the department to order such transfer or reconstruction Any party to such proceedings before the Pennsylvania Public Utilities Commission shall have the right to appeal to the Superior Court from the ruling of the commission The department or the county commissioners are hereby authorized to acquire by purchase or by the exercise of the right of eminent domain in the same manner that property is now taken and condemned for State highway purposes any necessary land or right of way for the relocation of any such public service right of way and facilities The substitute right of way thus acquired shall be equal in estate to the right of way taken and occupied for highway purposes and upon approval by the Governor of any plan providing for the occupancy of the right of way of any public service company and providing a substitute right of way therefor the Secretary of Highways shall make



execute acknowledge and deliver to such company a deed conveying to it an estate in the substitute right of way at least equal to that owned and enjoyed by the company for the right of way to be occupied for highway purposes or if such substitute right of way is to be acquired by purchase as hereinbefore provided the Secretary of Highways shall procure and deliver to the company a deed conveying such estate to it from the owner of the land on which such substitute right of way is located

The right of way of a railroad company shall not be acquired or occupied without the consent of the company owning or operating or in possession of said railroad

Section 2 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Bane,	Haluska,	McPherson, Jr.,	Stevenson,
Barr,	Hare,	Mead,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peelor,	Wagner,
Byrne,	Leader,	Propert,	Wade,
Chapman,	Letzler,	Robinson,	Walker,
Crowe,	Mahany,	Rosenfeld,	Watkins,
Dent,	Mallery,	Ruth,	Watson,
Diehm,	McCreesh,	Scarlett,	Wolfe,
DiSilvestro,	McGinnis,	Silvert,	Wood,
Fleming,	McMenamin,	Snowden,	Yosko,
Freud,			

#### NAYS—1

Lane,

A majority of all the Senators having voted aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

#### BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1554, entitled:

An Act to authorize the Secretary of Public Assistance of the Commonwealth of Pennsylvania to apply to the Secretary of Agriculture of the United States for the return of assets of the former Pennsylvania Rural Rehabilitation Corporation to receive deposit and administer such assets for rural rehabilitation or other authorized purposes and to enter into agreements with the Secretary of Agriculture of the United States with respect to the future administration of said assets.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. WALKER. Mr. President, I ask unanimous consent to offer an amendment at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendment as follows:

Amend Sec. 2, page 2, line 14, by striking out the word "Agriculture" and inserting in lieu thereof "Public Assistance".

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

#### BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1554, on third reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

#### BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1562, as follows:

An Act to amend sections one and two of the act approved the twenty-third day of May one thousand nine hundred forty-five (P. L. 926) entitled "An act for the protection of the public health by regulating the conduct and operation of public eating and drinking places within this Commonwealth requiring their licensing imposing certain duties on the Department of Health of this Commonwealth and on the local health authorities and providing penalties" by providing for the licensing of public eating or drinking places by county departments of health or joint-county departments of health in certain political subdivisions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections one and two of the act approved the twenty-third day of May one thousand nine hundred forty-five (P. L. 926) entitled "An act for the protection of the public health by regulating the conduct and operation of public eating and drinking places within this Commonwealth requiring their licensing imposing certain duties on the Department of Health of this Commonwealth and on the local health authorities and providing penalties" are hereby amended to read as follows

Section 1 Definitions "Department" shall mean the State Department of Health

The words "public eating or drinking place" shall mean any place within this Commonwealth where food or drink is served to or provided for the public with or without charge Provided however That nothing herein contained shall apply to dining cars operated by a railroad company in interstate commerce

The word "proprietor" shall mean any person partnership association or corporation conducting or operating within this Commonwealth a public eating or drinking place

The word "employee" shall include any cook waiter kitchen help chambermaid house servant or other employee of any kind in a public eating or drinking place who in any manner whatever handles or comes in contact with any food or drink served to or provided for the public and the proprietor of any member of the proprietor's family who handles said food or drink.

"License" shall mean a grant to a licensee to conduct a restaurant as defined in this act

"Licensor" shall mean the county department of health or joint-county department of health whenever such public eating or drinking place is located in a political subdivision which is under the jurisdiction of a county department of health or joint-county department of health or the health authorities of cities boroughs incorporated towns and first class townships whenever such public eating or drinking place is located in a city borough incorporated town or first-class township not under the jurisdiction of a county department of health or joint-county department of health or [and] the State Department of Health whenever such public eating or drinking



place is located in any other area of the Commonwealth

Section 2 From and after a period of six months after the effective date of this act it shall be unlawful for any proprietor to conduct or operate a public eating or drinking place without first obtaining a license as herein provided. Such license shall be issued by the health authorities of cities boroughs incorporated towns and first-class townships whenever such public eating or drinking place is located in a city borough incorporated town or first-class township not under the jurisdiction of a county department of health or joint-county department of health or by the county department of health or joint-county department of health whenever such public eating or drinking place is located in a political subdivision which is under the jurisdiction of a county department of health or joint-county department of health or [and] in those townships of the second class which are not under the jurisdiction of a county department of health or joint-county department of health by the department. No license shall be issued until inspection of the premises facilities and equipment has been made by the licensor and they are found adequate to the protection of the public health and comfort of patrons. The fee for such license shall be one dollar (\$1.00) and shall be paid into the city borough incorporated town [or] first-class township or county treasury or to the State Treasury through the Department of Revenue depending upon the location of such public eating or drinking place. The license shall be renewed annually.

Whenever any proprietor maintains more than one public eating or drinking place within any one city borough incorporated town or township he shall be required to apply for and procure a duplicate license for each additional eating or drinking place such duplicate license to be issued at an additional charge of fifty cents (50c) for each additional public eating or drinking place within any one city borough incorporated town or township. Where the licensor is a county department of health or joint-county department of health any proprietor who maintains more than one public eating or drinking place within any one county shall be required to apply for and procure a duplicate license for each additional eating or drinking place such duplicate license to be issued at an additional charge of fifty cents (50c) for each additional public eating or drinking place within such county but this provision shall not apply to any public eating or drinking place within such county located in a city borough incorporated town or first-class township which is not within the jurisdiction of the county department of health or joint-county department of health.

Section 2 The provisions of this act shall become effective immediately upon final enactment.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Bane,	Haluska,	McPherson, Jr.,	Stevenson,
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peelor,	Wade,
Byrne,	Lane,	Probert,	Wagner,
Chapman,	Leader,	Robinson,	Walker,
Crowe,	Letzler,	Rosenfeld,	Watkins,
Dent,	Mahany,	Ruth,	Watson,
Diehm,	Mallery,	Scarlett,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,	McMenamin,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1577, as follows:

An Act fixing the salary of the Director of the Legislative Reference Bureau

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The annual salary of the Director of the Legislative Reference Bureau shall be ten thousand five hundred dollars (\$10,500)

Section 2 All acts and parts of acts are repealed in so far as inconsistent herewith

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Bane,	Haluska,	McMenamin	Snowden,
Barr,	Hare,	McPherson, Jr.,	Stevenson,
Barrett,	Holland,	Meade,	Stiefel,
Berger,	Kephart,	Neff,	Taylor,
Blass,	Kessler,	Pechan,	Toole,
Byrne,	Lane,	Peelor,	Wade,
Chapman,	Leader,	Probert,	Wagner,
Crowe,	Letzler,	Robinson,	Walker,
Dent,	Mahany,	Rosenfeld,	Watkins,
Diehm,	Mallery,	Ruth,	Watson,
DiSilvestro,	McCreesh,	Scarlett,	Wolfe,
Fleming,	McGinnis,	Silvert,	Wood,
Freed			Yosko,

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

#### SECOND READING CALENDAR

#### BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 124, entitled:

An Act to amend section one thousand twenty-four of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by increasing compensation and mileage rates for attendance at conventions for the election of county superintendents.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,



The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 163, entitled:

An Act to further amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing school districts of the second third and fourth classes to levy additional taxes to pay rentals to municipality authorities authorizing boards of school directors to make additional appropriations or to increase appropriations authorizing school districts singly or jointly with other school districts to convey or lease property and appropriate money including proceeds of general obligation bonds to municipality authorities to acquire additional property for authority projects to lease school projects from and pay rentals to municipality authorities to make all other contracts or agreements with municipality authorities deemed necessary or convenient in connection with projects providing for annual payments by the Commonwealth to school districts paying rentals to municipality authorities or non-profit corporations and further providing for annual payments by the Commonwealth to school districts making payments to the State Public School Building Authority.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

#### BILL RECOMMENDED

Mr. WALKER. Mr. President, I move that House Bill No. 163, the bill just read, be recommitted to the Committee on Appropriations.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

#### BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 482, on second reading, entitled:

An Act to amend Section 771 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for suitable ceremonies affirming and developing allegiance to the Flag of the United States and our American way of life and organization of government go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 542, on second reading, entitled:

An Act to amend the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1120) entitled "An act to promote the safety of employees and travelers upon railroads by compelling common carriers by railroad to man locomotive trains and other self propelled engines or machines with competent employees to provide the least number of men that may be employed on locomotive trains and other self propelled engines or machines to provide the qualifications of certain employees and to provide a penalty for the violation thereof and the enforcement thereof by the Public Utility Commission" by further regulating the size of locomotive crews go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

#### BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 634, entitled:

An Act to amend the act approved the first day of June one thousand nine hundred fifteen (P. L. 701) entitled "An act regulating the payment of persons in the employ of the Commonwealth" by providing for pay-days every two weeks

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 832, entitled:

An Act to amend rule fifty-five of Article XII of the act approved the second day of June one thousand eight hundred ninety-one (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" by permitting the removal of props or timber by blasting or by means of prop puller.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 833, entitled:

An Act to further amend the act approved the fifth day of May one thousand nine hundred eleven (P. L. 198) entitled "An act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" by conferring exclusive jurisdiction on the county court of Allegheny County in cases of appeals from decisions of the collector of mercantile taxes imposed by political subdivisions within the territorial limits of its jurisdiction

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 907, entitled:

An Act to further amend section nine hundred fifteen of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1053) entitled "An act relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utility business by prescribing de-



fining and limiting their duties powers and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale method of regulating rates providing for the supervision of financial and contractual relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alteration relocation protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultants costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporation (except municipal corporations) subject to regulation the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" by permitting motor carriers not qualified to be self-insurers to furnish surety bonds or public liability insurance

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1326, entitled:

An Act to further amend the act approved the nineteenth day of March one thousand nine hundred nine (P. L. 46) entitled "An act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing of osteopaths in this State and to provide penalties for the violation of this act" by providing for the licensing without examination of persons licensed by the provinces of the Dominion of Canada in certain cases.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

#### BILL RECOMMENDED

Mr. WALKER. Mr. President, I move that (House Bill No. 1330, on second reading, entitled:

An Act to quiet title to real estate and to facilitate the alienation thereof creating a conclusive presumption of payment satisfaction or release and making unenforceable any claim for money charged against real estate under any deed certain mortgages or any decree of any court of record of this Commonwealth and correcting defects in title arising out of unrecorded deeds and breaks in chain of title and making claims thereunder invalid by creating a conclusive presumption of release and satisfaction where such charges and mortgages mature or become due and payable and decrees or defects of record arise occur exist or are dated more than fifty years prior to the time of the institution of any proceeding hereunder to enforce payment perfect revive or continue the aforesaid lien charge or encumbrances or to enforce any right arising out of such a defect in title unless an action is instituted to enforce such charges mortgages and decrees as aforesaid against the present owners or action is taken to enforce any right arising out of such a defect in title within one year after the effective date of this act

be recommitted to the Committee on Judiciary General.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

#### BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent sent that House Bill No. 1356, on second reading, entitled:

An Act to amend sections one eight and thirteen of the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 940) entitled "An act relating to boarding houses for children providing for the licensing and inspection thereof and the adoption of rules and regulations for the maintenance operation and conduct thereof by the Department of Welfare defining offenses and prescribing penalties" by redefining "boarding houses for children" providing for an advisory committee with which the department shall confer in adopting rules and regulations and increasing penalties.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1357, on second reading, entitled:

An Act to amend the act approved the fourteenth day of April one thousand nine hundred and twenty-five (P. L. 234) entitled "An act relating to Boarding Houses for Infants providing for the licensing thereof and the adoption of rules and regulations for the maintenance operation and conduct thereof by the Department of Welfare and fixing penalties by redefining "boarding houses for infants" eliminating license fees providing for an advisory committee with which the department shall confer in adopting rules and regulations and increasing penalties"

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

#### BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1366, entitled:

An Act to amend the act approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools, amending, revising, consolidating and changing the laws relating thereto," by further providing for the payment of expenses of teachers' meetings by the county treasurer.



And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1367, entitled:

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further providing for payment of the expenses of the annual convention of school directors out of county funds

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

### BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1378, on second reading, entitled:

An Act providing for the examination licensure and registration of persons firms or corporations engaged in the business or work of plumbing or house and building drainage and prescribing certain rules regulations and requirements for the construction of plumbing house and building drainage and cesspools in cities of the second class second class A and third class and imposing fines penalties and forfeitures for violation thereof and providing for administration of this act by county departments of health or joint-county departments of health in cities of the second class second class A and third class which are within the jurisdiction of such departments of health and repealing certain laws

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1402, on second reading, entitled:

An Act providing for appeals to the court of common pleas from the decisions of Civil Service Boards and Commissions in cities

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

### BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1440, entitled:

An Act to further amend Sections 315 and 413 of the act approved the second day of June one thousand nine hundred fifteen (P. L. 736) entitled as amended "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties" by limiting the effect on workmen's compensation claims of insurance payments for non-occupational illness or injury.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1445, on second reading, entitled:

An Act to add section three hundred twenty-eight to the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by making it a crime to falsify a material fact or make fraudulent statements in any matter within the jurisdiction of any department board or commission of the Commonwealth and prescribing penalties.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 1480, on second reading, entitled:

An Act to further amend the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An Act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" by defining and redefining certain terms by further providing for the submission of reports by the department to the Governor concerning the administration and operation of the act by providing for the selection of certain personnel on a civil service basis by providing for the disposition of obsolete files and records and for the admissibility of copies of such records in evidence for reciprocal arrangements with foreign governments for modification of the manner in which contribution rates are determined and redetermined for modification of the manner in which reports are filed and contributions paid for modification of the provisions with respect to eligibility for benefits and the amount thereof by conferring upon the department the right of appeal by eliminating appeal filing fees and by making further provisions for the prosecution of fraud and for recoupment of benefit payments.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1505, on second reading, entitled:

An Act to amend the act approved the twelfth day of June one thousand nine hundred thirty-one (P. L. 510) entitled "An act providing for the licensure and regulation of certain private nursing homes and private hospitals conferring certain powers and duties upon the Department of Welfare and providing penalties" by further providing for the licensure and regulation of such nursing homes and hospitals.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.



## BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1647, entitled:

An Act to add section three hundred twenty-seven to the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by making it a crime to picket or parade in or near any building housing a court of the Commonwealth of Pennsylvania with the intent of influencing any judge juror witness or court officer in the discharge of his duty and prescribing penalties.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

## HOUSE BILL No. 1574 CALLED UP FROM SECOND READING POSTPONED CALENDAR

Mr. WALKER. Mr. President, I call up from the Second Reading Postponed Calendar House Bill No. 1574 for consideration at this time.

## BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1574 entitled:

An Act to further amend the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by changing certain provisions relating to contracts recreation places highways and expense accounts of delegates to conventions.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

## SENATE BILL No. 693 CALLED UP FROM SECOND READING POSTPONED CALENDAR

Mr. WALKER. Mr. President, I call up from the Second Reading Postponed Calendar Senate Bill No. 693 for consideration at this time.

## BILL RECOMMENDED

Mr. WALKER. Mr. President, I move that Senate Bill No. 693, on second reading, entitled:

An Act to reenact revise and amend the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto"

be recommitted to the Committee on Local Government, for the purpose of further study.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

## BILLS SIGNED

The PRESIDENT (Lieutenant-Governor Lloyd H. Wood) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 111, entitled:

An Act to further amend section 506 of the act approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "The Penal Code," providing for the modification of support orders in bastardy cases.

Senate Bill No. 172, entitled:

An Act to amend the act, approved the fourth day of June, one thousand nine hundred forty-five (P. L. 1388), entitled "An act relating to the practice, procedure, regulations and adjudications of departments, departmental administrative boards and commissions, independent administrative boards and commissions officers and other administrative agencies of this Commonwealth, and judicial review thereof; and preserving equitable jurisdiction in certain cases," by redefining "regulation"; changing provisions governing promulgation of regulations; imposing duties on the Department of State; providing for judicial review of regulations; requiring all appeals to be taken to the Superior Court; and enumerating the agencies affected and the extent to which they are affected.

House Bill No. 213, entitled:

An Act to further amend sections one of the act, approved the twenty-eighth day of June, one thousand nine hundred thirty-five (P. L. 477), entitled, as amended "An act providing for the payment of the salary, medical and hospital expenses of policemen and firemen by cities, boroughs, towns, and township who are injured in the performance of their duty; and providing that absence during such injury shall not reduce any usual sick leave period," by adding a presumption of relationship to employment of diseases of the heart and tuberculosis of the respiratory system and providing disability benefits for such conditions.

House Bill No. 228, entitled:

An Act to amend section 733 of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "The Penal Code," by providing for an alternative procedure in desertion and nonsupport cases.

House Bill No. 253, entitled:

An Act to further amend clause (2) of Section 12 of the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858) entitled "State Employees Retirement Law," by further providing for disability retirement allowances of persons able to engage in gainful occupations.

House Bill No. 356, entitled:

An Act to further amend the act, approved the second day of May, one thousand nine hundred forty-five (P. L. 382), entitled "Municipality Authorities Act of 1945," by extending the provisions thereof to school districts for limited purposes; changing provisions for incorporation, withdrawal from and joinder in authorities, amendment of articles of incorporation, boards of Authorities and citizenship of members thereof; and providing for extensions of corporate existence, transfers of existing facilities to Authorities, and conveyance of projects upon termination or assumption of liabilities.



## House Bill No. 596, entitled:

An Act to amend Section 2 of the act, approved the eighteenth day of April, one thousand nine hundred twenty-three (P. L. 75), entitled "An act authorizing the courts of common pleas to change the name of persons; prescribing the procedure, and the effect of the decree thereon," by reducing the time in which the petition shall be heard.

## House Bill No. 713, entitled:

An Act to amend the act approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "Public School Code of 1949," by authorizing boards of school directors to enter into contracts with and make appropriations to the county board of school directors for services; further providing for the appointment and payment of a secretary and a treasurer of the county board of school directors and auditing the treasurer's accounts; and providing for the assessment of school districts for special services furnished by the county board of school directors.

## House Bill No. 826, entitled:

An Act to further amend the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "School Employees' Retirement Law," by redefining the term "final salary" and further providing the manner of computing employees' annuities.

## House Bill No. 878, entitled:

An Act to amend the act approved the thirteenth day of June one thousand nine hundred eleven (P. L. 903), entitled "An act to prevent frauds against carriers of passengers for hire, within this Commonwealth, and prescribing penalties for the breach of the provisions hereof" by changing penalties and defining magistrate.

## House Bill No. 984, entitled:

An Act to amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "Public School Code of 1949," by further providing for exceptions to compulsory attendance.

## House Bill No. 1057, entitled:

An Act to add Section 6.1 to the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 1216), entitled "Real Estate Brokers License Act of 1929," by authorizing the issuance of limited real estate brokers' and salesmen's licenses within a limited field or branch of the real estate business and conferring powers and imposing duties upon the Department of Public Instruction and the State Real Estate Commission with respect to examination for and the issuance of such licenses.

## House Bill No. 1064, entitled:

An Act to amend Section 1132 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "Public School Code of 1949," by conferring jurisdiction on the County Court of Allegheny County in certain cases of appeal from decisions of the Superintendent of Public Instruction.

## House Bill No. 1068, entitled:

An Act to further amend Section 2405 of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "Administrative Code of 1929," by permitting delivery of unserviceable property to Superintendent of Public Instruction, without charge, for assignment to school districts.

## House Bill No. 1108, entitled:

An Act to repeal the act, approved the sixth day of

June, one thousand nine hundred thirteen (P. L. 452), entitled "An act to amend an act 'Providing for the appointment of a board of visitation for institutions, societies, and associations caring for dependent, neglected, or delinquent children' approved the twenty-sixth day of February, Anno Domini one thousand nine hundred and three, and making it the duty of the board of visitation to visit all institutions, within the county, which receive their inmates from more than one county, and are in whole or in part supported and managed by the Commonwealth, and all institutions which are wholly supported and managed by any county, city, borough, or township of the poor district of the Commonwealth, and providing for the making of nominations of appointment on the boards of visitation."

## House Bill No. 1171, entitled:

An Act to further amend the act, approved the first day of June, one thousand nine hundred thirty-one (P. L. 299), entitled "An act requiring retail dealers in liquid fuels to state the rate of the liquid fuels tax, separately from the price of such liquid fuels, on liquid fuel price display signs; and imposing a penalty," by requiring the posting of signs on liquid fuels dispensing devices, stating the brand, quality and price of liquid fuels; prohibiting the posting of signs not conforming to prescribed standards; and increasing penalties.

## House Bill No. 1237, entitled:

An Act to amend section 1 of the act, approved the sixth day of May, one thousand nine hundred twenty-nine (P. L. 1557), entitled "An act permitting the sale of mortgaged real estate under a judgment upon the bond accompanying such mortgage to be made by the sheriff upon a writ of fieri facias without inquisition and without any other writ," by extending the provisions thereof to promissory notes accompanying mortgages.

## House Bill No. 1309, entitled:

An Act to amend sections one and two, as amended, sections four, five, six, seven and eight, and sections nine and ten, as amended, of the act, approved the twenty-eighth day of June, one thousand nine hundred and twenty-three (P. L. 888), entitled "Communicable Disease Control Law," by changing the method of approval of communicable disease regulations by the advisory health board and by adding counties which have established a county department of health or joint-county department of health to the political subdivision required or empowered to perform certain duties relating to the reporting, quarantining, and control of diseases declared communicable by law or regulation.

## House Bill No. 1318, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of Clarion State Teachers College to acquire certain tracts of land for the use of Clarion State Teachers; and making an appropriation

## House Bill No. 1346, entitled:

An Act to amend the act approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "School Employees' Retirement Law," by clarifying certain provisions thereof and correcting grammatical and typographical errors therein.

## House Bill No. 1347, entitled:

An Act to amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "Public School Code of 1949," by making corrections and conforming certain provisions to existing practice.

## House Bill No. 1379, entitled:

An Act to authorize the revival of judgments entered in



favor of the Commonwealth of Pennsylvania by filing a suggestion of nonpayment.

House Bill No. 1380, entitled:

An Act to amend the title and to further amend section four of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2045), entitled "The Support Law," by further defining the liability of property for expenses incurred for support, maintenance, assistance and burial.

House Bill No. 1431, entitled:

An Act providing for the licensure and regulation of commercial boarding homes for the aged; conferring certain powers and duties upon the Department of Welfare; imposing license fees, and providing penalties.

House Bill No. 1432, entitled:

An Act to further amend Section 1 of the act, approved the eleventh day of July, one thousand nine hundred twenty-three (P. L. 1032), entitled "An act providing for the abatement of nuisances caused by the improper grading or defective paving or encroaching fences in alleys, in cities of the first class; for the establishment of lines and grades for, and the grading, paving, or repaving of, said alleys, and the grading of private alleys hereafter laid out; and for apportioning the cost, and for the filing of liens therefor," by giving property owners a longer period of time in which to abate nuisances.

House Bill No. 1463, entitled:

An Act to repeal the act, approved the twenty-sixth day of February, one thousand nine hundred three (P. L. 8), entitled "An act providing for the appointment of boards of visitation for institutions, societies, and associations caring for dependent, neglected and delinquent children."

House Bill No. 1470, entitled:

An Act to repeal the act, approved the thirteenth day of April, one thousand eight hundred sixty-eight (P. L. 1017), entitled "An act to provide for the collection of state, county, poor and military taxes in the county of Bedford," so far as it relates to Bedford County.

House Bill No. 1476, entitled:

An Act to further amend Article III of the act, approved the seventh day of March, one thousand nine hundred one (P. L. 20), entitled "Second Class City Law," by fixing maximum hours of service for policemen and providing for compensation for extra services in emergencies.

House Bill No. 1482, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to acquire by gift, suitable ground and buildings to be used by the Department of Welfare as a State training school for female juvenile delinquents.

House Bill No. 1484, entitled:

An Act to facilitate vehicular traffic across the Commonwealth by providing for the construction, operation and maintenance of a turnpike from a connection with the Pennsylvania Turnpike System at such point east of the Susquehanna River as the Pennsylvania Turnpike Commission may decide is most feasible and practicable to a point on or near the boundary line between the Commonwealth of Pennsylvania and the State of New York between the Susquehanna and Delaware Rivers and conferring powers and imposing duties on the Pennsylvania Turnpike Commission; authorizing the issuance of turnpike revenue bonds, notes or other obligations of the Commonwealth payable solely from revenues of the Commission including tolls or from such funds as may be avail-

able to the Commission for that purpose to pay the cost of such turnpike providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act; providing for the collection of tolls for the payment of such bonds, notes or other obligations and for the cost of maintenance, operation and repair of the turnpike; making such turnpike bonds, notes or other obligations exempt from taxation; constituting the same legal investments in certain instances; requiring suits against the Commission to be brought in Dauphin County; prescribing conditions on which such turnpike shall become free; providing for grade separations, grade changes relocations, restorations and vacation of public roads and State highways affected by the turnpike; providing for the purchasing or condemnation of land and procedure for determining damages in condemnation; granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the Commission; and authorizing the issuance of turnpike revenue refunding bonds.

House Bill No. 1504, entitled:

An Act to amend the act approved the twenty-sixth day of May, one thousand nine hundred forty-nine (P. L. 1828), entitled "Fiduciaries Investment Act of 1949," by declaring the obligations of Redevelopment Authorities issued pursuant to the law of Pennsylvania to be legal investments for fiduciaries.

House Bill No. 1507, entitled:

An Act to further amend section seven hundred six and subsection (c) of section nine hundred three of the act approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "Vehicle Code," by increasing the fee for annual registration and the maximum gross weight allowed for certain two-wheeled semitrailers.

House Bill No. 1512, entitled:

An Act relating to records of governmental departments or agencies or private businesses, institutions, professions or callings; authorizing the reproduction or recording thereof by any photographic, photostatic, microfilm, micro-card, miniature photographic or other similar process; providing for the admissibility of such reproductions in evidence and the disposition of the original records.

House Bill No. 1526, entitled:

An Act authorizing the Department of Property and Supplies to exchange certain lands located in Penn Township, Snyder County, Pennsylvania, necessary for the better administration of the Selinsgrove State Colony for Epileptics.

House Bill No. 1535, entitled:

An Act to amend clauses (r) and (s) of subsection B of section four of the act approved the second day of May one thousand nine hundred forty-five (P. L. 382) as added by the act approved the twelfth day of June one thousand nine hundred forty-seven (P. L. 571) entitled "Municipality Authorities Act of 1945" by clarifying and correcting the provisions of said clauses authorizing Authorities to charge the cost of sewer construction against properties benefited improved or accommodated thereby and providing for the enforcement of such charges.

House Bill No. 1552, entitled:

An Act to amend subsection (d) of section 4 and section 9.1 of the act, approved the thirty-first day of March, one thousand nine hundred forty-nine (P. L. 372), entitled "The General State Authority Act of 1949," by authorizing the leasing of wholly or partially completed projects of the General State Authority.



Whereupon,  
The PRESIDENT (Lieutenant-Governor H. Wood)  
in the presence of the Senate signed the same.

### ADJOURNMENT

Mr. WALKER. Mr. President, I move that the Senate do now adjourn until Tuesday, September 18, 1951, at 12:00 o'clock, noon, Eastern Standard Time.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 6:53 o'clock, p. m., Eastern Standard Time, until Tuesday, September 18, 1951, at 12:00 o'clock, Eastern Standard Time.

## HOUSE OF REPRESENTATIVES

MONDAY, September 17, 1951

The House met at 3:30 p. m. EST.

The SPEAKER (Herbert P. Sorg) in the Chair.

### PRAYER

The Reverend Arthur G. Marcell, guest Chaplain and Pastor of the Lutheran Church of the Transfiguration, Philadelphia, offered the following prayer:

Most Gracious God whose alone is the kingdom, and who hast ordained and sanctified human government for the temporal welfare of mankind; be pleased to bless, sanctify and hallow the deliberations of this Legislature of our Commonwealth that we may lead quiet and peaceable lives in all godliness and honesty.

Inspire this body with a firm purpose, fortitude and faith so that its labors may be to the common good of our State, to the happiness of the people and redound to Thy Glory. In the name of Him who said, render unto Caesar the things that are Caesar's, and unto God the things that are God's even Jesus Christ, Thy Son Our Lord. Amen.

### JOURNAL APPROVED

The SPEAKER. Are there any corrections to the Journal of Tuesday, August 21, 1951? If not, and without objection, the Journal is approved.

### BILLS INTRODUCED AND REFERRED

By Mr. RAY L. RILEY HOUSE BILL No. 1686.

An Act creating the Executive Reorganization Commission for the formulation of a plan for the reorganization of the Executive Branch of the State government to promote economy, efficiency, and improved service therein; prescribing its powers and duties; and making an appropriation.

Referred to the Committee on Appropriations.

By Mr. DUNN. HOUSE BILL No. 1687.

An Act requiring every person registering a motor vehicle in the Commonwealth to furnish proof of financial responsibility with respect to liability for personal injury or death arising from the ownership, operation, or use of such motor vehicle on the ways of the Commonwealth by the registrant or by any other person with his express or implied consent; providing the nature of public liability policy which may be used as such proof; providing for

the regulation of the risk classifications; underwriting rules, premiums, rates and schedule or merit rating plans of insurance companies issuing such policies; providing penalties and repealing all inconsistent acts and parts of acts.

Referred to the Committee on Motor Vehicles.

By Mr. VARNER. HOUSE BILL No. 1688.

An Act to amend sections 911 and 1002 of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by authorizing statements by delegates or alternate delegates to national party conventions specifying his or her support for a particular candidate for President, and providing for notice of such support to be placed on official primary ballots.

Referred to the Committee on Elections and Apportionment.

By Mr. HAUDENSHIELD. HOUSE BILL No. 1689.

An Act to add section 10.1 to the act approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employees' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employees, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employees serve; excepting annuities, allowances, returns, benefits, and rights from taxation, and judicial process; and providing penalties," by providing for credit for years of service for certain former employees of the public school system.

Referred to the Committee on State Government.

By Mr. HAUDENSHIELD. HOUSE BILL No. 1690.

An Act to add Section 12.2 to the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "An act establishing a public school employees' retirement system, and creating a retirement board for the administration thereof, establishing certain funds from contributions by the Commonwealth and contributing employees, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employees; exempting annuities, allowances, returns, benefits and rights from taxation and judicial process; and providing penalties," by providing for the furnishing of information and the transfer of certain moneys by the board to the State Employees' Retirement Board and Fund.

Referred to the Committee on Education.

By Mr. GRANVILLE E. JONES. HOUSE BILL No. 1691.

An Act to amend the act, approved the twelfth day of April, one thousand nine hundred fifty-one (P. L. 90), entitled "An act relating to alcoholic liquors, alcohol and malt and brewed beverages; amending, revising, consoli-



dating and changing the laws relating thereto; regulating and restricting the manufacture, purchase, sale, possession, consumption, importation, transportation, furnishing, holding in bond, holding in storage, traffic in and use of alcoholic liquors, alcohol and malt and brewed beverages and the persons engaged or employed therein; defining the powers and duties of the Pennsylvania Liquor Control Board; providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant; prescribing penalties and forfeitures; providing for local option and repealing existing laws," by excepting certain clubs from the quota limitations of said act.

Referred to the Committee on Liquor Control.

By Mr. SMITH.

HOUSE BILL No. 1692.

An Act to reenact the title and to reenact and further amend the act, approved the sixteenth day of May, one thousand nine hundred thirty-five (P. L. 208), entitled as amended, "An act to provide revenue for State purposes by imposing an excise tax, for a limited period of time, on the net incomes of certain corporations, joint-stock associations, and limited partnerships; providing for the assessment, collection, settlement and resettlement of taxes, and reviews and appeal therefrom; conferring powers, and imposing duties on certain persons, corporations, joint-stock associations, limited partnerships, State and county officers, boards, and departments; making an appropriation; and providing penalties," by further defining net income, changing the due date of certain payments, requiring additional reports and extending the provisions of the act for a further limited period of time.

Referred to the Committee on Ways and Means.

By Mr. HALL.

HOUSE BILL No. 1693.

An Act to further amend section three of the act approved the twenty-second day of June, one thousand nine hundred thirty-one (P. L. 694), entitled "An act imposing a tax on gross receipts as an excise on the use of the public highways by certain owners or operators of motor vehicles transporting passengers and property for hire," by eliminating certain deductions.

Referred to the Committee on Ways and Means.

By Mr. JOHNSON.

HOUSE BILL No. 1694.

An Act to further amend section twenty-four of the act, approved the first day of June, one thousand eight hundred eighty-nine (P. L. 420), entitled "A further supplement to an act, entitled 'An act to provide revenue by taxation,' approved the seventh day of June, Anno Domini one thousand eight hundred and seventy-nine," by retroactively removing exemptions of life insurance companies and companies doing business upon the mutual plan, and certain purely mutual beneficial associations, from the State tax on gross premiums, premium deposits and assessments received from insurance business transacted within this Commonwealth.

Referred to the Committee on Ways and Means.

By Mr. SMITH.

HOUSE BILL No. 1695.

An Act to reenact the title and to reenact and amend the act, approved the twenty-fourth day of August, one thousand nine hundred fifty-one (Act No. 345), entitled "An act to provide revenue for State purposes by imposing a property tax for a limited period of time on the net incomes derived from sources within the Commonwealth of certain corporations, joint-stock associations and limited partnerships excluding certain income; providing for the assessment, collection, settlement and resettlement

of taxes and reviews and appeal therefrom; conferring powers and imposing duties on certain persons, corporations, joint-stock associations, limited partnerships, State and county officers, boards and departments; making an appropriation and providing penalties," by further defining net income, changing the due date of certain payments, requiring additional reports and extending the provisions of the act for a further limited period of time.

Referred to the Committee on Ways and Means.

By Mr. HALL.

HOUSE BILL No. 1696.

An Act to further amend section one of the act, approved the fourth day of June, one thousand nine hundred fifteen (P. L. 820), entitled "An act to provide revenue by imposing a State tax upon sales or agreements to sell or memoranda of sales of stock, and upon deliveries or transfers of shares or certificates of stock in domestic and foreign corporations, copartnership associations, and joint-stock associations; providing the manner of collecting such tax, and prescribing penalties," by further regulating the imposition of the tax.

Referred to the Committee on Ways and Means.

By Mr. HALL.

HOUSE BILL No. 1697.

An Act to further amend section two of the act, approved the twentieth day of June, one thousand nine hundred nineteen (P. L. 521), entitled, as amended "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; defining and taxing transfers made in contemplation of death; defining as a transfer and taxing the right of survivorship in property as to which such right exists; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal," by increasing the rate of tax in certain instances from ten per centum to twenty per centum.

Referred to the Committee on Ways and Means.

By Mr. JOHNSON.

HOUSE BILL No. 1698.

An Act to provide revenue by imposing a State tax upon certain documents, prescribing and regulating the method and manner of evidencing the payment of such tax; conferring powers and imposing duties upon certain persons, partnerships, associations, and corporations, recorders of deeds, and the Department of Revenue; saving certain local taxes and authorizing amendments, extensions and supplements to the ordinances and resolutions relating thereto; and providing penalties.

Referred to the Committee on Ways and Means.

By Mr. HALL.

HOUSE BILL No. 1699.

An Act to further amend the title and the act, approved the twentieth day of June, one thousand nine hundred nineteen (P. L. 521), entitled, as amended "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; defining and taxing transfers made in contemplation of death; defining as a transfer and taxing the right of survivorship in property as to which such right exists; and making it unlawful for



any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal," by imposing duties on surviving parties and banks or other institutions or depositories of joint accounts or accounts in trust and by adding a new section pertaining to the opening and examining of safe deposit boxes of decedents and providing penalties.

Referred to the Committee on Ways and Means.

### SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows

#### SENATE BILL No. 134.

An Act to amend further Section 5 of the act approved the thirteenth day of June one thousand eight hundred and thirty-six (P. L. 551) entitled "An act relating to roads highways and bridges" as amended by extending the width of a public road in the instand of multiple lane highways to increase the maximum width by the additional footage that shall be necessary in the judgment of the Secretary of Highways for center or dividing strips.

Referred to the Committee on Highways.

#### SENATE BILL No. 512.

An Act to amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by directing the issuance of special registration plates to war amputees and paralytics and exempting such persons from the payment of certain fees in connection with motor vehicles.

Referred to the Committee on Motor Vehicles.

#### SENATE BILL No. 791.

An Act to amend Section 1 of the act approved the fifteenth day of May one thousand nine hundred thirty-nine (P. L. 134) entitled "An act relating to fireworks defining fireworks prohibiting the sale offering or exposing for sale and use of fireworks except in certain cases authorizing cities boroughs towns and townships to issue permits for fireworks displays and to regulate the same imposing duties on the Pennsylvania Motor Police sheriffs police officers and constables and providing penalties" by prohibiting the sale offering or exposing for sale and use of devices by which missiles or projectiles are discharged.

Referred to the Committee on Law and Order.

#### SENATE BILL No. 816.

An Act to facilitate vehicular traffic across the Commonwealth by providing for the construction operation and maintenance of a turnpike from a connection with the Pennsylvania Turnpike System at such point west of the Susquehanna River as the Pennsylvania Turnpike Commission may decide is most feasible and practicable to a point on or near the boundary line between the Commonwealth of Pennsylvania and the State of Maryland and conferring powers and imposing duties on the Pennsylvania Turnpike Commission authorizing the issuance of turnpike revenue bonds notes or other obligations of the Commonwealth payable solely from revenues of the Commission including tolls or from such funds as may be available to the Commission for that purpose to pay the cost of such turnpike providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act providing for the collection of tolls for the payment of such bonds notes or other obligations and for the cost of maintenance operation and repair of the turnpike making such turnpike bonds notes or other obligations exempt from taxation constituting such bonds legal investments in certain instances requiring suits against the Commission to be brought in Dauphin County prescribing conditions on which such turnpike shall become free providing for grade separations grade changes relocations restorations and vacation of public roads and State highways affected by the turnpike providing for the purchasing or condemnation of land and procedure for determining damages in condemnation granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the Commission and authorizing the issuance of turnpike revenue refunding bonds.

Referred to the Committee on Highways.

#### SENATE BILL No. 822.

An Act to amend clause (7) of Section 2401 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for appointment of school auditors to fill vacancies in such office in union school districts.

Referred to the Committee on Education.

### LEAVE OF ABSENCE

By consent of the House leave of absence was granted as follows:

Mr. Bolton for Mr. LAFORE because of death in the family.

Mr. GOODLING for himself for tomorrow's session to attend a funeral.

### COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

Approval of House Bills Nos. 13, 445, 531, 532, 678, 718, 1133, 1173, 1288, 1290, 1292, 1300, 1301, 1303, 1310, 1311, 1333, 1334, 1376, 1377, 1384, 1424, 1479, 1578, 1605, 1611, 1612, 1613, 1614, 1615, 1616, 1617, 1618, 1619, 1620, 1621, 1628 and 1645.

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, August 24, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 13, Printer's No. 776,



entitled "An act requiring political subdivisions to satisfy of record at their expense certain lost liens for taxes and municipal claims against real property sold at sheriffs' sales county tax claim bureaus' public sales under certain conditions."

JOHN S. FINE.

August 24, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 445, Printer's No. 715, entitled "An act to amend Section 11 of the act approved the twenty-seventh day of June one thousand nine hundred forty-seven (P. L. 1095) entitled 'An act providing for the regulation of mining of anthracite coal by the open pit or strip mining method and for the conservation and improvement of lands affected directly or indirectly by such mining requiring operators to register pay a license fee and secure a permit to engage in strip mining and file a bond conditioned for compliance with this act requiring backfilling of stripping pits and leveling and planting lands affected to prevent erosion and the pollution of waters and to protect public health safety and welfare conferring powers and imposing duties upon the Department of Mines and the Department of Forests and Waters providing for appeals and imposing penalties and making appropriations' by clarifying the requirement for backfilling adjacent to highways."

JOHN S. FINE.

August 24, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 531, Printer's No. 431, entitled "An act to further amend Section 1 of the act approved the eighth day of June one thousand eight hundred ninety-three (P. L. 344, No. 284) entitled 'An act relating to husband and wife enlarging her capacity to acquire and dispose of property to sue and be sued and to make a last will and enabling them to sue and to testify against each other in certain cases' clarifying the prohibition against a married woman's right to sell real estate without the joinder of her husband."

JOHN S. FINE.

August 24, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 532, Printer's No. 432, entitled "An act to reenact Section 802 of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled 'An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations' relating to approval of joint plans of merger or consolidation of nonprofit corporations by the members thereof in order to clarify effect of prior amendments."

JOHN S. FINE.

August 24, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 678, Printer's No. 849, entitled "An act to further amend Section 1803 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled 'An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and others assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined' by authorizing the Department of Forests and Waters to grant certain rights of way to utility companies."

JOHN S. FINE.

August 24, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 718, Printer's No. 832, entitled "An Act making a deficiency appropriation to aid certain school districts."

JOHN S. FINE.

August 24, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1133, Printer's No. 900, entitled "An Act to further amend sections five seven eleven and twenty-one and to add section twenty-one point one to the act approved the sixth day of August one thousand nine hundred forty-one (P. L. 861) entitled 'An act to create a uniform and exclusive system for the administration of parole in this Commonwealth establishing the "Pennsylvania Board of Parole" conferring and defining its jurisdiction duties powers and functions including the supervision of persons placed upon probation in certain designed cases providing for the method of removal and discharge of its officers clerks and employes dividing the Commonwealth into administrative districts for purposes of parole fixing the salaries of members of the board and of certain other officers and employes thereof making violations of certain provisions of this act misdemeanors providing penalties therefor and for other cognate purposes and making an appropriation' by increasing the salaries of the chairman and the other members of the board increasing the ceiling on salaries of the secretary of the board and of district supervisors making the amount of such salaries subject to the determination of the board in conformity with the rules of the Executive Board and by further defining the jurisdiction duties powers and functions of the Pennsylvania Board of Parole."

JOHN S. FINE.

August 24, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:



I have the honor to inform you that I have this day approved and signed House Bill No. 1173, Printer's No. 428, entitled "An Act to amend the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled 'An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto' by authorizing the Pennsylvania Game Commission to issue special permits to certain disabled veterans with service connected disabilities and permitting them to hunt under commission regulations from automobiles."

JOHN S. FINE.

August 24, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1288, Printer's No. 815, entitled "An act to further amend clause five of subsection (a) of Section 3 of the act approved the thirtieth day of May one thousand nine hundred nine (P. L. 520) entitled 'An act relating to food defining food providing for the protection of the public health and the prevention of fraud and deception by prohibiting the manufacture or sale the offering for sale or exposing for sale or the having in possession with intent to sell of adulterated misbranded or deleterious foods prescribing certain duties of the Dairy and Food Commissioner in reference thereto and providing penalties for the violation thereof' by changing the amount of sulphur dioxide which may be used in the preparation of certain foods."

JOHN S. FINE.

August 24, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1290, Printer's No. 702, entitled "An Act to amend section one of the act approved the nineteenth day of May one thousand eight hundred and ninety-seven (P. L. 77) entitled 'An act granting the permission and regulating the establishment and operation of bone boiling establishments and depositories of dead animals in the Commonwealth of Pennsylvania and providing for violations of the provisions of this act' by adding the requirement that permission to erect or operate such establishments in counties which have organized a county department of health or joint-county department of health must be obtained from the county department of health or joint-county department of health."

JOHN S. FINE.

August 24, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1292, Printer's No. 845, entitled "An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled 'An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence impos-

ing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds' by providing for reports of sales of vehicles to nonresidents the transportation of dangerous substances and the inspection of dealers' premises further regulating the administrative powers of the department the licensing suspension and revocation of operators and operating privileges and the operation and equipment of vehicles changing certain fees and powers and jurisdiction of peace officers magistrates aldermen justices of the peace and prescribing additional enforcement and penal provisions and making uniform the interpretation and construction of the law."

JOHN S. FINE.

August 24, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1300, Printer's No. 695, entitled "An Act to amend sections one two three and five of the act approved the fifth day of June one thousand nine hundred and thirteen (P. L. 433) entitled 'An act for the prevention of blindness by requiring the reporting of cases of ophthalmia neonatorum (inflammation of the eyes of infants) by physicians midwives and others and requiring the reporting of results of treatment of each case of said disease and fixing a penalty for violation thereof' by adding county departments of health or joint-county departments of health to the health authorities to which cases of ophthalmia neonatorum must be reported."

JOHN S. FINE.

August 24, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1301, Printer's No. 696, entitled "An Act to further amend section fifteen of the act approved the nineteenth day of June one thousand nine hundred thirty-one (P. L. 589) entitled as amended 'An act to promote the public health and safety by providing for the examination and licensure of those who desire to engage in the occupation of barbering regulating barber shops and barber schools and apprentices and students therein regulating compensation for service rendered conferring certain powers and duties on the Department of Public Instruction and providing penalties' by adding counties which have established a county department of health or joint-county department of health to the political subdivisions empowered to regulate barber shops by ordinances or regulations not inconsistent with law."

JOHN S. FINE.

August 24, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1303, Printer's No. 582, entitled "An Act to provide revenue for State purposes by imposing a property tax for a limited period of time on the net incomes derived from sources within the Commonwealth of certain corporations joint-stock associations and limited partnerships excluding certain income providing for the assessment collection settlement and resettlement of taxes and reviews and appeal therefrom conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties."

JOHN S. FINE.



August 24, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1310, Printer's No. 899, entitled "An Act to improve local health administration throughout the Commonwealth by authorizing the creation establishment and administration of single-county or joint-county Departments of Health in all counties except counties of the first class exempting certain municipalities from the jurisdiction of single-county or joint-county Departments of Health permitting the dissolution of departments or boards of health in certain municipalities authorizing state grants to counties which establish departments of health and to certain municipalities if they meet prescribed requirements conferring powers and duties upon the State Department of Health in connection with the creation establishment and administration of single-county or joint-county departments of health and administration of the health laws in parts of certain municipalities not subject to the jurisdiction of single-county or joint-county departments of Health and the administration of state grants and repealing an act which confers health powers upon counties of the first class."

JOHN S. FINE.

August 24, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1311, Printer's No. 698, entitled "An Act to amend section four hundred forty-seven of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled 'An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto' by deleting those provisions which require such counties to cooperate with the State Department of Health and boroughs and first class townships and deleting those provisions which prescribe the appointment of health officers the approval of appointments by the State Department of Health and the powers and duties of appointees."

JOHN S. FINE.

August 24, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1333, Printer's No. 699, entitled "An Act to amend sections five and eighteen of the act approved the second day of July one thousand nine hundred and thirty-five (P. L. 589) entitled 'An act to safeguard human health and life by providing for the issuance of permits to and regulation of persons and entities selling milk and milk products conferring powers and imposing duties on the Secretary of Health the Advisory Health Board and otherwise providing for the administration of the act and imposing penalties' by adding counties which have established or joined in establishing county departments of health to those municipalities which may be constituted agents of the Secretary of Health for the purpose of issuance of milk permits and by adding county department of health regulations to those municipal ordinances not affected by the act."

JOHN S. FINE.

August 24, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1334, Printer's No. 703, entitled "An Act to amend section one of the act

approved the seventh day of April one thousand nine hundred and twenty-seven (P. L. 144) entitled 'An act authorizing boards of health to require roving bands or bands of nomads commonly called gypsies declared to be nuisances or menaces to health to leave municipalities and providing penalties' by adding county departments of health and joint-county departments of health as alternate health authorities which may make findings and issue orders under the act."

JOHN S. FINE.

August 24, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1376, Printer's No. 724, entitled "An Act to further amend subsection (a) of section two hundred seven and subsection (f) of section four hundred forty-eight and to amend section two thousand one hundred eleven of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled 'An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined' by prescribing the qualifications for the secretary of health and by reconstituting the Advisory Health Board and further prescribing its powers and duties."

JOHN S. FINE.

August 24, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1377, Printer's No. 700, entitled "An Act to amend sections two four five and six of the act approved the second day of July one thousand eight hundred and ninety-five (P. L. 428) entitled 'An act to regulate and license public lodging-houses in the different cities in this Commonwealth' by adding county departments of health and joint-county departments of health to the health authorities empowered by the act to render certificates make inspections and adopt rules and regulations."

JOHN S. FINE.

August 24, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1384, Printer's No. 630, entitled "An Act to repeal the act approved the thirteenth day of April one thousand eight hundred sixty-eight (P. L. 1017) entitled 'An act to provide for the collection of state county poor and military taxes in the county of Bedford' so far as it relates to Bedford County."

JOHN S. FINE.



August 24, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1424, Printer's No. 692, entitled "An Act to further amend Section 1101 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled 'An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds' by changing the provisions relating to restrictions of the right to use highways.

JOHN S. FINE.

August 24, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1479, Printer's No. 689, entitled "An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled 'An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds' by requiring certain vehicles and combination of vehicles to be constructed or equipped to prevent throwing of road surface substances from their rear wheels beyond certain limits."

JOHN S. FINE.

August 24, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1578, Printer's No. 784, entitled "An Act to further amend Section 4 of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1019) entitled 'An act relating to statutory laws prescribing an enacting clause

for statutes fixing the effective date and time of statutes hereafter enacted providing for notice of application for local and special legislation for the correction of errors in statutes and for the printing and publication of statutes prescribing rules for the interpretation of statutes defining certain words and phrases when used in statutes and prescribing rules for the construction and operation of amendments reenactments and repeals of statutes' by changing the effective date of laws in certain cases."

JOHN S. FINE.

August 24, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1605, Printer's No. 817, entitled "An Act authorizing allocations to the Treasury Department and the Department of the Auditor General from the appropriation to the Department of Public Assistance Act 27-A approved June thirtieth one thousand nine hundred fifty-one for the administrative expenses in auditing and disbursing the appropriations made by said act during the month of August one thousand nine hundred fifty-one."

JOHN S. FINE.

August 24, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1611, Printer's No. 818, entitled "An Act making an appropriation to the Department of Welfare for the purpose of administering the 'Pennsylvania Hospital Survey and Construction Act of 1947.'"

JOHN S. FINE.

August 24, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1612, Printer's No. 819, entitled "An Act making an appropriation for the payment of expenses incurred by the State Council of Civil Defense."

JOHN S. FINE.

August 24, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1613, Printer's No. 820, entitled "An Act making an appropriation to the Department of Public Instruction including proceeds of publications sold for the purpose of revising the curricula of elementary secondary and vocational schools."

JOHN S. FINE.

August 24, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1614, Printer's No. 821, entitled "An Act making an appropriation to the State Tax Equalization Board for payment of necessary expenses."

JOHN S. FINE.

August 24, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1615, Printer's No.



822, entitled "An Act making an appropriation to the State Veterans' Commission for the expenses of the commission furnishing certain assistance to needy Pennsylvania veterans of any war or their dependents for participation in certain defense activities for the rehabilitation and care of veterans including the acquisition of land by purchase condemnation or gift and construction of buildings for such purpose."

JOHN S. FINE.

August 24, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1616, Printer's No. 823, entitled "An Act making an appropriation to the Department of Mines for the purpose of administering the provisions of 'The Coal Mine Sealing Act of 1947.'"

JOHN S. FINE.

August 24, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1617, Printer's No. 824, entitled "An Act making an appropriation for the maintenance repair and improvement of the Port of Philadelphia."

JOHN S. FINE.

August 24, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1618, Printer's No. 825, entitled "An Act making an appropriation to aid certain school districts."

JOHN S. FINE.

August 24, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1619, Printer's No. 826, entitled "An Act making an appropriation to the Department of Labor and Industry to meet the obligation of the Commonwealth to pay a part of the compensation payable for certain occupational diseases."

JOHN S. FINE.

August 24, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1620, Printer's No. 827, entitled "An Act making an appropriation to the Department of Labor and Industry for the payment of additional workmen's compensation in cases of second injuries."

JOHN S. FINE.

August 24, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1621, Printer's No. 828, entitled "An Act making an appropriation to 'The Brandywine Battlefield Park Commission for the payment of necessary expenses.'"

JOHN S. FINE.

August 24, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1628, Printer's No. 861, entitled "An Act to amend the title and certain sections of and to add new sections to the act approved the thirtieth day of June one thousand nine hundred forty-seven (P. L. 1154) entitled 'An act to prohibit the manufacture and sale of oleomargarine or butterine and other similar products when colored in imitation of yellow butter to provide for license fees to be paid by manufacturers wholesale and retail dealers and by proprietors of hotels restaurants dining-rooms and boarding-houses for the manufacture or sale of oleomargarine butterine or other similar products not colored in imitation of yellow butter to regulate the manufacture sale and advertising of oleomargarine butterine or other similar products not colored in imitation of yellow butter and prevent and punish fraud and deception in such manufacture sale and advertising as an imitation butter to prescribe penalties and punishment for violation of this act and the means and methods of procedure for its enforcement to regulate certain matters of evidence in such procedure and to prescribe certain powers and duties of the Department of Agriculture' by permitting the manufacture and except in certain cases the sale of colored oleomargarine butterine and similar products."

JOHN S. FINE.

August 24, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1645, Printer's No. 863, entitled "An Act transferring money from the World War II Veterans' Compensation Fund to the World War II Veterans' Compensation Sinking Fund for the purpose of meeting interest and sinking fund requirements on World War II Veterans' Compensation Bonds."

JOHN S. FINE.

#### COMMANDER OF 28TH DIVISION WELCOMED

The SPEAKER. The Chair is informed that General Daniel B. Strickler, former Lieutenant Governor of the Commonwealth of Pennsylvania, now Commanding Officer of the 28th Division which will sail for Europe in approximately 30 days, is present.

The Chair appoints the gentleman from Philadelphia, Mr. Smith, and the gentleman from Cambria, Mr. Andrews, to escort the General to the rostrum.

The Chair welcomes General Daniel B. Strickler, former Lieutenant Governor, now Commanding Officer of the 28th Division, and invites the General to address the House.

#### ADDRESS OF COMMANDING OFFICER OF 28TH DIVISION

GENERAL STRICKLER. Mr. Speaker, it is with fond recollection that I come here today to see a lot of my friends in Harrisburg, particularly the Members of the House.

My mind goes back twenty years when in May, 1931 I sat as a Member of this House over here among the Lancaster County delegation. Those were the closing days of the session in May, 1931. I see you are about to close now.



But I do want to come in to say "Hello" to you and to bring to you the greetings of thousands of Pennsylvania boys who are at Camp Atterbury, Indiana.

Just a little over a year ago when the government alerted the 28th Division we went to Camp Atterbury to start a year of intensive training. I know that you are anxious to know a little something about what we have done, because I am very proud of my state for the marvelous support it has given the National Guard and the military in the 28th Division and all the other units which are associated with the military of Pennsylvania.

When you look around and see other units from other sections of the country you appreciate what it means to have our great state support its own units as it has done.

We left here with about 11,000 Pennsylvanians and, we were given a program which meant that we were to train intensively for ten months and that we were to get in addition to the men we had an additional seven or eight thousand men to fill us up to war strength, some 18,000 officers and men. We got those officers and men last October and November with the idea that we would be prepared for some kind of a mission which the Department of the Army would give us about this time of the year.

Unfortunately the nation found itself in a perilous condition in Korea last December, January and February and so we were given the additional mission of providing six thousand of our boys to go directly to Korea after fourteen weeks' training and take part as replacements over there for the Korean affair. Those boys went to Korea and within two months a number of them came back to our very camp as wounded and injured men to be in our midst there after so short a time.

Along with the training of our own group of 18,000 we had to train an additional 6,000 in order to take the places of those we sent to Korea. So we pushed them along as rapidly as we could through day and night training, and we took part in the field maneuvers in North Carolina just several weeks ago. Now we have finished that and we feel that we are a very thoroughly trained outfit.

The Department of the Army has assigned us as one of the six divisions to go to Europe as part of the North Atlantic Training Command. We will leave in November, this year.

Going over there is quite an assignment, because the eyes of Europe will be upon the Sixth Division Army which we will have over there. We will be given a strategic mission, right near the Iron Curtain. In the event that any outbreak occurs we would be immediately thrown into action to stem the tide until such time that the rest of the armed forces of America and our allies can attend to the situation as best they can. You know as well as I do, from reading how we are borrowing time, and we are proud that we have been able to fulfill a mission such as we have been given—are able to go over to Europe, and we hope that our presence will lend something to prevent a war which may not break there.

I was just going to say a few words of personal tribute to the type of young Americans we have in the military forces today. As you know, I have been called out a good many times in my lifetime and I have dealt with thousands and thousands of young men, mostly Pennsylvanians. In all my career I have never had a finer, better be-

haved group of men than we have at the present time in our Division. It is really a tribute to the American youth—when you hear so much about the tendencies of our youth today—to find a group of young men who are earnest, sincere, and who respond well to training. They are interested tremendously in their assignment and they are eager to do a job. We have had less trouble and less misconduct than in any period of time that I have ever been in service. I think that augurs well for the attitude of our young Americans whom we have today.

The Pennsylvania boys think a lot of their state. It is an education for them—they go into a new State out in the Hoosier State of Indiana. We have been received well there. The people have been most hospitable and they are a proud lot. When we go to Europe we have enough of us who have been through this game, through the various battles in combat, I think, who know enough about it to inspire enough confidence in these boys that they will do a job for us if necessary. We do not know how long we are going to be there. Nobody knows. We hope we will return to you shortly—just how short that will be depends on, as we say in the army, the situation.

It is grand to be back here in Harrisburg. I have many fond memories of my service in the House and the Senate, as your Lieutenant Governor for four years, and I really miss them. But the world moves on, these military situations are created, and those of us who are trained for that sort of work are most anxious to go ahead and complete the job.

Thank you very much for the opportunity to be here just to say "hello."

The SPEAKER. The Chair thanks the General for his report from the 28th Division.

#### SERGEANT OF 25TH DIVISION WELCOMED

The SPEAKER. The Chair is interested to note that the gentleman from Allegheny, Mr. McNally, has as his guest, Sergeant William Dever, who has just returned from Korea. The Chair welcomes him to the Hall of the House.

#### PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. HALL asked and obtained permission for the Committee on Ways and Means to meet during the session of the House.

#### BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

#### SENATE BILL No. 365.

An Act to further amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions



upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by permitting the Department of State to copy and destroy or return certain documents permitting directors to fill vacancies in the board of directors resulting from an increase in the number of directors deleting certain requirements as to the appointment compensation and duties of agents providing that meetings of shareholders at which directors are to be elected may be adjourned for periods of fifteen days each fixing the method of cumulative voting in cases where directors are elected separately by the holders of different classes of shares providing that courts having jurisdiction over trustees who are evenly divided as to how shares shall be voted may direct the voting of such shares deleting requirements as to the voting of shares of foreign corporations owned by other corporations providing that articles of incorporation may be amended to eliminate the preemptive rights of shareholders and providing for the purchase of and payment of shares of certain shareholders who dissent therefrom specifying cases of merger or consolidation of which sixty days' notice to shareholders must be given providing that shareholders of a parent corporation shall have no right to dissent from a merger or consolidation of such parent and one or more wholly-owned subsidiaries thereof provided the state of incorporation and relative rights and preferences of the shareholders of the parent corporation are not changed thereby agent to accept service of process in cases arising out of acts further providing for advertising of merger or consolidation by domestic corporations for merger and consolidation of foreign business corporations defining "doing business" by foreign corporations and further providing for service of process on the Secretary of the Commonwealth with respect to such corporations and prescribing procedure for rescinding a certificate of election to dissolve

#### SENATE BILL No. 703.

An Act authorizing the capture or destruction of unprotected birds in any city or borough in certain cases

#### SENATE BILL No. 734.

An Act to amend sections one and two of the act approved the twentieth day of May one thousand nine hundred forty-nine (P. L. 1511) entitled "An act defining cold storage requiring licenses to operate cold storage warehouses and locker plants requiring records reports marking wrapping protecting limiting time of storage disposition sale return or transfer of foods in cold storage conferring powers on the Department of Agriculture including adoption of rules and regulations special permits for storage of feeding stuffs for animal use and providing penalties for violation of this act" by redefining the term "Cold Storage Warehouse" and reducing the license fee

#### HOUSE BILL No. 111.

An Act to further amend section 506 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" providing for the increase or decrease of support orders in bastardy cases

#### HOUSE BILL No. 213.

An Act to further amend the title and section one of the act approved the twenty-eighth day of June one thousand nine hundred thirty-five (P. L. 477) entitled as amended "An Act providing for the payment of the salary medical and hospital expenses of policemen and firemen

by cities boroughs towns and townships who are injured in the performance of their duty and providing that absence during such injury shall not reduce any usual sick leave period" by extending the provisions of the act to include county firemen and policemen and providing disability benefits for in certain cases diseases of the heart and tuberculosis of the respiratory system incurred in active police and firemen service

#### HOUSE BILL No. 228.

An Act to amend section 733 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by providing for an alternate procedure in desertion and nonsupport cases

#### HOUSE BILL No. 253.

An Act to further amend clause (2) of Section 12 of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employees serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by further providing for disability retirement allowances of persons able to engage in gainful occupations

#### HOUSE BILL No. 356.

An Act to further amend the act approved the second day of May one thousand nine hundred forty-five (P. L. 382) entitled "An act providing for the incorporation as bodies corporate and politic of "Authorities" for municipalities counties and townships prescribing the rights powers and duties of such Authorities heretofore or hereafter incorporated authorizing such Authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such Authorities authorizing such Authorities to enter into contracts with and accept grants from the Federal Government or any agency thereof and conferring exclusive jurisdiction on certain courts over rates" by extending the provisions thereof to school districts for limited purposes changing provisions for incorporation withdrawal from and joinder in Authorities amendments of articles of incorporation boards of Authorities and citizenship of members thereof and providing for extensions of corporate existence transfer of existing facilities to Authorities and conveyances of projects upon termination or assumption of liabilities

#### HOUSE BILL No. 596.

An Act to amend Section 2 of the act approved the eighteenth day of April one thousand nine hundred twenty-three (P. L. 75) entitled "An act authorizing the courts of common pleas to change the name of persons prescribing the procedure and the effect of the decree thereon" by reducing the time in which the petition shall be heard

#### HOUSE BILL No. 713.

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing



boards of school directors to enter into contracts with and make appropriations to the county board of school directors for services further providing for the appointment and payment of a secretary and a treasurer of the county board of school directors and auditing the treasurer's accounts and providing for the assessment of school districts for special services furnished by the county board of school directors

#### HOUSE BILL No. 826.

An Act to further amend the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by redefining the term "final salary" and further providing the manner of computing employees' annuities

#### HOUSE BILL No. 878.

An Act to amend the act approved the thirteenth day of June one thousand nine hundred eleven (P. L. 903) entitled "An act to prevent frauds against carriers of passengers for hire within this Commonwealth and prescribing penalties for the breach of the provisions hereof" by changing penalties and defining magistrate

#### HOUSE BILL No. 984.

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further providing for exceptions to compulsory attendance

#### HOUSE BILL No. 1057.

An Act to add Section 6.1 to the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1216) entitled "An act to define real estate brokers and real estate salesmen and providing for the licensing regulation and supervision of resident and nonresident real estate brokers and real estate salesmen and their business" by authorizing the issuance of limited real estate brokers' and salesmen's licenses exclusively within the limited field or branch of the real estate business applying to cemetery lots plots and mausoleum spaces or openings and conferring powers and imposing duties upon the Department of Public Instruction and the State Real Estate Commission with respect to examination for and the issuance of such licenses

#### HOUSE BILL No. 1064.

An Act to amend Section 1132 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by conferring jurisdiction on the County Court of Allegheny County in certain cases of appeal from decisions of the Superintendent of Public Instruction

#### HOUSE BILL No. 1068.

An Act to further amend Section 2405 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for

and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" by permitting delivery of unserviceable property to Superintendent of Public Instruction without charge for assignment to school districts

#### HOUSE BILL No. 1108.

An Act to repeal the act approved the sixth day of June one thousand nine hundred thirteen (P. L. 452) entitled "An act to amend an act 'Providing for the appointment of a board of visitation for institutions societies and associations caring for dependent neglected or delinquent children' approved the twenty-sixth day of February Anno Domini one thousand nine hundred and three and making it the duty of the board of visitation to visit all institutions within the county which receive their inmates from more than one county and are in whole or in part supported and managed by the Commonwealth and all institutions which are wholly supported and managed by any county city borough or township of the poor district of the Commonwealth and providing for the making of nominations of appointment on the boards of visitation"

#### HOUSE BILL No. 1171.

An Act to further amend the act approved the first day of June one thousand nine hundred thirty-one (P. L. 299) entitled "An act requiring retail dealers in liquid fuels to state the rate of the liquid fuels tax separately from the price of such liquid fuels on liquid fuel price display signs and imposing a penalty" by requiring the posting of signs on liquid fuels dispensing devices stating the brand quality and price of liquid fuels prohibiting the posting of signs not conforming to prescribed standards and increasing penalties

#### HOUSE BILL No. 1237.

An Act to amend Section 1 of the act approved the sixth day of May one thousand nine hundred twenty-nine (P. L. 1557) entitled "An act permitting the sale of mortgaged real estate under a judgment upon the bond accompanying such mortgage to be made by the sheriff upon a writ of fieri facias without inquisition and without any other writ" by extending the provisions thereof to promissory notes accompanying mortgages.

#### HOUSE BILL No. 1309.

An Act to amend section one and two as amended sections four five six seven and eight and section nine and ten as amended of the act approved the twenty-eighth day of June one thousand nine hundred and twenty-three (P. L. 888) entitled "An act to safe-guard human life and health throughout the Commonwealth by providing for the reporting quarantining and control of diseases declared communicable by this act or by regulation of the Department of Health providing for the prevention of infection therefrom and prescribing penalties" by changing the method of approval of communicable disease regulations by the advisory health board and by adding counties which have established a county department of



health or joint-county department of health to the political subdivisions required or empowered to perform certain duties relating to the reporting quarantining and control of diseases declared communicable by law or regulation

#### HOUSE BILL No. 1318.

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of Clarion State Teachers College to acquire certain tracts of land for the use of Clarion State Teachers College and making an appropriation

#### HOUSE BILL No. 1346.

An Act to amend the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by clarifying certain provisions thereof and correcting grammatical and typographical errors therein

#### HOUSE BILL No. 1347.

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by making corrections and conforming certain provisions to existing practice

#### HOUSE BILL No. 1379.

An Act to authorize the revival of judgments entered in favor of the Commonwealth of Pennsylvania by filing a suggestion of nonpayment

#### HOUSE BILL No. 1380.

An Act to further amend the title and section four of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2045) entitled as amended "An act relating to the support of indigent persons providing for the support of such persons by certain relatives and for the recovery of public moneys expended for care and assistance from the property and estates of such persons providing for guardians of the person and property of such persons providing for the arrest and seizures and sale of the property of deserters and providing procedure" by further defining the liability of property for expenses incurred for support maintenance assistance and burial

#### HOUSE BILL No. 1431.

An Act providing for the licensure and regulation of commercial boarding homes for the aged conferring certain powers and duties upon the Department of Welfare imposing license fees and providing penalties

#### HOUSE BILL No. 1432.

An Act to further amend Section of the act approved the eleventh day of July one thousand nine hundred twenty-three (P. L. 1032) entitled "An act providing for the abatement of nuisances caused by the improper grading or defective paving or encroaching fences in alleys in cities of the first class for the establishment of lines and grades for and the grading paving or repaving of said alleys and the grading of private alleys hereafter laid out and for apportioning the cost and for the filling of liens

therefor" by giving property owners a longer period of time in which to abate nuisances

#### HOUSE BILL No. 1463.

An Act to repeal the act approved the twenty-sixth day of February one thousand nine hundred three (P. L. 8) entitled "An act providing for the appointment of boards of visitation for institutions societies and associations caring for dependent neglected and delinquent children"

#### HOUSE BILL No. 1470.

An Act to repeal the act approved the thirteenth day of April one thousand eight hundred sixty-eight (P. L. 1017) entitled "An act to provide for the collection of state county poor and military taxes in the county of Bedford" so far as it relates to Bedford County

#### HOUSE BILL No. 1476.

An Act to further amend Article III of the act approved the seventh day of March one thousand nine hundred one (P. L. 20) entitled "An act for the government of cities of the second class" by fixing maximum hours of service for patrolman and providing for compensation for extra services in emergencies.

#### HOUSE BILL No. 1482.

An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire by gift suitable ground and buildings to be used by the Department of Welfare as a State training school for female juvenile delinquents

#### HOUSE BILL No. 1484.

An Act to facilitate vehicular traffic across the Commonwealth by providing for the construction operation and maintenance of a turnpike from a connection with the Pennsylvania Turnpike System at such point east of the Susquehanna River as the Pennsylvania Turnpike Commission may decide is most feasible and practicable to a point on or near the boundary line between the Commonwealth of Pennsylvania and the State of New York between the Pennsylvania and Delaware Rivers and conferring powers and imposing duties on the Pennsylvania Turnpike Commission authorizing the issuance of turnpike revenue bonds notes or other obligations of the Commonwealth payable solely from revenues of the Commission including tolls or from such funds as may be available to the Commission for that purpose to pay the cost of such turnpike providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act providing for the collection of tolls for the payment of such bonds notes or other obligations and for the cost of maintenance operation and repair of the turnpike making such turnpike bonds notes or other obligations exempt from taxation constituting the same legal investments in certain instances requiring suits against the Commission to be brought in Dauphin County prescribing conditions on which such turnpike shall become free providing for grade separation grade changes relocations restorations and vacation of public roads and State highways affected by the turnpike providing for the purchasing or condemnation of land and procedure for determining damages in condemnation granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the Commission and authorizing the issuance of turnpike revenue refunding bonds

#### HOUSE BILL No. 1504.

An Act to amend the act approved the twenty-sixth day of May one thousand nine hundred forty-nine (P. L. 1828) entitled "An act concerning the investment powers and duties of guardians committees trustees and other fiduciaries except personal representatives and prescribing



the nature and kind of investments which may be made and retained by such fiduciaries" by declaring the obligations of Redevelopment Authorities issued pursuant to the law of Pennsylvania to be legal investments for fiduciaries

#### HOUSE BILL No. 1507.

An Act to further amend section seven hundred six and subsection (c) of section nine hundred three of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns township within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by increasing the fee for annual registration and the maximum gross weight allowed for certain two-wheeled semi-trailers

#### HOUSE BILL No. 1512.

An Act relating to records of governmental departments or agencies or private businesses institutions professions or callings authorizing the reproduction or recording thereof by any photographic photostatic micro-film micro-card miniature photographic or other similar process providing for the admissibility of such reproductions in evidence and the disposition of the original records.

#### HOUSE BILL No. 1526.

An Act authorizing the Department of Property and Supplies to exchange certain lands located in Penn Township Snyder County Pennsylvania necessary for the better administration of the Selinsgrove State Colony for Epileptics.

#### HOUSE BILL No. 1535.

An Act to amend clauses (r) and (s) of subsection B of section four of the act approved the second day of May one thousand nine hundred forty-five (P. L. 382) entitled "An act providing for the incorporation as bodies corporate and politic of 'Authorities' for municipalities counties and townships prescribing the rights powers and duties of such Authorities heretofore or hereafter incorporated authorizing such Authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such Authorities authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof and conferring exclusive jurisdiction on certain courts over rates" by clarifying and correcting the provisions of said clauses authorizing Authorities to charge the cost of sewer construction against properties benefited improved or accommodated thereby and providing for the enforcement of such charges.

#### HOUSE BILL No. 1552.

An Act to amend subsection (d) of section 4 and sec-

tion 9.1 of the act approved the thirty-first day of March one thousand nine hundred forty-nine (P. L. 372) entitled "An act to promote the welfare of the people of the Commonwealth creating The General State Authority as a body corporate and politic with power to construct improve equip furnish and operate projects and to lease the same and to fix fees rentals and charges for the use thereof authorizing and regulating the issuance of bonds for said Authority and providing for the payment of such bonds and the rights of the holders thereof and to enter into agreements with the Government of the United States or any Federal agency and authorizing the Department of Property and Supplies to grant assign convey or lease to the Authority lands of the Commonwealth and interests therein and to acquire lands therefor granting the right of eminent domain empowering The General State Authority to sell and convey projects and property to the Commonwealth and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act" by authorizing the leasing of wholly or partially completed projects of the General State Authority.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

### REPORTS FROM COMMITTEES

The SPEAKER. If there is no objection, the Chair will temporarily pass over the order of business of Reports from Committees. The Chair hears none.

### BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1658, entitled:

A Joint Resolution proposing an amendment to article eight section eighteen of the Constitution of the Commonwealth of Pennsylvania by further providing for absentee voting by qualified war veterans.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 104, entitled:

An Act providing for the sentencing of persons convicted of certain crimes to an indeterminate sentence having a minimum of one day and a maximum of life in certain cases authorizing the criminal courts to impose such a sentence and certain temporary sentences in connection therewith requiring psychiatric examinations of such persons before the imposition of such a sentence conferring powers and imposing duties upon the Department of Welfare and the Pennsylvania Board of Parole and providing for the parole conditional parole or absolute discharge of persons so sentenced and the procedure relating thereto

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 500, entitled:

An Act to further amend the title of and the act, approved the eighteenth day of July, one thousand nine hundred thirty-five (P. L. 1286), entitled as amended "An act empowering counties of the second class, cities, boroughs, incorporated towns, and townships to charge and collect from owners of and water users in property served there-



by, annual rentals, rates, or charges for the use of certain sewers, sewerage systems and sewage treatment works, including charges for operation, inspection, maintenance, repair, depreciation, and the amortization of indebtedness and interest thereon; empowering counties of the second class, cities, boroughs, incorporated towns and townships to contract with authorities organized by counties of the second class, for sewer, sewerage and sewage treatment services; to grant, convey, lease, transfer, encumber, mortgage and pledge to such authorities, their sewers, sewerage systems and sewage treatment works; to assign and pledge to such authorities rentals, rates and charges charged and collected by them for the use thereof, and to assign to such authorities their power to charge and collect the same; and validating all such contracts, grants, conveyances, leases, transfers, assignments, encumbrances, mortgages and pledges heretofore made," by extending to authorities organized by cities of the third class the provisions affecting authorities organized by counties of the second class.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 502, entitled:

An Act to amend the title and Sections 1 and 2 of the act approved the fourteenth day of April, one thousand nine hundred forty-nine (P. L. 482), entitled "An act authorizing and requiring cities, boroughs, townships, municipal authorities and public utility companies engaged in the supplying of water, to shut off the supply of water for nonpayment of sewer, sewerage, or sewage treatment rentals, rates, or charges imposed by municipal authorities organized by counties of the second class; authorizing and requiring them to supply to such authorities lists of metered water readings and flat-rate water bills and other data; authorizing them to act as billing and collecting agents for such authorities; and conferring certain powers upon the Pennsylvania Public Utility Commission in connection therewith," by requiring certain political subdivisions to shut off water supply for nonpayments to municipal authorities organized by cities of the third class and exempting public utilities from the obligation imposed on said act

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 503, entitled:

An Act to amend the title and Sections 1 and 5 of the act approved the fourteenth day of April, one thousand nine hundred forty-nine (P. L. 482), entitled "An act authorizing and requiring cities, boroughs, townships, municipal authorities and public utility companies engaged in the supplying of water, to shut off the supply of water for nonpayment of sewer, sewerage, or sewage treatment rentals, rates, or charges imposed by municipal authorities organized by counties of the second class; authorizing and requiring them to supply to such authorities lists of metered water readings and flat-rate water bills and other data; authorizing them to act as billing and collecting agents for such authorities; and conferring certain powers upon the Pennsylvania Public Utility Commission in connection therewith" by extending to any municipal authority organized by any city of the third class the powers granted therein and exempting public utilities from the obligation imposed therein

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 504, entitled:

An Act to further amend the title and section 2.1 of the act, approved the eighteenth day of July, one thousand nine hundred thirty-five (P. L. 1286) entitled as amended "An act empowering counties of the second class, cities, boroughs, incorporated towns, townships to charge and collect from owners of and water users in property served thereby, annual rentals, rates or charges for the use of certain sewers, sewerage systems and sewage treatment works, including charges for operation, inspection maintenance, repair, depreciation, and the amortization of indebtedness and interest thereon; empowering counties of the second class, cities, boroughs, incorporated towns and townships to contract with authorities organized by counties of the second class; for sewer, sewerage and sewage treatment services; to grant convey, lease transfer, encumber, mortgage and pledge to such authorities, their sewers, sewerage systems and sewage treatment works; to assign and pledge to such authorities rental, rates and charges charged and collected by them for the use thereof, and to assign to such authorities their power to charge and collect the same; and validating all such contracts, grants, conveyances, leases, transfers, assignments, encumbrances, mortgages and pledges heretofore made," by authorizing political subdivisions to contract with the authorities organized by cities of the third class for sewer, sewerage and sewage treatment services.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 788, entitled:

An Act to further amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain state departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by requiring the establishment of a permanent lot care fund with corporate trustee of a certain amount by cemetery and burial burial lots and requiring a fixed percentage of the sale price of burial lots to be added to such fund.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

## BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 744, entitled:

An Act to amend Article VIII of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley



omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highway peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by requiring overhead exhaust outlets on diesel motor vehicles

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1401, entitled:

An Act to further amend subsection (a) of Section 722 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporate towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties provided for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by including the Civil Air Patrol among the organizations exempt from payment of fees for vehicles used by such organization

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1626, entitled:

An Act to further amend the act approved the thirteenth day of May one thousand nine hundred twenty-five (P. L. 644) entitled "An act relating to and regulating the solicitation of moneys and property for charitable religious benevolent humane and patriotic purposes" by extending its provisions to additional activities agencies and purposes requiring accounting limiting administration costs and use of moneys collected and further regulating solicitation exemptions

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1640, entitled:

An Act to amend subsection (b) of Section 1403 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by further providing for the composition of the return board

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1641, entitled:

An Act to add Section 599-A to Article V subdivision (j) of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by authorizing the appointment of special school police and defining their powers and duties

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1648, entitled:

An Act to further amend the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by further regulating the date of the primary election

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1660, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling



including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by requiring that logs carried on certain vehicles and trailers be securely fastened

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1680, entitled:

An Act to further amend the act approved the fifth day of May one thousand nine hundred eleven (P. L. 198) entitled "An act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" by conferring exclusive jurisdiction on the county court of Allegheny County in cases of appeals from decisions of the collector of mercantile taxes imposed by political subdivisions within the territorial limits of its jurisdiction

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

#### BILLS PASSED OVER

There being no objection

Senate Bill No. 188, Printer's No. 534,

Senate Bill No. 319, Printer's No. 270, and

Senate Bill No. 494, Printer's No. 528,

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 653, entitled:

An Act to further amend the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 571) entitled "An act relating to assessment for taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects property and persons subject to and exempt from taxation for county borough town township school except in cities and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for the assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of ward borough town and township assessors abolishing the office of assistant triennial assessor in townships of the first class providing for the appointment of a chief assessor assistant assessor and other employes providing for their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the recorder of deeds and eliminating the triennial assessment" by providing for a permanent record system uniform throughout the Commonwealth among boards for the assessment and revision of

taxes providing for a committee to prepare such system and conferring powers and imposing duties upon the boards for the assessment and revision of taxes the chairman of the Local Government Commission and chief assessors

The first section was read.

On the question,

Will the House agree to the section?

Mr. REAGAN offered the following amendment:

Amend Section 1, (Sec. 302), Page 5, line 3, by inserting the word "Establish" the following "in counties of the fourth, fifth and sixth classes."

On the question,

Will the House agree to the amendment?

Mr. REAGAN. Mr. Speaker, these amendments eliminate 7th and 8th Class Counties from the provisions of the bill. I feel, and a great many others do, that our counties do not need these bills and that they will be a bad thing for us, for the reason that they are going to add a considerable number of people to our employes in the Court House. In addition the local assessors, while they will be retained and paid, will not have any authority to make the assessments. That will be vested in the chief assessor at the Court House along with the assistant assessors, investigators, clerks and stenographers.

Our counties are in good shape. We do not need this change, and I think it is a bad thing for us, especially the fact that in Bill 655 power is given to the Board of Taxation and Tax Revision and to the chief assessor to remove the local assessors from the township and borough.

The idea is repugnant for the reason that the appointed officials of the boards and also the chief assessor and his assistants are appointed officers. It gives them power to remove men who are elected. This is a great change from anything we know of in our government. It would be almost the same thing as if a cabinet officer here in Harrisburg would have the power to remove one of us Legislators if we did not do as he wanted us to do.

It is centralization. For years now we have been talking about centralization—centralization is our national government, centralization in our state government. We all know it is going on; but right here and now we plan centralization right back in your counties. We have all agreed that it is a bad thing—it is a departure from the scheme of government which we adopted at the start, and it is just one of those little things that will finally lead to the breakdown of local government, state government and national government.

I ask the House to support these amendments.

Mr. ROBERTSON. Mr. Speaker, I take this opportunity to rise to oppose the amendments offered, for the simple reason that this package of bills, 653 to 656 inclusive, is a package of bills which attempts, and I think succeeds, in the collection of county taxes and in making county taxes uniform throughout the state.

Taking out the 7th and 8th Class Counties immediately cripples the entire idea.

For the information of the House, these bills—653, 655 and 656—amend the Act of 1943 and have absolutely nothing to do with the local assessors, and in addition will not create additional jobs which the Act of 1943 has not already set up.

It would be rather foolish in my opinion to pass an



amendment to an Act which is to fit that class counties and then attempt to take out of the amendment the 7th and 8th Class Counties. It would be a question in my mind as to whether or not it approaches class legislation.

I ask the House to vote down these amendments at this time.

Mr. ANDREWS. Mr. Speaker, if in order to secure uniformity in assessments it is necessary to centralize, it is our business to centralize.

For some twenty years now, at various times on this floor I have been protesting against the inequalities in our county assessments—inequalities that will continue as long as we have 20, 30, 50, 60, 75 different minds playing upon the subject.

I am not at all certain that the bills that we have are perfect bills, but as the gentleman from Delaware has said, they constitute a package—they represent an intelligent approach to the problem of equalizing assessments within the counties. And until we get equalized assessments within the counties we cannot equalize them within the state. And until we can equalize assessments within the state we never can get rid of that perennial problem—the distressed school district.

I am sorry to have to disagree with the gentleman from Union, but I hope that his amendments will fall.

Mr. FERSTER. Mr. Speaker, I rise to support these amendments of the gentleman from Union. I feel that if these are good bills for the larger counties they are entitled to them. But I feel as a representative of a smaller county that we can get along very well without this particular bill.

Therefore, I would ask the House to support the amendments of the gentleman from Union, and then if the larger counties want this kind of assessment to start out with, they can have them after they are amended. I feel it is not going to help our smaller counties.

I do recognize the fact that this has been the work of the Commission on Joint State Government, that they have done a lot of splendid work, and I do not wish to condemn the work they have done in these bills, yet I would ask the Members of the House to go along with these amendments.

Mr. ANDREWS. Mr. Speaker, the gentleman's remarks remind me of the incident of the lady who appeared before the judge with a baby in her arms and without a wedding ring upon her finger. The judge imposed the usual sentence, whereupon the lady said: "But, your Honor, it was such a little baby." So the gentleman asks for a continuation of these errors because it is such a little county.

Mr. REAGAN. Mr. Speaker, I enjoyed the joke of the gentleman of the opposition, but I just do not know where it applies in this case.

He spoke of leading to centralization and to bring about an equalization of taxation. I want to call the attention of the House to this fact, that in making the chief assessor responsible for all the assessments of the county you are putting him into a position of great power. I have heard of this occurring in at least one city in Pennsylvania and I have heard it has occurred in other cities in other states. When one man has charge of assessments it is impossible to get him out of office, or his party. Certainly a man who has control of the

assessments of a county is put in a position where he can do almost as he pleases with the vote of that county. It has been demonstrated that that is true. And while this argument is to the effect that it will be beneficial, I have never seen anything yet in our entire government that cannot be opened to some criticism. I do not believe we will have any equality in anything in this world until we get to Heaven.

Mr. FERSTER. Mr. Speaker, I should like to remind the gentleman from Union that "Big oaks from little acorns grow."

On the question recurring,

Will the House agree to the amendment?

It was not agreed to.

On the question recurring,

Will the House agree to the section?

It was agreed to.

The SPEAKER. Will the gentleman from Union, Mr. Reagan, withdraw his amendments to the other sections of the bill?

Mr. REAGAN. I will, Mr. Speaker.

The second section was read.

On the question,

Will the House agree to the section?

Mr. ROBERTSON offered the following amendment:

Amend Section 2, Sec. 306, page 7, line 7 by striking out the word "Committee" at the end of the line and inserting in lieu thereof: "commission".

On the question,

Will the House agree to the amendment?

Mr. ROBERTSON. Mr. Speaker, this amendment is merely to take care of a typographical error to change the word "committee" to "commission".

On the question recurring,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The third section and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 654, entitled:

An Act to further amend the act, approved the seventh day of July, one thousand nine hundred forty-seven (P. L. 1368) entitled "An act amending, revising and consolidating the laws relating to delinquent county, city, except of the first and second class and second class A, borough, town, township, school district, except of the first class and school districts within cities of the second class A, and institution district taxes, providing when, how and upon what property, and to what extent liens shall be allowed for such taxes, the return and entering of claims therefor; the collection and adjudication of such claims, sales of real property, including seated and unseated lands, subject to the lien of such tax claims; the disposition of the proceeds thereof, including State taxes and municipal claims recovered and the redemption of property; providing for the discharge and divestiture by certain tax sales of all estates in property and of mortgages and liens on such property, and



the proceedings therefor; creating a Tax Claim Bureau in each county, except a county of the first class, to act as agent for taxing districts; defining its powers and duties, including sales of property, the management of property taken in sequestration, and the management, sale and disposition of property heretofore sold to the county commissioners, taxing districts and trustees at tax sales; providing a method for the service of process and notices; imposing duties on taxing districts and their officers and on tax collectors, and certain expenses on counties and for their reimbursement by taxing districts; and repealing existing laws," by providing for the collection and distribution of said taxes by the bureau; further regulating the sale of properties turned over to the bureau by county commissioners and taxing districts, and of properties purchased at tax sales by county commissioners under the provisions of said act; imposing certain costs upon the taxing districts, and further providing for the execution of deeds.

The first section was read.

On the question,

Will the House agree to the section?

Mr. REAGAN. Mr. Speaker, I have amendments to offer to the two Senate bills following on the calendar, but since the sentiment of the House seems to be adverse to the amendments, I don't feel like taking up the time of the House and will not offer them.

Mr. ANDREWS. Mr. Speaker, I would like to ask whoever is in charge of this package of bills what the purpose was in providing for the sale of property which the counties have purchased at either private or public sales without a court order. That is, do I understand that the properties the counties purchased can be sold as a matter of closed door procedure? Why are the changes made, if they are changes?

Mr. ROBERTSON. Mr. Speaker, in answer to the gentleman's question, I believe if he checks the bills, he will see that this bill puts into the hands of the Bureau the authority to sell certain properties at either public or private sale at the request of the taxing district only. The only way in which a taxing district will authorize or request a sale is if they have sufficient funds necessary to take care of the delinquent taxes.

On the question recurring,

Will the House agree to the section?

It was agreed to.

The second to seventh sections inclusive and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 655, entitled:

An Act to amend the title and act approved the twenty-first day of May, one thousand nine hundred forty-three (P. L. 571) entitled "An act relating to assessment for taxation in counties of the fourth, fifth, sixth, seventh, and eighth classes; designating the subjects, property and persons subject to and exempt from taxation for county, borough, town, township, school, except in cities and county institution district purposes; and providing for and regulating the assessment and valuation thereof for such purposes; creating in each county a board for the assessment and revision of taxes; defining the powers and duties of such boards; providing for the acceptance of this act by cities; regulating the office of ward, borough, town and township assessors; abolishing

the office of assistant triennial assessor in townships of the first class; providing for the appointment of a chief assessor, assistant assessors and other employees; providing for their compensation payable by such counties; prescribing certain duties of and certain fees to be collected by the recorder of deeds; and eliminating the triennial assessment," by further regulating the assessment and valuation of real property for local taxation purposes; further defining the duties of assessors and chief assessors; changing the time for the preparation and inspection of the assessment roll and duplicate assessment roll, notice of appeal and hearings on appeals; prescribing duties of and fees to be collected by municipal officers who issue building permits; imposing duties on taxables, making improvements on land and grantees of land and prescribing penalties and changing procedure on appeals to court

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 656, entitled:

An Act to amend section 401 of the act, approved the twenty-first day of May, one thousand nine hundred forty-three (P. L. 571), entitled "An act relating to assessment for taxation in counties of the fourth, fifth, sixth, seventh, and eighth classes; designating the subjects, property and persons subject to and exempt from taxation for county, borough, town, township, school, except in cities and county institution district purposes; and providing for and regulating the assessment and valuation thereof for such purposes; creating in each county a board for the assessment and revision of taxes; defining the powers and duties of such boards; providing for the acceptance of this act by cities; regulating the office of ward, borough, town and township assessors; abolishing the office of assistant triennial assessor in townships of the first class; providing for the appointment of a chief assessor, assistant assessors and other employees; providing for their compensation payable by such counties; prescribing certain duties of and certain fees to be collected by the recorder of deeds; and eliminating the triennial assessment," by changing the provisions relating to the appointment of chief assessors; requiring that the chief assessor devote a major portion of his time to his office providing for examinations for chief assessors and creating a committee to prepare and supervise such examinations

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

#### BILLS PASSED OVER

There being no objection

Senate Bill No. 658, Printers No. 504 and

Senate Bill No. 668, Printer's No. 357

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 675, entitled

An Act to further amend the act approved the sixth day of May one thousand eight hundred seventy-four (P. L. 125) entitled "An act regulating State tax on certain county offices" by increasing the maximum amount of fees that certain county officers may retain before being required to pay over half the excess to the county treasurer



And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 676, entitled

An Act to amend the act approved the twenty-eighth day of June one thousand nine hundred forty-seven (P. L. 1144) entitled "An act relating to the annual salaries of certain county officers of counties of the second class" by increasing the salaries of certain county officers

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 677, entitled

An Act to amend the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 973) entitled "An act relating to the annual salaries of certain county officers of counties of the third class" by increasing the salaries of certain county officers

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 678, entitled

An Act to further amend the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 947) entitled "An act relating to the annual salaries of certain county officers of counties of the fourth class" by increasing the salaries of certain county officers

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 679, entitled:

An Act to amend the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 972) entitled "An act relating to the annual salaries of certain county officers of counties of the fifth class" by increasing the salaries of certain county officers

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 680, entitled:

An Act to amend the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 928) entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the sixth class" by increasing the salaries of certain county officers

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 681, entitled:

An Act to amend the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 971) entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the eighth class" by increasing the salaries of certain county officers

The first section was read.

On the question,

Will the House agree to the section?

Mr. BERKSTRESSER offered the following amendments:

Amend Section 1, (Sec. 1), page 2, lines 9, 10 and 11, by striking out the words "ten thousand (10,000) two" in line 9, all of lines 10 and 11 and inserting in lieu thereof "twelve thousand (12,000) two thousand two hundred dollars (\$2,200), and in counties having a population of twelve thousand (12,000)".

Amend Section 1, (ec. 1), page 2, line 15, by striking out the words and figures "two thousand dollars (\$2,000)" and inserting in lieu thereof "one thousand five hundred dollars (\$1,500)".

Amend Section 1, (Sec. 1), page 2, line 17, by inserting a bracket before the word "ten".

Amend Section 1, (Sec. 1), page 2, line 17, by striking out the bracket before the word "eight".

Amend Section 1, (Sec. 1), page 2, line 17, by inserting after the figures "(\$825)]" the following "twelve thousand (12,000)".

Amend Section 1, (Sec. 1), page 2, line 19, by inserting a bracket before the word "ten".

Amend Section 1, (Sec. 1), page 3, line 1, by inserting a bracket after the figures (10,000) and inserting immediately thereafter the following "twelve thousand (12,000)".

Amend Sec. (Sec. 1), page 3, by inserting between lines 3 and 4 the following:

(d) The county auditors shall each receive ten dollars (10) for each day necessarily employed in the discharge of their duties.

Amend Sec. 1 (Sec. 1), page 3, line 4, by inserting before the word "The" the following: "(e)"

On the question,

Will the House agree to the amendments?

Mr. BERKSTRESSER. Mr. Speaker, I would like to have the House's approval on these amendments.

The purpose of the amendments is this: Fulton county's population is 10,387. That throws us in the high bracket and raises the salaries in our county nearly double.

I have amended the bill to read instead of from 10,000 to 20,000 to 12,000 to 20,000. That will keep us back in the bracket with the ones under the 10,000 at the present time, and it will not affect any other county because the rest of the counties run from 15,000 to 20,000 and the others are around 8,000.

Also, I have amended the bill so that the Commissioners receive a salary of \$1500 instead of \$2,000, which with their institution district pay, will give them \$1800 a year and they only meet twice a month. I think that is very good pay for two days a month.

Those are the amendments I have offered and I would appreciate the approval of the House.

On the question recurring,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?



It was agreed to.

The second section and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 682, entitled

An Act to amend the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 938) entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the seventh class" by increasing the salaries of certain county officers

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 688, entitled:

An Act to further amend Section 303 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 1017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" by directing that an allowance be paid to certain county controllers for the expenses pertaining to the institution district for a temporary period

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

#### BILL PASSED OVER

There being no objection

Senate Bill No. 729, Printer's No. 402  
was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 738, entitled

An Act to further amend subsection (g) of Section 1110 of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the

act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by eliminating requirement that the form and arrangement of ballot labels on voting machines be approved by the Secretary of the Commonwealth.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 742, entitled:

An Act providing for supplementing the police forces of cities boroughs towns and townships for the appointment powers and control of auxiliary police therein and for the transfer during disasters and emergencies of such auxiliary police members of the regular police forces and police equipment thereof

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

#### BILL ON FINAL PASSAGE

#### BILL PASSED OVER

There being no objection

House Bill No. 1567, Printer's No. 917  
was passed over at the request of the SPEAKER.

#### BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 28, as follows:

An Act to further amend section 703 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-two (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by changing the compensation paid to township commissioners  
The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 703 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" as reenacted and last amended by the act approved the twenty-seventh day of May one thousand nine hundred forty-nine (P. L. 1955) is hereby further amended to read as follows

Section 703 Compensation Each township commissioner shall receive a salary of not more than [two] four hundred dollars per year in townships having a population of less than four thousand not more than [three] six hundred dollars per year in townships having a population of four thousand and more but less than ten thousand and not more than [four] eight hundred dollars per year in townships having a population of ten thousand and more but less than fifteen thousand not more than [five hundred] one thousand dollars in townships having a population of fifteen hundred thousand or more but less than twenty thousand and not more than [six] twelve hundred dollars in townships having a population of twenty thousand or more Such salaries shall be payable quarterly as full compensation for the duties imposed by the provisions of this act

And said bill having been read at length the third time, considered and agreed to.

On the question,



Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—206

Amarando,	Goodling	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarra,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hall,	McInroy,	Scott,
Berkstresser,	Hagerty,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenschild,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Brelsch,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendenning,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varnier,
Coyle,	Kent,	Olsen,	Varallo,
Dalrymple,	Kline,	Penglase,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
DuBols,	Kubacki,	Pichney,	Weidner,
Duffy,	Lederer,	Pitzer,	Welsh,
Dunn,	Lelsey,	Polaski,	Wescott,
Erb,	Leonard, L.,	Polen,	Westrick,
Ewing,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leven,	Price, R. A.,	Wheeler,
Ferster,	Light,	Readinger,	White,
Flip,	Limper,	Reagan,	Williams,
Flo,	Loftus,	Reese,	Wilt,
Firmstone,	Lopresti,	Reidenbach,	Wood,
Flack,	Lovett,	Relly, J. M.,	Yeakel,
Frost,	Lutty,	Rigby,	Yester,
Gaffney,	Lyons,	Riley, R. L.,	Yetzer,
Geer,	Madden,	Robertson,	Young,
Gibson,	Madigan,	Rose,	Ziegler,
Gleason,	Markley,	Rosen,	Sorg,
Good,		Rovansek,	Speaker

## NAYS—0

## NOT VOTING—1

Lafore,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 274, as follows:

An Act to further amend Section 1001 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by increasing the compensation of the township auditors

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1001 of the act approved the twenty-

fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class; amending revising consolidating and changing the law relating thereto" as reenacted and amended by the act approved the twenty-seventh day of May one thousand nine hundred forty-nine (P. L. 1955) is hereby further amended to read as follows

Section 1001 Meetings General Duties Compensation The auditors of townships shall meet annually on the day following the day which is fixed by this act for the organization of the township commissioners and shall audit settle and adjust the accounts of the township commissioners township treasurer tax collector secretary and other officers and persons receiving and disbursing or authorizing the disbursement of the moneys of the township during the preceding fiscal year The auditors shall make an audit of the dockets transcripts and other official records of the offices of the justice of the peace of the township to determine the amounts of fines and costs paid or due to the township All justices of the peace shall open and make available to the auditors their dockets transcripts records and all other official books or papers for the purpose of the audit Provided That in any case where a justice of the peace charges a fine contrary to ordinances or to any act which makes such fine payable to the township the said auditors have the power to surcharge such justices of the peace in any amount or amounts undercharged as set forth in said ordinances or act Two auditors shall constitute a quorum Each auditor shall receive [six dollars (\$6)] ten dollars (\$10) per diem for each day necessarily employed in the duties of his office to be paid out of funds of the township A day shall consist of not less than five hours in the aggregate In completing their audit the auditors shall not be employed more than the following number of days In townships having a population of less than three thousand twenty days in townships having a population of three thousand and more but less than ten thousand thirty days and in townships having a population of ten thousand and more forty days

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—206

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarra,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenschild,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Brelsch,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendenning,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varnier,
Dalrymple,	Kline,	Penglase,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,



Dougherty,	Kornick,	Pettigrew,	Waterhouse.
Dowling,	Kratz,	Pfaff,	Watkins,
DuBols,	Kubacki,	Pichney,	Weidner,
Duffy,	Lederer,	Pitzer,	Welsh,
Dunn,	Lelsey,	Polaski,	Wescott,
Erb,	Leonard, L.,	Polen,	Westrick,
Ewing,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leven,	Price, R. A.,	Wheeler,
Ferster,	Light,	Readinger,	White,
Fillo,	Limper,	Reagan,	Williams,
Filo,	Loftus,	Reese,	Wilt,
Firmstone,	Lopresti,	Reidenbach,	Wood,
Flack,	Lovett,	Reilly, J. M.,	Yeakel,
Frost,	Lutty,	Rigby,	Yester,
Gaffney,	Lyons,	Riley, R. L.,	Yetzer,
Geer,	Madden,	Robertson,	Young,
Gibson,	Madigan,	Rose,	Ziegler,
Gleason,	Markley,	Rosen,	Sorg.
Good		Rovansek.	Speaker.

NAYS—0

NOT VOTING—1

Lafore,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

## BILLS PASSED OVER

There being no objection

House Bill No. 488, Printer's No. 476  
was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 862, as follows:

An Act to add Section 510.1 to the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing school directors of school districts in townships of the second class to appoint special school police and defining the power and duties of such police

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" is hereby amended by adding after Section 510 thereof a new section to read as follows

Section 510.1 Special School Police School Districts in Townships of the Second Class The board of school directors of school districts in townships of the second class may by resolution appoint and fix the salary of special school police who shall have the duty of controlling and directing traffic at or near schools and shall be empowered to make arrests in connection with the performance of their duties Such police shall serve at the pleasure of the board of school directors

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Amarando,	Goodling,	Maxwell,	Royer,
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Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarraf,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenschild,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Breisch,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Buchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendening,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varner,
Dalrymple,	Kline,	Penglase,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolakiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
DuBols,	Kubacki,	Pichney,	Weidner,
Duffy,	Lederer,	Pitzer,	Welsh,
Dunn,	Lelsey,	Polaski,	Wescott,
Erb,	Leonard, L.,	Polen,	Westrick,
Ewing,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leven,	Price, R. A.,	Wheeler,
Ferster,	Light,	Readinger,	White,
Fillo,	Limper,	Reagan,	Williams,
Firmstone,	Loftus,	Reese,	Wilt,
Flack,	Lopresti,	Reidenbach,	Wood,
Frost,	Lovett,	Reilly, J. M.,	Yeakel,
Gaffney,	Lutty,	Rigby,	Yester,
Geer,	Lyons,	Riley, R. L.,	Yetzer,
Gibson,	Madden,	Robertson,	Young,
Gleason,	Madigan,	Rose,	Ziegler,
Good,	Markley,	Rosen,	Sorg,
		Rovansek,	Speaker

NAYS—0

NOT VOTING—1

Lafore,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 967, as follows:

An Act to further amend the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by providing for disability leave with salary and hospital and medical expenses for employes of jails and workhouses in counties of the second class temporarily incapacitated in the performance of duties The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subdivision (o) of article III of the act approved second day of May one thousand nine hundred twenty-nine (1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws



relating thereto" as last amended by the act approved the fifth day of July one thousand nine hundred forty-seven (P. L. 1308) is hereby further amended by adding after section 306 a new section to read as follows

Section 307 Employees of Jails and Workhouses in Counties of the Second Class Every employe of jails and workhouses in counties of the second class who may be injured through the performance of his duties and by reason thereof is temporarily incapacitated from performing his duties shall be paid by the county by which he is employed his full rate of salary as fixed by the salary board of such county until the disability arising therefrom has ceased but the period for such salary payments my the county shall not exceed the period during which such employe is entitled to compensation for the injury received under the provisions of the Workmen's Compensation Act All medical and hospital bills incurred in connection with any such injury shall be paid by such county All benefits under the Workmen's Compensation Law which shall be received or collected by any such employe during the period he has received salary for temporary disability shall be paid over to the county and into the treasury thereof If any such payment or payments shall not be so made by such employe the amount so directed to be paid the county shall be deducted from any salary which shall then or thereafter become due and owing to such employe

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—206

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarraff,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Mihm,	Smith,
Bolton,	Haudenshield,	Mikula,	Snider,
Bomberger,	Headlee,	Miller, H. G.,	Sollenberger,
Boorse,	Helm,	Miller, J. C.,	Spencer,
Bower,	Hersch,	Mills,	Stank,
Brelsich,	Hewitt,	Mintess,	Stimmel,
Breth,	Hocker,	Monroe,	Stoner,
Brown,	Hoggard,	Moore, C. E.,	Swartz,
Bucchin,	Hunter,	Moore, H. A.,	Swope,
Byrne,	Jenkins,	Moran,	Tahl,
Cella,	Johnson,	Muldowney,	Taylor,
Clapper,	Jones, G. E.,	Munley,	Thompson, E. F.,
Clendening,	Jones, J. M.,	Murray,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Musto,	Toll,
Conway,	Jones, T. H. W.,	Najaka,	Tompkins,
Cooper,	Jump,	Naugle,	Toomey,
Corr,	Kamyk,	Needham,	VanSant,
Costa,	Keller,	Olsen,	Varallo,
Coyle,	Kline,	Penglase,	Varner,
Dalrymple,	Kohl,	Peta,	Verona,
Davis,	Kolankiewicz,	Petrosky,	Wachhaus,
Dennison,	Kornick,	Pettigrew,	Wargo,
Dougherty,	Kratz,	Pfaff,	Waterhouse,
Dowling,	Kubacki,	Pichney,	Watkins,
DuBois,	Lederer,	Pitzer,	Weldner,
Duffy,	Leisey,	Polaski,	Welsh,
Dunn,	Leonard, L.,	Poleh,	Wescott,
Erb,	Leonard, W. C.,	Price, H. W. Jr.,	Westrick,
Ewing,	Leven,	Price, R. A.,	Whalley,
Fenrich,	Light,	Readinger,	Wheeler,
Ferster,	Limper,	Reagan,	White,
Filip,	Loftus,	Reese,	Williams,
Filo,	Lopresti,	Reidenbach,	Wilt,
Firmstone,	Lovett,	Reilly, J. M.,	Wood,
Flack,			Yeakel,

Frost,  
Gaffney,  
Geer,  
Gibson,  
Gleason,  
Good,

Lutty,  
Lyons,  
Madden,  
Madigan,  
Markley,

Rigby,  
Riley, R. L.,  
Robertson,  
Rose,  
Rosen,  
Rovansek,

Yester,  
Yetzer,  
Young,  
Ziegler,  
Sorg,  
Speaker

## NAYS—0

## NOT VOTING—1

Lafore,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordred, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1350, as follows:

An Act to amend Section 2508 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for the allocation of funds to school districts for programs essential to mobilization or demobilization of civilian manpower

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 2508 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" is hereby amended to read as follows

Section 2508 Distribution of Federal Funds for Vocational Education In the event that the Congress of the United States provides additional funds for vocational education the State Board of Vocational Education shall have authority to establish rules and regulations governing the administration and distribution of such funds

In furtherance of the provisions of the Federal vocational education acts the Superintendent of Public Instruction with the approval of the State Board for Vocational Education may allocate funds to school districts and vocational school districts for the conduct of vocational educational services and for the purchase of educational goods and services contributing to special vocational education needs and experimental programs essential to mobilization of civilian manpower to the extent that Federal and State funds are available and intended for such purposes

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—206

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarraff,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Mihm,	Smith,
Bolton,	Haudenshield,		Snider,



Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Brelsich,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendening,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varner,
Dairymple,	Kline,	Penglase,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
DuBois,	Kubacki,	Pichney,	Weidner,
Duffy,	Lederer,	Pitzer,	Welsh,
Dunn,	Lelsey,	Polaski,	Wescott,
Erb,	Leonard, L.,	Polen,	Westrick,
Ewing,	Leonard, W. O.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leven,	Price, R. A.,	Wheeler,
Ferster,	Light,	Readinger,	White,
Filip,	Limper,	Reese,	Williams,
Filo,	Loftus,	Reagan,	Wilt,
Firmstone,	Lopresti,	Reidenbach,	Wood,
Flack,	Lovett,	Reilly, J. M.,	Yeakel,
Frost,	Lutty,	Rigby,	Yester,
Gaffney,	Lyons,	Riley, R. L.,	Yetzer,
Geer,	Madden,	Robertson,	Young,
Gibson,	Madigan,	Rose,	Ziegler,
Gleason,	Markley,	Rosen,	Sorg,
Good,		Rovansek,	Speaker

## NAYS—0

## NOT VOTING—1

Lafore,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1497, as follows:

An Act to amend the act approved the twelfth day of June one thousand nine hundred fifty-one (Act No 141) entitled "An act relating to mental health including mental illness mental defect epilepsy and inebriety and amending revising consolidating and changing the laws relating thereto" by changing and adding definitions further providing for the licensing of private institutions the functions of various State institutions the procedure relating to the admission commitment transfer escape discharge leave of absence care rights and employment of patients and in certain cases the costs incident thereto and relating to the appointment of guardians of the person removing inoperative and unnecessary provisions making editorial changes and adding and changing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 102 201 211 212 221 subsections (a) (d) and (e) of Section 222 subsection (b) of Section 225 and Section 226 of the act approved the twelfth day of June one thousand nine hundred fifty-one (Act No 141) entitled "An act relating to mental health including mental illness mental defect epilepsy and inebriety and amending revising consolidating and changing the laws relating thereto" are hereby amended to read as follows

## Section 102 Definitions

As used in this act unless the context clearly indicates

otherwise the following words and phrases shall have the following meanings

(1) "Care" shall include reception detention transfer [parole] leave of absence discharge custody care treatment maintenance support segregation education culture training discipline improvement rehabilitation occupation employment medical and surgical treatment and nursing food and clothing

(2) "Court shall mean the court of common pleas or other court of record having jurisdiction or law judge thereof of the county in which the patient is or resides

(3) ["Criminal" shall mean any person who has been convicted on a criminal charge and whose period of sentence has not expired or who has a criminal tendency] "Psychiatrist" shall mean a qualified physician who by a minimum of five (5) years of training and experience has acquired specialized skill and learning in mental and nervous disorders and related conditions and who has thereby achieved professional standing in the medical specialty of psychiatry

(3.1) "Psychologist" shall mean a person who by years of study training and experience has achieved professional recognition and standing in the field of clinical psychology To such qualifications is added any legislative status that may hereafter be enacted This term shall include "public school psychologist"

(4) "Criminal tendency" shall mean a tendency to repeat offenses against the law or to perpetrate new offenses as shown by repeated convictions for such offenses or tendency to habitual delinquency

(5) "Department" shall mean the Department of Welfare or such other department to which its powers and duties relating to mental health may be transferred

(6) "Epileptic" shall mean any person who is or is thought to be suffering from [epilepsy] a primary convulsive disorder or its equivalent manifestation

(7) "Inebriate" shall mean a person who is so habitually addicted to the use of alcoholic or other intoxicating or narcotic substances as to be unable or unwilling to stop the excessive use of such substances without help The term shall include "dipsomaniac" "drug addict" and "habitual drunkard"

(8) "Institution" shall mean any State or licensed place public or private for the care of patients The term shall include "mental hospital" "school" "village" and every other place by whatever name called caring for patients whether or not for compensation

(9) "Mental Defective" shall mean a person who is not mentally ill but whose mental development is so retarded that he has not acquired enough self-control judgment and discretion to manage himself in his affairs and for whose welfare or that of others care is necessary or advisable The term shall include "feeble-minded" "moron" "idiot" and "imbecile" but shall not include "mental illness" "inebriate" and "senile"

(10) "Mental hospital" shall mean any institution intended primarily for the care of patients who are or are thought to be mentally ill

(11) "Mental illness" shall mean an illness which so lessens the capacity of a person to use his customary self-control judgment and discretion in the conduct of his affairs and social relations as to make it necessary or advisable for him to be under care The term shall include "insanity" "unsoundness of mind" "lunacy" mental disease" "mental disorder" and all other types of mental cases but the term shall not include "mental [defectiveness] deficiency" "epilepsy" "inebriety" or "senility" unless mental illness is superimposed

(12) "Patient" shall mean any [person who is or is thought to be mentally ill mentally defective epileptic or inebriate or for whom admission to an institution is being sought or who is or has been an inmate of an institution The term shall not include a person who is "senile"] individual for whom admission is being sought in or who is under observation care or treatment in an institution pursuant to this act

(13) "Qualified physician" shall mean a physician who



has been (1) a resident of Pennsylvania for at least [three years] one year (2) licensed to practice medicine in Pennsylvania and (3) in the actual practice of medicine for at least three years or has had at least one year's experience as a physician in an institution

(14) "School" shall mean any institution for the care of mental defectives or epileptics. The term shall include "village" training school "colony" or other institution by whatever name called for the care of such patients

(15) "Superintendent" shall mean the [person] physician in charge of the administration of an institution or [person] physician acting as such in his stead or under his direction

(16) "Transfer" shall mean the removal of a patient from one institution to another for the same kind of patients without other procedure for admission than that prescribed by the department

(17) "Trustees" shall mean the persons organized [to manage and to be responsible for] for the general direction and control of the property and management of an institution. The term shall include "board of trustees" "board of managers" "managers" "directors" "board of directors". The term shall not include "superintendent"

#### Section 201 Places for the Care of Patients

(a) In this Commonwealth patients shall be cared for (1) in the following [State] institutions

Allentown State Hospital  
Danville State Hospital  
Farview State Hospital  
Harrisburg State Hospital  
Norristown State Hospital  
Warren State Hospital  
Wernersville State Hospital  
Torrance State Hospital  
Laurelton State Village  
Pennhurst State School  
Polk State School  
Selinsgrove State Colony for Epileptics  
Western [State] Psychiatric Institute & Clinic  
[Clark's] Clarks Summit State Hospital  
Dixmont State Hospital  
Embreeville State Hospital  
Hollidaysburg State Hospital  
Philadelphia State Hospital  
Retreat State Hospital  
Somerset State Hospital  
Woodville State Hospital  
Mayview State Hospital  
Eastern Pennsylvania Psychiatric Institute

(2) In such other institutions as may be taken over or created by the Commonwealth

(3) In such institutions as shall have procured licenses from the department in accordance with the provisions of this act

(b) The authorities of general hospitals may set apart establish and maintain beds wards or departments for the temporary care of patients upon procuring licenses from the department in accordance with the provisions of this act and under such conditions as may be approved by the department

#### Section 211 License Required Penalty

(a) No person partnership association business corporation nonprofit corporation or any group of individuals however organized shall operate on and after the effective date of this act any institution other than a State institution for the care of patients without having first procured from the department in accordance with the provisions of this act an annual license to operate such institution

(b) Any person partnership association business corporation or nonprofit corporation or any partner director officer or agent thereof who violates the provisions of this section shall upon summary conviction thereof be sentenced to pay a fine not to exceed one [hundred dollars (\$100)] thousand dollars (\$1000) or to undergo imprisonment not exceeding one year or both

#### Section 212 Application for and Grant of License

(a) Every person other than a State institution desiring to operate an institution shall annually file with the department an application for a license

(b) The application shall be on a form prescribed prepared and furnished by the department and together with such information as the department requires shall state

(1) The name and address of the applicant and of the trustees and superintendent of the institution and the names and addresses of all the partners or officers of a partnership or association or corporation together with the address of the principal office and state of registration organization or incorporation

(2) The location of the institution

(3) The facilities of the institution for the care of patients including sanitary and fire protection facilities

(c) Upon receipt of an application for a license the department shall make a thorough investigation of the character financial responsibility and qualifications of the applicant if the applicant is a partnership association or corporation of the officers or partners as the case may be and superintendent of the institution the adequacy of the facilities of the institution to furnish the type of care and service specified in the application the sanitary and fire protection facilities and any other matter or thing which the department deems proper

(d) If satisfied that the applicant is qualified and responsible and that the place sought to be used as an institution is a suitable place for the care of patients and is properly equipped therefor the department shall issue a license to the applicant upon the payment of a license fee of [fifteen dollars (\$15)] fifty dollars (\$50) which shall be paid into the State Treasury through the Department of Revenue which fee shall not be required in the licensure of governmental public institutions and nonprofit institutions

(e) No person who because of inability to satisfy the character requirements deemed necessary by the department has been refused a license shall thereafter be in any way connected with an private nursing home private home for aged persons or any private hospital licensed pursuant to the provisions of this act

#### Section 221 Outpatient and Psychiatric Clinical Services

To promote prevention early recognition and treatment of mental illness mental defect epilepsy and inebriety the department may establish extend operate maintain and provide outpatient services in conjunction with State institutions and separate psychiatric clinical services and may fix and establish charges for such services

#### Section 222 Relocation and Establishment of Additional Institutions

(a) The department may recommend to the Governor the establishment of new institutions for the care of persons afflicted with any mental illness mental defect inebriety or epilepsy or the relocation of present institutions under the supervision of the department where it appears that a present institution is no longer fire for use or for reconstruction and that the conditions of its water supply sewerage location or environment justify its abandonment

\* \* \* \* \*

(d) Upon completion of the institution it shall be administered by the same board of trustees as was appointed for the institution which was relocated [or in the case of a new institution by a board of trustees which shall be appointed and organized which shall conduct its affairs in accordance with the provisions of the act approved the ninth day of April one thousand nine hundred twenty-nine (P L 177) known as The Administrative Code of 1929 and its amendments]. The name for any new institution shall be selected by the department with the Governor's approval and shall be indicative of the political subdivision in or near which such institution is located

(e) Admissions and commitments to any institution established or relocated under the provisions of this section and transfer release discharge or [parole] leave of absence therefrom shall be as provided in this act

\* \* \* \* \*

#### Section 225 Management of Institutions Taken over from Political Subdivisions

\* \* \* \* \*

(b) All patients in any institution at the time the



management and operation thereof was assumed by the department shall have the same status as if originally committed or admitted to a State institution. Commitments may be made to any such institution; patients may be cared for therein and transfers may be made therefrom and thereto in the same manner and in accordance with provisions of this act applying to other similar State institutions. The department shall have power to designate the counties or parts thereof of the Commonwealth from which commitments may be made to each institution.

#### Section 226 Qualifications etc of Superintendents

[(a)] The superintendent of every State institution shall be a physician with at least seven years training or experience or both in the care of patients. In institutions for the care of female patients the superintendent shall be a woman.

[(b)] When adequate housing facilities exist at a State institution the superintendents shall reside there if he has a family they may reside with him. In either case the cost of maintaining the residence shall be assumed by the institution.

#### Section 2 Section 227 of said act is hereby repealed

Section 2 Section 230 of said act is hereby amended to read as follows:

#### Section 230 Purposes of State Institutions

(a) The department shall determine and designate the type of patients to be admitted to and cared for in all State institutions except as otherwise provided in this section.

(b) The Farview State Hospital shall be exclusively devoted to the care of [mentally deficient and epileptic children] mental defectives of all ages and shall provide separate classification for the various grades of patients.

[(d)] The Pennhurst State School shall be exclusively devoted to the care of mental defectives and epileptics of all ages and shall provide separate classification for the various grades of patients.

(e) The Laurelton State Village shall be exclusively devoted to the care of mentally deficient women of child-bearing age and shall provide separate classification for the various grades of patients.

(f) The Selinsgrove State Colony for Epileptics shall be devoted exclusively to the care of epileptics.

(g) The Western [State] Psychiatric Institute and Clinic and the Eastern Pennsylvania Psychiatric Institute shall be devoted to study and research into the causes, treatment, prevention and care of the various types of nervous disorders, mental illness, mental defects and epilepsy. In furtherance of such purposes they shall:

(1) Provide both undergraduate and graduate students studying to become general medical practitioners with a technical background of training in mental illness.

(2) Provide regular courses of study for personnel of State institutions.

(3) Deal with the mental hygiene of the normal child in the way of study and training.

(4) [Focus their activities on] Study the problems of administering mental institutions and a Commonwealth mental health program and

(5) Train and teach nurses and other personnel necessary in the care and prevention of mental illness, mental defect and epilepsy.

#### Section 4 Section 231 of said act is hereby repealed

Section 5 Section 301 of said act is hereby amended to read as follows:

#### Section 301 Application for Voluntary Admission

(a) Application for voluntary admission as a patient may be made:

(1) By any person thought to be mentally ill to the superintendent of any mental hospital.

(2) By any epileptic twenty-one years of age or older to the superintendent of any school or institution for the care of epileptics.

(3) By any inebriate to the superintendent of any mental hospital institution for the care of inebriates or of any general hospital maintaining a [psychopathic] psychiatric department or ward.

(b) Every such application shall be in writing and

signed by the applicant in the presence of at least one witness.

Section 6 Section 303 of said act is hereby repealed.

Section 7 Subsection (b) of Section 304 subsections (d) and (e) of Section 311 and Sections 312, 314 and 315 of said act are hereby amended to read as follows:

Section 304 Limits of Detention of Voluntary Patients Notice to Relatives etc.

\* \* \* \* \*

(b) In any case where the superintendent finds it inadvisable to discharge a person thought to be mentally ill he shall notify the patient's friends, relatives or other persons liable for his support or the institution district of the person's residence.

Section 311 Admission by Superintendent on Application of Relative etc and Physician's Certificate

\* \* \* \* \*

(d) Every application shall be accompanied by the certificate of one qualified physician in the case of a mental defective or epileptic and two qualified physicians in the case of a person thought to be mentally ill. The certificate shall not authorize the admission of the patient unless he shall be admitted within [two weeks of the date thereof] thirty days of the date of the first certifying examination in the case of mental illness or within six months of the date thereof in the case of mental deficiency or epilepsy.

(e) [In the case of a person thought to be mentally ill such] Every application and certificate shall be sworn to or affirmed before a person authorized to administer an oath in the Commonwealth who shall certify to the genuineness of the signatures.

\* \* \* \* \*

Section 312 Contents of Physician's Certificate [Penalty for False Statement]

(a) In every qualified physician's certificate required by this act for the admission or commitment of a patient the physician issuing the same shall state:

(1) His residence.

(2) That he has resided in this State for at least [three years] one year.

(3) That he has been licensed to practice medicine in this State.

(4) That he has been in the actual practice of medicine for at least three years or has had at least one year's experience as a physician in an institution.

(5) That he is not related by blood or marriage to the patient or applicant.

(6) That he [is not connected in any way as] has no financial interest in nor is a medical attendant of or otherwise connected in any way with the institution to which application has been made for the admission of the patient.

(7) That he has examined the patient with care and diligence within a week of making the certificate.

(8) That in his opinion the patient is or is thought to be mentally ill, mentally defective, inebriate or epileptic or is in need of and will be benefited by care and the admission applied for.

(9) The information relative to the patient given him, condition and the behavior of the patient which he has observed and on which he bases his opinion [and].

(9.1) In the case of mental deficiency the results and conclusions from recognized psychological tests and

(10) Such other information as the particular request for admission or commitment or as the department may require.

[(b)] Any physician who falsely certifies to the mental illness, mental defectiveness, inebriety or epilepsy of any person or whose false certificate as to mental illness, defectiveness, inebriety or epilepsy of any person is proved to be the result of negligence or deficient professional skill or who signs such a certificate for pecuniary reward or promise thereof or other consideration of value or operating to his advantage other than the professional fee usually paid for such service shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not to exceed five hundred dollars (\$500) or to imprisonment not to exceed one (1) year or both.



### Section 314 Admission for Temporary or Emergency Detention

(a) Application may be made to the superintendent of any mental hospital for admission as a patient for temporary care in the interest of any person who is or is thought to be suffering from mental illness

(b) The application shall be in writing and may be made by a relative legal guardian or friend of the person sought to be admitted. It shall be accompanied by the certificate of at least one qualified physician which shall also state that immediate temporary care in a mental hospital is necessary for the person sought to be admitted by reason of mental illness. Such certificate need not be sworn to or affirmed.

(c) Upon receipt of the application and certificate which he shall retain the superintendent may receive and detain the patient for temporary care for a period of not more than [ten] twenty-one days.

### Section 315 Examination Discharge or Further Detention of Person Temporarily Detained

(a) After admitting any person as a patient for temporary care during the [ten] twenty-one day period of detention the superintendent shall examine such patient for further disposition.

(b) If the superintendent finds on such examination that the patient does not require such temporary care he shall either discharge him or notify the applicant for his admission to remove him.

(c) If the superintendent finds on such examination that the patient requires further care he may admit the patient on a voluntary application or he shall notify the applicant to apply for the patient's commitment by application to him or by order of court or to remove the patient or in default thereof he shall notify the institution district of the patient's residence.

Section 8 Sections 316 and 317 of said act are hereby repealed.

Section 9 Subsection (d) of Section 326 subsection (b) of Section 327 Section 328 329 330 and subsection (a) of Section 331 are hereby amended to read as follows:

#### Section 326 Petition of Commitment

\* \* \* \* \*

(d) Every such petition shall be accompanied by the sworn or affirmed certificate of two qualified physicians except in the case of a mental defective or an epileptic when only one such certificate need be attached.

\* \* \* \* \*

### Section 327 Appointment of Commission by Court Powers and Duties of Commission

\* \* \* \* \*

(b) Such commission shall be composed of three persons two qualified physicians and an attorney-at-law who shall prepare and file all necessary notices reports and other papers. Each member of the commission shall receive [the sum of five dollars (\$5) for each day he is necessarily employed in the duty of his appointment. The attorney-at-law member shall prepare and file all necessary notices reports and other papers and shall receive the additional sum of five dollars (\$5) for such services] a fee consistent with the prevailing scale in the county as determined by the court for the time he is necessarily employed in the duty of his appointment.

\* \* \* \* \*

### Section 328 Hearings Commitment

(a) Upon receipt of a petition for the commitment of a patient or of the report of a commission if one has been appointed the court may fix a day for a hearing to be held at such place as the court directs. When the hearing is to be held the court shall notify the parties in interest. The court may require the presence of the person sought to be committed and may exclude the public.

[(b) In the case of a petition for the commitment of an inebriate the court shall hold such hearing and shall issue its warrant for his presence before the court.]

(c) If the court approves the report of a commission that the person in question is mentally ill and is a proper subject for admission to a mental hospital or is satisfied that the person sought to be committed is a proper subject

for care or that the safety and welfare of the public require such commitment the court shall make an order committing the person to the institution named in the petition and direct his removal thereto by a proper person.

(d) No order shall authorize the commitment of a patient unless he is admitted within [two weeks from its date] thirty days from its date and in the case of a mental defective or an epileptic within six months of its date.

(e) No order shall authorize the commitment of a mental defective inebriate or epileptic unless the superintendent or trustees of the institution to which the commitment is to be made shall approve.

(f) The order shall authorize the superintendent to detain the patient until he is removed in accordance with the provisions of this act.

### Section 329 Detention of Inebriate

When any inebriate is committed in accordance with this act he shall remain in the institution until the superintendent certifies to the court that care is no longer beneficial or necessary to the inebriate. The court which committed him shall then order his [discharge] release under such supervision and restriction as it may impose. No inebriate shall be detained for a period of more than one year.

### Section 330 Detention of Mental Defective After Reaching Majority

When any mentally defective person has been committed to any school by a juvenile court the superintendent shall have the authority to detain such person after he reaches the age of twenty-one years. Thereafter in the discretion of the superintendent such person may be discharged or allowed a leave of absence upon the order of a court of the county in which the commitment was made or on order of the department stating that the condition of the patient has been found by the department to be such as no longer to warrant detention as a mental defective.

### Section 331 Disposition of Person Committed for Observation Diagnosis and Treatment

(a) Whenever the court commits a person thought to be mentally ill to a hospital for observation diagnosis and treatment it shall make such commitment for a definite period not to exceed ninety days and with such limitations as it may direct.

\* \* \* \* \*

Section 10 Said act is hereby amended by adding after Section 332 thereof a new section to read as follows:

### Section 333 Commitment of Persons Not Charged With a Criminal Offense

A person not charged with a criminal offense who is believed to be mentally ill shall be committed to an institution in accordance with the provisions of this act.

Section 11 The subdivision heading of subdivision (d) subsection (b) of Section 341 Section 342 subsection (c) of Section 343 Sections 344 345 346 347 348 355 subsection (d) of Section 401 Sections 403 406 407 501 subsection (b) of Section 503 the first paragraph and clause (4) of Section 601 Sections 603 605 611 subsection (b) of Section 616 and Sections 701 702 and 719 of said act are hereby amended to read as follows:

(d) Commitment of [Criminals and] Persons Convicted or Charged with Crime Etc.

### Section 341 Commitment of Person Acquitted of Crime Because of Insanity

(b) The court before which any such person has been tried may order the commitment of such person to a mental hospital on its own initiative in accordance with the provisions of this act for the commitment of persons who have not been convicted of crime or who have not been charged with crime or upon the report of a commission or for observation diagnosis and treatment [in accordance with the provisions of this act for the commitment of persons who are not criminals or who have not been charged with crime].

### Section 342 Commitment of Person Charged with Crime

Whenever any person charged with crime upon production or appearance before the court appears to be mentally



ill or in need of care in a mental hospital the court shall designate a responsible person to apply for his commitment or for his commitment for observation treatment and diagnosis by order of such court in accordance with the provisions of this act for the commitment of persons who are not [criminals] convicted of crime or who have not been charged with crime

**Section 343 Commitment of Convicted Person in Lieu of Sentence After Report of Psychiatrist**

\* \* \* \* \*

(c) On the report of the examiner that the defendant is so mentally ill or defective that it is advisable for his welfare or the protection of the community that he be committed to other than a penal or correctional institution the court may commit him on a form prescribed by the department to a State institution for the care of such mental cases in lieu of sentence to a penal or correctional institution and direct his detention until further order of the court. If the examiner's report indicates no such mental illness or deficiency he shall be sentenced as in other cases

\* \* \* \* \*

**Section 344 Petition for Commitment of Prisoner or Persons Released on Bail**

(a) Petition for the commitment of

(1) Any person detained in any penal or correctional institution who is thought to be mentally ill or in such condition that he requires care in a mental hospital or who is thought to be a mental defective [or epileptic]

(2) Any person charged with a crime and released on bail pending trial who is thought to be mentally ill or a mental defective [or epileptic] may be made to the court under the order of which such person is detained or which has jurisdiction of the charge

(b) The application shall be in writing on a form prescribed by the department. It may be made by counsel for the prisoner or the superintendent warden jail physician or other executive officer of the institution in which the person sought to be committed is detained or by any responsible person whether or not he is connected with such institution

(c) No application shall be made for the commitment of any mental defective convicted of first degree murder

**Section 345 Examination of Prisoner etc by Physicians or Commission Hearing Commitment**

[ (a) Upon receipt of an application the court shall order an examination of the person sought to be committed by two qualified physicians or a commission. The physicians or commission shall report to the court on such examination and shall state whether the person is of criminal tendency. The report by physicians shall be by certificate and by a commission as in other cases under this act

(b) The court may hold a hearing summon other witnesses and secure further evidence subsequent to receipt of the report of such examination

(c) If the court is satisfied that the person sought to be committed is mentally ill mentally defective or epileptic it shall order the commitment or transfer of such person to a mental hospital or an institution for mental defectives. If the person is undergoing sentence or is found to have a criminal tendency the commitment shall be to a State hospital for the criminal insane. (a) Within ten days of the receipt of an application for commitment the clerk of court shall cause to be served written notice of the filing of the application on the prisoner's counsel if he has any and on his nearest available relative or in the absence of such his nearest available friend and shall endorse on the application the names of those notified. Thereupon the court shall order an examination of the person sought to be committed by two qualified physicians or a commission. Notice of the time and place of the psychiatric examination shall be given to the persons whose names are endorsed on the application by the clerk of court as aforesaid

(b) If the court is satisfied that the person sought to be committed is mentally ill or mentally defective notice of the fact shall be given to counsel if he has any and to his nearest available relative or in the absence of such

his nearest available friend who shall be given opportunity to be heard

(c) If no hearing is requested by those notified as aforesaid the court may nevertheless hold a hearing summon other witnesses and secure further evidence subsequent to receipt of the report of such examination

(d) If the court is satisfied that the person sought to be committed is mentally ill or mentally defective it shall order the commitment or transfer of such person to a mental hospital or an institution for mental defectives. If the person is undergoing sentence or is found to have a criminal tendency the commitment shall be to a State hospital for patients convicted of crime charged with crime or with criminal tendencies

**Section 346 Deportation of [Criminals] Persons Convicted of Crime**

Whenever any person is detained in a mental hospital after having been charged with or convicted of crime and is subject to deportation from the Commonwealth under the laws of the United States the court committing such person to the mental hospital upon the petition of the superintendent of such hospital or the department may enter an order directed to the superintendent to release such person from detention into the custody of an agent of the United States for the purpose of deportation

**Section 347 Effect of Commitment on Pending Criminal Proceedings**

If any person is committed while awaiting indictment or trial or has been arraigned or is being tried proceedings against him shall be stayed until his recovery or sufficient improvement of condition. Upon his recovery or sufficient improvement of condition if he was previously confined in a penal or correctional institution he shall be returned upon proper order of the court to the penal or correctional institution from which he was transferred for the disposition of the charges against him. If he was committed before trial he shall be returned to the court having jurisdiction of him for trial or such other disposition of such charges as the court may make

**Section 348 Effect of Commitment on [Criminal] Person Convicted of Crime Serving Sentence**

(a) If the person committed is a convict serving sentence the time during which he is committed as a patient shall be computed as part of the term for which he was sentenced

(b) If the person committed is a convict serving sentence and such sentence expires before his recovery or sufficient improvement of condition the department may transfer him to any other institution for care until his recovery or sufficient improvement of condition when he shall be discharged

(c) If the person committed is a convict serving sentence and recovers or sufficient improvement in condition results before the expiration of his sentence or is found after observation not to be mentally ill mentally defective or epileptic the superintendent of the institution to which he has been committed shall certify such fact to the committing court and he shall be returned on the order of such court to the penal or correctional institution from which he was transferred

**Section 353 Commitment of Veteran to United States Veterans' Hospital**

Whenever it appears that any person sought to be committed is (1) mentally ill epileptic or mentally defective (2) a veteran of any war military occupation or expedition (3) eligible for treatment in a United States Veterans' Hospital and (4) commitment to such hospital is necessary for his proper care the court may commit him to a United States Veterans' Hospital upon receipt of a certificate of eligibility from the United States Veterans' Administration

**Section 355 When Person Liable for Another's Detention**

No verdict or judgment shall be entered in any action or indictment against any person who is subject to the provisions of this act and who has complied with its requirements for the detention of any person as a patient in any institution [without compliance with this act] unless the court after trial and verdict certifies that there was



proof that the person charged acted with gross negligence or corruptly or without reasonable or probable cause or was actuated by motives other than the good of the person restrained

#### Section 401 Transfer from One Institution to Another

(d) [A voluntary patient may be transferred only if the patient has consented in writing to such transfer] Voluntary applications are not transferable but such patients may enter another institution by making similar application

#### Section 403 Transfer of Patient Requiring Different Care

Whenever the superintendent of any institution finds that any patient therein needs care in an institution for patients of a different kind he shall report the facts relative to the patient to the department. The department may order that application be made for the admission of the patient to any proper institution by any of the procedures provided by this act for admission of patients to such institution. No such application shall be completed without notice to the patient's counsel if he is under sentence and has any and to his nearest available relative or friend.

#### Section 406 Determination of Residence by Department

Whenever any [indigent] patient is to be returned to the Commonwealth by the proper authorities of another State or whenever any patient is to be transferred by the department from one institution district to another the legal residence of the patient may be determined by the department and the commitment of such person shall be made in accordance with such determination. The determination of the department shall be binding unless and until changed by a court of competent jurisdiction.

#### Section 407 Transfer of Patient to United States Veterans' Hospital

Any veteran of any war military occupation or expedition who has been committed to an institution within the Commonwealth prior to the passage of this act who is eligible for treatment in a United States Veterans' Hospital and who is actually confined in an institution or on [parole] leave of absence may be transferred to a United States Veterans' Hospital [by order of the superintendent of the institution in which the veteran is confined or] by order of the department if such veteran is on [parole or in either case by order] leave of absence and in any case with approval of the court which committed the veteran.

#### Section 501 Escapes

[Any patient who escapes from an institution may be apprehended and returned thereto by any sheriff constable or police officer or by any officer or employee of the institution at the expense of the institution] (a) Whenever any patient who may be dangerous to the safety of the public or himself escapes from an institution it shall be the duty of the superintendent to promptly notify local county and state law enforcement officers.

(b) Upon receipt of such notice it shall be the duty of the local county and state law enforcement officers to direct an officer to apprehend the escapee. If after three months has elapsed the patient has not been apprehended it shall be the duty of the district attorney to promptly file with the Department of Welfare on forms provided for that purpose a statement showing what efforts have been made to apprehend the patient.

(c) Any patient who escapes from an institution may be apprehended and returned thereto by any sheriff constable or police officer or by any officer or employee of the institution.

#### Section 503 Warrant for Extradition Habeas Corpus Penalty

(b) No person so arrested shall be delivered to the agent of another State until he has been brought before a court of record and notified of the demand for his surrender and has had an opportunity to apply for a writ of habeas corpus [if he claims the right of the officer

who makes the arrest]. If such writ is applied for notice thereof and the time and place of hearing shall be given to the Attorney General or district attorney for the county in which the arrest is made. Pending the determination of the court on the application for the writ the person shall be detained in custody in a suitable institution.

#### Section 601 Discharge by Trustees and Superintendents

[(a)] The trustees of any institution or the superintendent [when given authority by the trustees] may discharge any patient from the institution if in their or his opinion no harm will arise from the action. No patient shall be discharged until notice of the action has been given to the Department of Revenue. The following patients shall not be discharged:

(4) A mental defective or inebriate committed by order of court without the recommendation of the chief medical officer in charge and an order of the court or an order of the department stating that the condition of the patient has been found by the department to be such as no longer to warrant detention as a mental defective or inebriate. The provisions of this clause do not apply to a person discharged by lapse of time from leave of absence or escape or to an inebriate who has been under hospital care for one year.

#### Section 603 Discharge by Department

The department may in its discretion order and compel the discharge from any institution of any patient except a [criminal] person convicted of crime and under sentence or a person charged with any crime and acquitted on the ground of insanity. Before issuing such order the department shall give due notice to the trustees or superintendent of the institution wherein the patient is under care and to the person at whose instance the said patient is detained and shall give reasonable opportunity to such trustees or superintendent and person to justify further detention of the said patient.

#### Section 605 Discharge by Lapse of Time

(a) Any patient except a [criminal] person convicted of crime and under sentence or one charged with crime and acquitted on the ground of insanity who has been continuously absent with or without leave for a period of twelve months from the institution in which he was under care shall be deemed to be discharged therefrom and cannot be readmitted except as provided by this act for admission or commitment.

(b) The provisions of this section shall not apply to a mental defective or epileptic who is on indefinite leave of absence when away from the institution. Unless formally discharged such mental defective or epileptic may be returned to the institution without a new commitment.

#### Section 611 Leaves of Absence

(a) The superintendent of any institution in his discretion may allow a leave of absence to any patient whose condition is such as to warrant the action for a period not exceeding twelve months and upon such conditions as he may prescribe not inconsistent with the provisions for discharge of patients as provided in this act.

(b) Leaves of absence may be terminated by the superintendent who may if necessary authorize the apprehension and return of the patient by any sheriff constable or police officer who shall apprehend and return the patient.

(c) The superintendent of any institution upon medical revaluation may extend such leave of absence annually not to exceed a total continuous absence of thirty-six months if he finds prior to the expiration of each allowance that the welfare of the patient warrants such action.

(d) The limitations of this section shall not apply to mental defectives or epileptics who may be allowed indefinite leave of absence.

#### Section 616 Boarding Out of Patients

(b) Such patients shall be considered remaining inmates of the State institution and shall be considered as



on [parole] leave of absence subject to return should the condition of the patient or other circumstances in the opinion of the superintendent and the trustees make such return necessary

\* \* \* \* \*

#### Section 701 Liability for Costs of Care of Patient

Except as otherwise specifically provided in this act liability for all costs of care of any patient in any State institution is hereby imposed in the following order against

- (1) The patient's real and personal property
- (2) The persons liable for the patient's support
- (3) The Commonwealth or in the case of an inebriate the county or institution district in which he resides

#### Section 702 Liability for Costs of Care of Patients Convicted [Criminal Patient] of Crime Undergoing Sentence

(a) Liability for all costs of care of any [convicted criminal] patients convicted of crime undergoing sentence prior to the expiration of the term of such sentence is hereby imposed in the following order against

- (1) The county in which such patient was convicted
- (2) Such patient's real and personal property
- (3) The persons liable for such patient's support
- (b) Any county paying any costs may recover the same from the patient's estate or the persons liable for his support but not from the institution district of his residence

#### Section 719 Patient Detained for Temporary or Emergency Care Payment of Costs

(a) [Costs of admission of any person admitted to an institution for temporary care shall include those for his maintenance during the temporary period and removal if he is removed during the period. The person applying for temporary detention shall be liable for the costs]

(b) When any patient admitted for temporary care is committed the costs of the commitment shall include the expenses incident to his admission for temporary care. The applicant for the admission of any patient for temporary or emergency care shall be liable for the costs of his admission and of his subsequent commitment if any. Otherwise provisions under Section 718 may be applied

(b) Where the applicant is liable for the costs of admission for temporary or emergency care such costs shall include those for his maintenance during the temporary period and for removal if he is removed during the period

#### Section 12 Section 720 of said act is hereby repealed

Section 13 Section 737 of said act is hereby amended to read as follows

#### Section 737 Payment of Traveling Expenses of Certain Patients Discharged

If any patient in an institution is ordered by the department to be discharged and such patient and the persons liable for his support are financially unable to pay the costs relating to discharge the superintendent of the institution shall pay his traveling expenses to his home [The institution shall be reimbursed by the Commonwealth from current appropriations]

#### Section 14 Section 742 of said act is hereby repealed

Section 15 Clauses (1) (5) and (6) of section 801 of said act are hereby amended to read as follows

#### Section 801 Rights of Patient

Every patient in any institution shall have the right

(1) To communicate with and to be alone at any interview with his counsel or representative of the department and to send sealed communications to the superintendent the department the court if any which committed him and the Governor

\* \* \* \* \*

(5) To be furnished with writing materials and reasonable opportunity in the discretion of the superintendent for communicating [under seal] with any person outside of the institution. Communications shall be stamped and mailed

(6) To be [discharged] released as soon as he is restored to [reason] mental health and competent to manage his own affairs

\* \* \* \* \*

Section 16 Said act is hereby amended by adding after section 801 thereof a new section to read as follows

#### Section 801.1 Mechanical Restraints

Mechanical restraints shall not be applied to a patient unless it is determined by the superintendent or his designee to be required by the medical needs of the patient. Every use of mechanical restraint shall be made a part of the clinical record of the patient under the signature of the responsible physician

Section 17 Sections 802 804 811 and 821 of said act are hereby amended to read as follows

#### Section 802 Habeas Corpus

(a) Any patient or person acting on his behalf may petition any court for a writ of habeas corpus on the grounds that the patient is unjustly deprived of his liberty. The petition shall be in writing and shall be sworn to or affirmed

(b) On the petition the court shall issue a writ of habeas corpus requiring the patient to be brought before the court for a [public] hearing where the question of his mental illness deficiency epilepsy or inebriety may be determined. The burden of proof shall rest upon the person responsible for his [admission or commitment] continued hospitalization

#### Section 804 Employment of Patients

(a) [All inmates of any institution which is wholly or in part maintained by the Commonwealth may make manufacture or produce supplies manufactured articles goods and products for the institution or for the Commonwealth or for any political subdivision or any State institution or any educational or charitable institution receiving aid from the Commonwealth]

(b) All the manufactured goods manufactured in institutions shall bear a stamp giving the full name or title of the institution wherein the goods were manufactured

(c) Supplies manufactured articles goods and products so made manufactured or produced may be sold or exchanged to or with the Commonwealth or any political subdivision or any State institution or any educational or charitable institution receiving aid from the Commonwealth. In the case of State institutions the proceeds of any sales of products shall be collected by the Department of Revenue to be by it transmitted to the State Treasurer. Each board of trustees shall keep an accurate record of the dates quantities and prices of all sales made hereunder which record shall at all times be subject to examination and audit by the Auditor General

(d) Any trustee or superintendent or other person connected with the management or control of any institution who violates any of the provisions of this section by permitting any supplies manufactured articles goods or products to be sold or exchanged in any other way except as herein provided shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than five hundred dollars (\$500). All able-bodied patients of any institution which is wholly or in part maintained by the Commonwealth shall be given opportunity to participate in gainful occupational activities for purposes of rehabilitation of their physical and mental health. These activities may include employment without formal compensation in the maintenance of the institution but in any case under medical selection and supervision

(b) Participation of patients in institutional industrial employment shall not exceed the customary number of hours required for similar employment in the local community

(c) Occupational therapy workshops shall be provided for patients apart from those shops required for institutional maintenance

(d) Appropriate educational facilities shall be provided in all institutional units for the care of children

(e) Each patient in the discretion of the superintendent shall have opportunity to participate in suitable recreational activities

(f) Certain gratuity grants may be awarded patients who participate in institutional employment but these shall not be considered as payment for services rendered

(g) In the discretion of the superintendent and as



otherwise provided for in this act a patient may realize pecuniary returns on the products of his individual skill and labor provided he reimburse the workshop fund for materials obtained if any

#### Section 811 Statement of Officer of Institution as to Condition of Patient

Whenever the superintendent or any physician [or psychiatrist] of any State-owned mental hospital or manager of a veterans' administration hospital is required to appear and testify before any court or commission issued out of such court in a civil proceeding relating to the mental condition of any patient in his charge in such hospital the deposition of or sworn statement by such superintendent manager physician [or psychiatrist] may be admissible in evidence as to the condition of the patient in lieu of the appearance and testimony of the superintendent manager physician [or psychiatrist] in court or before a commission unless by special order the court directs and requires the appearance and testimony in person of such superintendent manager physician [or psychiatrist]

#### Section 821 Penalty for Furnishing Liquor

Any person who delivers or causes to be delivered any alcoholic or other intoxicating or narcotic substance to any patient in any institution or [psychopathic] psychiatric department or ward of a general hospital without the knowledge or consent of the superintendent thereof is guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not to exceed [fifty dollars (\$50)] one thousand dollars (\$1000) or to undergo imprisonment not to exceed [three months] one year or both

Section 18 Said act is hereby amended by adding after section 822 thereof two new sections to read as follows

#### Section 823 Penalty for Aiding Escape

Any person who shall aid or assist any patient lawfully admitted to any institution to make or attempt to make his escape therefrom or shall connive in any way at such escape or attempt at escape although no escape has been actually made is guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not to exceed one year or both

#### Section 824 Unwarranted Hospitalization or Denial of Rights Penalties

Any person corporation partnership or association who wilfully causes or conspires with or assist another to cause (1) the unwarranted hospitalization of any individual under the provisions of this act or (2) the denial to any individual of any of the rights accorded to him under the provisions of this act shall be punished by a fine not exceeding one thousand dollars (\$1000) or imprisonment not exceeding one year or both If the violation shall be by a corporation partnership or association the officers and directors of such corporation or the members of such partnership or association its agents and employes with knowledge of the violation of the statement shall also be guilty of a misdemeanor and upon conviction thereof shall be punished as hereinbefore provided

Section 19 Subsection (c) of section 901 of said act is hereby amended to read as follows

#### Section 901 Petition for Appointment of a Guardian of the Person

(c) The person for whom the guardian is requested shall be present at the hearing unless the court is satisfied by the presentation of positive testimony that he cannot be brought into court with safety [to himself] and convenience to his physical or mental condition or to others or to property

Section 20 Section 902 of said act is hereby repealed

Section 21 Subsection (a) of section 903 of said act is hereby amended to read as follows

#### Section 903 Appointment of Guardian Exclusiveness

(a) If the court finds after hearing [or trial] that the appointment of a guardian of the person is necessary for the safety and well-being of the person in whose interest the petition has been presented it shall appoint a guardian

\* \* \* \*

Section 22 The provisions of this act shall become ef-

fective the first day of January one thousand nine hundred fifty-two

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—206

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarraff,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenshield,	Mihm,	Snider,
Bombberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Brelsch,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendening,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varner,
Dalrymple,	Kline,	Penglass,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
DuBols,	Kubacki,	Pichney,	Weidner,
Duffy,	Lederer,	Pitzer,	Welsh,
Dunn,	Leisey,	Polaski,	Wescott,
Erb,	Leonard, L.,	Polen,	Westrick,
Ewing,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leven,	Price, R. A.,	Wheeler,
Ferster,	Light,	Readinger,	White,
Filip,	Limper,	Reagan,	Williams,
Filo,	Loftus,	Reese,	Wilt,
Firmstone,	Lopresti,	Reidenbach,	Wood,
Flack,	Lovett,	Reilly, J. M.,	Yeakel,
Frost,	Lut.,	Rigby,	Yester,
Gaffney,	Lyons,	Riley, R. L.,	Yetzer,
Geer,	Madden,	Robertson,	Young,
Gibson,	Madigan,	Rose,	Ziegler,
Gleason,	Markley,	Rosen,	Sorg,
Good,		Rovansek,	Speaker

#### NAYS—0

#### NOT VOTING—1

Lafore,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1546, as follows:

An Act to amend Section 504 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public



school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further regulating the operation and maintenance of cafeterias by boards of school directors

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 504 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws thereto" is hereby amended to read as follows

Section 504 Cafeterias The board of school directors in any school district shall have power to establish equip maintain and operate cafeterias in any of the schools under its jurisdiction whenever in its judgment it is deemed advisable to do so and shall have power to appoint such directors supervisors or other employees as are necessary and [fix] set and pay their salaries

The cost of housing [and] equipping and operating such cafeterias may be charged against the funds of the school district

The food served shall be sold to the pupils teachers and school employes of the cafeterias at such price as will not materially exceed the cost of operation [and will pay the cost of maintaining the cafeterias]

It shall be legal for boards of school directors to authorize the proper school employe to purchase perishable food supplies for cafeterias without [advertisements] advertising for bids

There shall be a separate cafeteria fund and all payments from said fund shall be made upon a special order drawn by the school employe authorized to purchase food supplies Said employe shall present each month to the board of directors for approval a statement of receipts and expenditures

The accounts shall be subject to [audit] examination by the auditors of the school district in like manner as other accounts of the school district [are audited] Any balance of funds accruing from the operation of the cafeteria must be used only for the improvement or maintenance of the cafeteria and may not be used for other purposes

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—205

Amarando,	Goodling,	Maxwell,	Royer,
Banker,	Graybill,	Mazza,	Rubin,
Barkdoll,	Greenwood,	McConnell,	Sarra,
Baumunk,	Greer,	McCormack,	Sax,
Bear,	Guarnieri,	McCullough,	Scanlon,
Beaver,	Gutendorf,	McDermitt,	Schmidt,
Beech,	Guthrie,	McGee,	Schuster,
Berkstresser,	Hagerty,	McInroy,	Scott,
Blair,	Hall,	McKinney,	Seyler,
Bloom,	Hamilton, R. K.,	McMillen,	Shoemaker,
Boles,	Hamilton, W. H.	McNally,	Shotwell,
Bolton,	Harney,	Metz,	Smith,
Bomberger,	Haudenschild,	Mihm,	Snider,
Boorse,	Headlee,	Mikula,	Sollenberger,
Bower,	Helm,	Miller, H. G.,	Spencer,
Breisch,	Hersch,	Miller, J. C.,	Stank,
Breth,	Hewitt,	Mills,	Stimmel,
Brown,	Hocker,	Mintess,	Stoner,
Bucchiñ,	Hoggard,	Monroe,	Swartz,
Byrne,	Hunter,	Moore, C. E.,	Swope,
Cella,	Jenkins,	Moore, H. A.,	Tahl,
Clapper,	Johnson,	Moran,	Taylor,
Clendening,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Cochran,	Jones, J. M.,	Munley,	Thompson, R. L.,

Conway,	Jones, P. F.,	Murray,	Tell,
Cooper,	Jones, T. H. W.,	Musto,	Tompkins,
Corr,	Jump,	Najaka,	Toomey,
Costa,	Kamyk,	Naugle,	VanSant,
Coyle,	Keller,	Needham,	Varallo,
Dairymple,	Kent,	Olsen,	Varnar,
Davis,	Kline,	Penglease,	Verona,
Dennison,	Kohl,	Peta,	Wachhaus,
Dougherty,	Kolankiewicz,	Petrosky,	Wargo,
Dowling,	Kornick,	Pettigrew,	Waterhouse,
DuBois,	Kratz,	Pfaff,	Watkins,
Duffy,	Kubacki,	Pichney,	Weidner,
Dunn,	Lederer,	Pitzer,	Welsh,
Erb,	Leisey,	Polaski,	Wescott,
Ewing,	Leonard, L.,	Polen,	Westrick,
Fenrich,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley,
Ferster,	Leven,	Price, R. A.,	Wheeler,
Filip,	Light,	Readinger,	White,
Filo,	Limper,	Reagan,	Williams,
Firmstone,	Loftus,	Reese,	Wilt,
Flack,	Lopresti,	Reidenbach,	Wood,
Frost,	Lovett,	Reilly, J. M.,	Yeakel,
Gaffney,	Lutty,	Rigby,	Yester,
Geer,	Lyons,	Riley, R. L.,	Yetzer,
Gibson,	Madden,	Robertson,	Young,
Gleason,	Madigan,	Rose,	Ziegler,
Good,	Markley,	Rosen,	Sorg,
		Rovansek,	Speaker

## NAYS—1

## NOT VOTING—1

Andrews,

Lafore,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1553, as follows:

An Act to further amend section twenty-seven of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 748) entitled as amended "An act relating to and regulating the purchase and sale of securities providing for the registration and regulation of certain individuals and entities selling contracting to sell or dispose of attempting or offering to dispose of soliciting offers to buy or inducing holders thereof to exchange securities defined herein including securities issued by them or engaging in the business of inducing holders of securities to effect the sale thereof in order to produce funds to pay for other investments sold by them or in the business of buying securities directly from individuals who are not registered hereunder or in the business of advising others as to the value or investment qualifications of securities and the management of investment accounts and the solicitors of such investment advisers providing for the revocation and suspension of registrations conferring powers and imposing duties on the Pennsylvania Securities Commission and otherwise providing for the administration of this act providing for appeals to the Court of Common Pleas of Dauphin County and to the Supreme Court of Pennsylvania conferring jurisdiction upon the several courts of common pleas to issue injunctions against violations of this act and to appoint receivers and prescribing fees and penalties" by increasing the fees charged by the Pennsylvania Securities Commission

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section twenty-seven of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 748) entitled as amended "An act relating to and regulating the purchase and sale of securities providing for the registration and regulation of certain individuals and entities selling contracting to sell or dispose of attempting or offering to dispose of soliciting offers



to buy or inducing holders thereof to exchange securities defined herein including securities issued by them or engaging in the business of inducing holders of securities to effect the sale thereof in order to produce funds to pay for other investments sold by them or in the business of buying securities directly from individuals who are not registered hereunder or in the business of advising others as to the value or investment qualifications of securities and the management of investment accounts and the solicitors of such investment advisers providing for the revocation and suspension of registrations conferring powers and imposing duties on the Pennsylvania Securities Commission and otherwise providing for the administration of this act providing for appeals to the Court of Common Pleas of Dauphin County and to the Supreme Court of Pennsylvania conferring jurisdiction upon the several courts of common pleas to issue injunctions against violations of this act and to appoint receivers and prescribing fees and penalties" as reenacted and amended by the act approved the tenth day of July one thousand nine hundred forty-one (P. L. 317) is hereby further amended to read as follows

Section 27 The commission shall charge and collect the following fees and shall daily pay all fees received into the State Treasury through the Department of Revenue

(a) For the filing of any original or renewal application the sum of ten dollars (\$10)

(b) For each registration certificate of a dealer or investment adviser whether on an original or a renewal application [forty dollars (\$40)] sixty dollars (\$60) except as hereinafter provided

(c) For each registration certificate of a salesman or solicitor whether on an original or renewal application [ten dollars (\$10)] fifteen dollars (\$15)

(d) For each registration certificate of a dealer or investment adviser issued after the thirtieth day of June of any year [twenty dollars (\$20)] thirty dollars (\$30)

(e) For each amended registration certificate twenty dollars (\$20)

(f) For the filing of a notice of a proposed change in a dealer's or investment adviser's plan of business twenty dollars (\$20)

(g) For each duplicate of a registration certificate of a dealer or investment adviser twenty dollars (\$20)

(h) For each duplicate of an amended registration certificate of a dealer or investment adviser five dollars (\$5)

For copies of any papers filed in the office of the commission or for the certification thereof for transcripts of testimony taken at hearings before the commission for the preparation of records of proceedings before the commission and for issuing subpoenas and summons the commission shall charge such fees as it shall by general rule or regulation prescribe Provided however That the provisions of this section shall not prohibit the commission from issuing free of charge copies of records to other states or to the United States or any of their agencies

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—205

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarraf,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,

Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenshield,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Brelsch,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintees,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendening,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varner,
Dairymple,	Kilne,	Penglase,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
Duffy,	Kubacki,	Pichney,	Weldner,
Dunn,	Lederer,	Pitzer,	Welsh,
Erb,	Lelsey,	Polaski,	Wescott,
Ewing,	Leonard, L.,	Polen,	Westrick,
Fenrich,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley,
Ferster,	Leven,	Price, R. A.,	Wheeler,
Fillip,	Light,	Readinger,	White,
Filo,	Limper,	Reagan,	Williams,
Firmstone,	Loftus,	Reese,	Wilt,
Flack,	Lopresti,	Reidenbach,	Wood,
Frost,	Lovett,	Reilly, J. M.,	Yeakel,
Gaffney,	Lutty,	Rigby,	Yester,
Geer,	Lyons,	Riley, R. L.,	Yetzer,
Gibson,	Madden,	Robertson,	Young,
Gleason,	Madigan,	Rose,	Ziegler,
Good,	Markley,	Rosen,	Sorg,
		Rovansek,	Speaker

NAYS—1

NOT VOTING—1

DuBois,

Lafore,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

### PARLIAMENTARY INQUIRY

Mr. ANDREWS. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. ANDREWS. Mr. Speaker, is it too late to be recorded as voting against House Bill No. 1546, Printer's No. 902?

The SPEAKER. For the information of the gentleman, by unanimous consent of the House the gentleman may be recorded in the negative.

Mr. ANDREWS. Mr. Speaker, had I been sufficiently alert I would have voted against that bill.

The SPEAKER. Will the House give its unanimous consent to permit the gentleman from Cambria, Mr. Andrews to be recorded in the negative on House Bill No. 1546, Printer's No. 902?

Mr. ANDREWS. Mr. Speaker, am I to be permitted to explain the reasons why I would have voted against it?

The SPEAKER. Without objections the gentleman will proceed.

Mr. ANDREWS. Mr. Speaker, the bill substitutes for "audit" in the case of cafeteria books the word "examination." I believe that substitution is in the wrong direction,



that the audit should be an audit rather than an examination.

Mr. SPEAKER. Without objections the gentleman will be recorded on the negative roll on House Bill 1546, Printer's Number 902.

The reason stated by the gentleman will be spread upon the record.

## BILLS ON THIRD READING

### BILL PASSED OVER

There being no objection

House Bill No. 1566, Printer's No. 767 and

House Bill No. 1580, Printer's No. 883

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1581, as follows:

An Act to amend the act approved the eleventh day of May one thousand nine hundred five (P. L. 518) entitled "An act making an appropriation for the erection of a home or school for indigent orphans to be called the Thaddeus Stevens Industrial and Reform School of Pennsylvania in which school provision shall be made for giving instruction in reading writing arithmetic drawing duties of citizenship elementary manual training the elements of farming and other requisite branches" by further providing for the course of instruction and the admission of students at such institution and authorizing certain tuition charges for its use The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 8 of the act approved the eleventh day of May one thousand nine hundred five (P. L. 518) entitled "An act making an appropriation for the erection of a home or school for indigent orphans to be called the Thaddeus Stevens Industrial and Reform School of Pennsylvania in which school provisions shall be made for giving instruction in reading writing arithmetic drawing duties of citizenship elementary manual training the elements of farming and other requisite branches" is hereby amended to read as follows

Section 8 There shall be received into the institution indigent [orphans'] orphan boys or other deserving boys from the State of Pennsylvania [under the age of fourteen] above the age of fifteen years whose admission may be applied for under such regulations as the Board of Trustees may adopt In considering such admission on preference shall be shown on account of race or color or religion [Proper provisions shall be made for giving instruction in reading writing arithmetic drawing duties of citizenship elementary manual training and the elements of farming and such other branches as may be deemed requisite for a good English education] The course of instruction shall be the equivalent of a four year public high school course and shall include (1) vocational education of less than college grade for the purpose of fitting pupils to pursue effectively a recognized profitable employment and (2) evening or other classes providing such instruction for persons seventeen years of age or over who have left full-time school

Section 2 Said act is hereby amended by adding after Section 8 thereof a new section to read as follows

Section 8.1 In addition to resident students the board of trustees may admit for study at the school part-time or full-time nonresident students and shall fix and charge tuition rates for such nonresident students All money collected as tuition by the institution shall be paid into the General Fund and credited to the appropriations made to the institution

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

### YEAS—206

Amarando.	Goodling.	Maxwell.	Royer.
Andrews.	Graybill.	Mazza.	Rubin.
Banker.	Greenwood.	McConnell.	Sarraf.
Barkdell.	Greer.	McCormack.	Sax.
Baumunk.	Guarnieri.	McCullough.	Scanlon.
Bear.	Gutendorf.	McDermitt.	Schmidt.
Beaver.	Guthrie.	McGee.	Schuster.
Beech.	Hagerty.	McInroy.	Scott.
Berkstresser.	Hall.	McKinney.	Seyler.
Blair.	Hamilton, R. K.	McMillen.	Shoemaker.
Bloom.	Hamilton, W. H.	McNally.	Shotwell.
Boles.	Harney.	Metz.	Smith.
Bolton.	Haudenshield.	Mihm.	Snider.
Bomberger.	Headlee.	Mikula.	Sollenberger.
Boorse.	Heim.	Miller, H. G.	Spencer.
Bower.	Hersch.	Miller, J. C.	Stank.
Brelsch.	Hewitt.	Mills.	Stimmel.
Breth.	Hocker.	Mintess.	Stoner.
Brown.	Hoggard.	Monroe.	Swartz.
Bucchin.	Hunter.	Moore, C. E.	Swope.
Byrne.	Jenkins.	Moore, H. A.	Tahl.
Cella.	Johnson.	Moran.	Taylor.
Clapper.	Jones, G. E.	Muldowney.	Thompson, E. F.
Clendenning.	Jones, J. M.	Munley.	Thompson, R. L.
Cochran.	Jones, P. F.	Murray.	Toll.
Conway.	Jones, T. H. W.	Musto.	Tompkins.
Cooper.	Jump.	Najaka.	Toomey.
Corr.	Kamyk.	Naugle.	VanSant.
Costa.	Keller.	Needham.	Varallo.
Coyle.	Kent.	Olsen.	Varnar.
Dalrymple.	Kline.	Penglase.	Verona.
Davis.	Kohl.	Peta.	Wachhaus.
Dennison.	Kolankiewicz.	Petrosky.	Wargo.
Dougherty.	Kornick.	Pettigrew.	Waterhouse.
Dowling.	Kratz.	Pfaff.	Watkins.
DuBois.	Kubacki.	Pichney.	Weidner.
Duffy.	Lederer.	Pitzer.	Welsh.
Dunn.	Lelsey.	Polaski.	Wescott.
Erb.	Leonard, L.	Polen.	Westrick.
Ewing.	Leonard, W. C.	Price, H. W. Jr.	Whalley.
Fenrich.	Leven.	Price, R. A.	Wheeler.
Ferster.	Light.	Readinger.	White.
Filip.	Limper.	Reagan.	Williams.
Filo.	Loftus.	Reese.	Wilt.
Firmstone.	Lopresti.	Reidenbach.	Wood.
Flack.	Lovett.	Reilly, J. M.	Yeakel.
Frost.	Lutty.	Rigby.	Yester.
Gaffney.	Lyons.	Riley, R. L.	Yetzer.
Geer.	Madden.	Robertson.	Young.
Gibson.	Madigan.	Rose.	Ziegler.
Gleason.	Markley.	Rosen.	Sorg.
Good.		Rovansek.	

Speaker

### NAYS—0

### NOT VOTING—1

Lafore.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

### BILL PASSED OVER

There being no objection

House Bill No. 1588, Printer's No. 885

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1589, as follows:

An Act to further amend Section 9 of the act approved the fifth day of July one thousand nine hundred forty-



seven (P. L. 1217) entitled 'An act to promote the education and educational facilities of the people of the Commonwealth of Pennsylvania creating a State Public School Building Authority as a body corporate and politic with power to construct improve and operate projects and to lease the same and to fix and collect fees rentals and charges for the use thereof authorizing school districts to enter into contracts to lease authorizing and regulating the issuance of bonds by said Authority and providing for the payment of such bonds and the rights of the holders thereof granting the right of eminent domain increasing the powers and duties of the Department of Public Instruction and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted under this act and making an appropriation to said Authority to pay expenses incident to its formation' by further providing for examination of the books and accounts of the Authority

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 9 of the act approved the fifth day of July one thousand nine hundred forty-seven (P. L. 1217) entitled "An act to promote the education and educational facilities of the people of the Commonwealth of Pennsylvania creating a State Public School Building Authority as a body corporate and politic with power to construct improve and operate projects and to lease the same and to fix and collect fees rentals and charges for the use thereof authorizing school districts to enter into contracts to lease authorizing and regulating the issuance of bonds by said Authority and providing for the payment of such bonds and the rights of the holders thereof granting the right of eminent domain increasing the powers and duties of the Department of Public Instruction and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted under this act and making an appropriation to said Authority to pay expenses incident to its formation" as amended by the act approved the twentieth day of April one thousand nine hundred forty-nine (P. L. 636) is hereby further amended to read as follows

Section 9 Moneys of the Authority All moneys of the Authority from whatever source derived shall be paid to the treasurer of the Authority Said moneys shall be deposited in the first instance by the treasurer in one or more banks or trust companies in one or more special accounts and each of such special accounts shall be continuously secured by a pledge of direct obligations of the United States of America or of the Commonwealth having an aggregate market value exclusive of accrued interest at all times at least equal to the balance on deposit in such account Such securities shall either be deposited with the treasurer or be held by a trustee or agent satisfactory to the Authority All banks and trust companies are authorized to give such security for such deposits The moneys in said accounts shall be paid out on the warrant or other order of the treasurer of the Authority or of other person or persons as it may authorize to execute such warrants or orders The Department of Revenue of the Commonwealth and its legally authorized representatives are hereby authorized and empowered from time to time to examine the accounts and books of the Authority including its receipts disbursements contracts leases sinking funds investments and any other matters relating to its finances operation and affairs In order to reimburse the General Fund appropriation to the Department of Revenue for costs incurred by the Department of Revenue in making such examination or examinations the Authority shall be billed by the Department of Revenue from time to time as such examination or examinations are made upon a cost basis at such amounts as the Department of Revenue with approval of the Executive Board shall determine and such amounts shall be paid by the Authority to the Department of Revenue and shall be by it paid into the General Fund of the State Treasury and credited to the General Fund appropriation of the Department of Revenue All moneys of the Authority from whatever

source derived except such part thereof as may be required to pay the administrative and other costs of operating the Authority as may be provided for in the resolution authorizing the issuance of the bonds or in the trust indenture shall be set aside at such regular intervals as may be provided in such resolution or such trust indenture in a sinking fund which is hereby pledge to and charged with the payment of (1) the interest upon such bonds as such interest shall fall due (2) the principal of the bonds as the same shall fall due (3) the necessary fiscal agency charges for paying principal and interest and (4) any premium upon bonds retired by call or purchase as herein provided The use and disposition of such sinking fund shall be subject to such regulations as may be provided in the resolution authorizing the issuance of bonds or in the trust indenture but except as may otherwise be provided in such resolution or trust indenture such sinking fund shall be a fund for the benefit of all bonds issued hereunder without distinction or priority of one over another Subject to the provisions of the resolutions authorizing the issuance of bonds or of the trust indenture any moneys in such sinking fund in excess of an amount equal to one year's interest on all bonds then outstanding may be applied to the purchase or redemption of bonds All bonds so purchased or redeemed shall forthwith be cancelled and shall not again be issued

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—206

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarraf,
Barkdoll,	Greer,	McCullough,	Sax,
Baumunk,	Guarnieri,	McCormack,	Scanlon,
Bear,	Gutendorf,	McDermit,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenshield,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Brelsich,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendening,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varner,
Dalrymple,	Kline,	Penglase,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
DuBois,	Kubacki,	Pichney,	Weidner,
Duffy,	Lederer,	Pitzer,	Welsh,
Dunn,	Lelsey,	Polaski,	Wescott,
Erb,	Leonard, L.,	Polen,	Westrick,
Ewing,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leven,	Price, R. A.,	Wheeler,
Ferster,	Light,	Readinger,	White,
Fillip,	Limper,	Reagan,	Williams,
Filo,	Loftus,	Reese,	Wilt,
Firmstone,	Lopresti,	Reidenbach,	Wood,
Flack,	Lovett,	Reilly, J. M.,	Yeakel,
Frost,	Lutty,	Rigby,	Yester,



Gaffney	Lyons,	Riley, R. L.	Yetzer,
Geer,	Madden,	Robertson.	Young,
Gibson.	Madigan,	Rose.	Ziegler.
Gleason.	Markley,	Rosen.	Sorg.
Good.		Rovansek.	Speaker

## NAYS—0

## NOT VOTING—1

Lafore,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

## BILL PASSED OVER

There being no objection,

House Bill No. 1597, Printer's No. 813, was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1599, as follows:

An Act providing for an expense allowance for members of the board of inspectors of the Berks County Prison  
The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The inspectors provided for in the act approved the eighth day of April one thousand eight hundred forty-eight (P. L. 399) entitled "An act relative to Berks County Prison and to discharged convicts" shall each receive the sum of five hundred dollars per annum to defray the expenses of their necessary attendance on the duties of their office

Section 2 The act approved the nineteenth day of June one thousand nine hundred eleven (P. L. 1070) entitled "A further supplement to an act entitled 'An act relative to Berks County Prison and to discharged convicts' approved the eighth day of April Anno Domini one thousand eight hundred and forty-eight" is hereby repealed

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—206

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarrafi,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenshield,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Brelsich,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendening,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,

Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varnar,
Dalrymple,	Kline,	Penglase,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
DuBols,	Kubacki,	Pichney,	Weldner,
Duffy,	Lederer,	Pitzer,	Welsh,
Dunn,	Lelsey,	Polaski,	Wescott,
Erb,	Leonard, L.,	Polen,	Westrick,
Ewing,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leven,	Price, R. A.,	Wheeler,
Ferster,	Light,	Readinger,	White,
Filip,	Limper,	Reagan,	Williams,
Filo,	Loftus,	Reese,	Wilt,
Firmstone,	Lopresti,	Reidenbach,	Wood,
Flack,	Lovett,	Reilly, J. M.,	Yeakel,
Frost,	Lutty,	Rigby,	Yester,
Gaffney,	Lyons,	Riley, R. L.,	Yetzer,
Geer,	Madden,	Robertson,	Young,
Gibson,	Madigan,	Rose,	Ziegler,
Gleason,	Markley,	Rosen,	Sorg,
Good,		Rovansek,	Speaker

## NAYS—0

## NOT VOTING—1

Lafore,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

## BILLS PASSED OVER

There being no objection

House Bill No. 1606, Printer's No. 893, and

House Bill No. 1607, Printer's No. 888,

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1637, as follows:

An Act to further amend sections two three and four of the act approved the eleventh day of June one thousand nine hundred thirty-five (P. L. 326) entitled "An act relating to counties of the first class defining deceased service persons providing for contributions by the county to the funeral expenses for such persons and their widows providing for the erection and care of markers headstones and flags and for the compilation of war records" by removing limitation regulating contributions made by county commissioners towards funeral expenses of deceased service persons and their widows  
The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections two three and four of the act approved the eleventh day of June one thousand nine hundred thirty-five (P. L. 326) entitled "An act relating to counties of the first class defining deceased service persons providing for contributions by the county to the funeral expenses for such persons and their widows providing for the erection and care of markers headstones and flags and for the compilation of war records" as last amended by the act approved the ninth day of May one thousand nine hundred forty-nine (P. L. 974) are hereby further amended to read as follow

Section 2 Sum to be Spent The county commissioners of any county of the first class of this State are hereby authorized and directed to contribute the sum of seventy-five dollars (\$75.00) towards the funeral expenses of each deceased service person in the cases enumerated below where in each case application therefor is made within one year after the date of his or her death [and where



the total expenses of the funeral does not exceed six hundred dollars (\$600)] Provided That in the case of any deceased service person who died while in the service application need not be made within one year after the date of his or her death but may be made at any time thereafter if the reason for the delay is satisfactory to the county commissioners Payment shall be made under the following circumstances

(1) Where the deceased service person at the time of his or her death had his or her legal residence in the county whether or not he or she died in the county and whether or not he or she was buried in the county It is hereby declared to be the intent of the General Assembly that every deceased service person having a legal residence in any county of the first class in this Commonwealth at the time of his or her death shall be entitled to the benefits of this section regardless of where he or she may have died or where he or she may be buried and that the liability therefore shall be on the county where such deceased service person shall have had his or her legal residence at the time of his or her death

(2) Where the deceased service person died and was buried in the county but at the time of his death did not have a legal residence within this Commonwealth if the county commissioners of the county where he died shall be notified in writing by any organization of veterans that the body is unclaimed by relatives or friends and upon investigation shall find such condition to exist

(3) When a deceased service person has died while a member of the Pennsylvania Soldiers' and Sailors' Home at Erie Pennsylvania and such home incurs all funeral expenses and buries such person in a cemetery in the City of Erie Pennsylvania or the home furnishes clothing casket and shipping case and ships the body to the county from which he was admitted to the home the county from which he was admitted shall reimburse and pay to the Pennsylvania Soldiers' and Sailors' Home the amount of seventy-five dollars (\$75.00) or so much thereof as was actually expended by such home

Section 3 Burial of Widows of Deceased Service Persons Upon due application and proof the county commissioners of such county are hereby authorized and directed to contribute the sum of seventy-five dollars (\$75.00) from the county funds towards the funeral expenses of any widow of any male deceased service person who at the time of her death had a legal residence in the county whether or not she died in the county and whether or not she was buried in the county Provided however That the county commissioners shall not contribute any moneys toward the funeral expenses of any such widow of a deceased service person who had remarried after the death of such deceased service person [nor where the total expense of any such funeral shall exceed six hundred dollars (\$600)] nor unless application for the payment of such moneys shall be made within one year after the date of the death of such widow of a deceased service person

Section 4 Payments It shall be the duty of the county commissioners of each such county in this State to draw a warrant upon the treasurer of their county in the sum of seventy-five dollars (\$75.00) for each body buried in accordance with the provisions of this act to be paid out of the funds of the county and such warrants shall be made payable to the applicant or applicants if the application shows that the funeral expenses have been paid otherwise to the undertaker performing the services with notice to the applicant

Applicant for such contribution shall be made by the personal representative of such deceased service person or deceased service person's widow if there be such personal representative if no such personal representative has qualified then by any next of kin individual or veterans' organization who or which assumes responsibility for the cost of burial of the body and shall be sustained by affidavit as to the facts

Such application shall be on forms prescribed by the Department of Military Affairs and shall set forth whether or not the funeral expenses have been paid The applica-

tion shall have attached thereto a certified copy of the death certificate and an affidavit by the undertaker who had charge of the burial of the body to the effect that the undertaker did render such service [and that the cost of burial did not exceed the sum of six hundred dollars (\$600)]

Section 2 The provisions of this act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. ANDREWS. Mr. Speaker, I would like to ask the sponsor of the bill how much this increases the cost of a funeral?

The SPEAKER. Will the gentleman from McKean, Mr. Johnson permit himself to be interrogated

Mr. JOHNSON. Mr. Speaker, I shall.

The SPEAKER. The gentleman will proceed.

Mr. JOHNSON. Mr. Speaker, in answer to that question I would say that it will not increase the cost of a funeral any. This merely removes the limitation, the six hundred dollar limitation that, is presently in the law.

Mr. ANDREWS. Mr. Speaker, if the limitation is wiped out, the sky would be the limit would not that be the case?

Mr. JOHNSON. Mr. Speaker, by way of answering Mr. Andrew's question, I would just say that early in the session a number of veteran's groups came to me and said they thought it would be very desirable to remove the six hundred dollar limitation that is in the law. At the present time a veteran will not receive—that is a veteran's widow or estate will not receive the seventy-five dollar funeral fund contribution from the county if the funeral exceeds six hundred dollars. It was pointed out to me that in almost every case the seventy-five dollars is being paid and it is merely an amendment to the bill to really give effect to a condition that prevails at the present time.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Andrews,	Goodling,	Maxwell,	Royer,
Amarando,	Graybill,	Mazza,	Rubin,
Banker,	Greer,	McConnell,	Sarraf,
Barkdoll,	Greenwood,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenshield,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Brelsch,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendening,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toil,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,



Corr.	Kamyk.	Naugle.	VanSant.
Costa.	Keller.	Needham.	Varallo.
Coyle.	Kent.	Olsen.	Varner.
Dalrymple.	Kline.	Penglase.	Verona.
Davis.	Kohl.	Peta.	Wachhaus.
Dennison.	Kolankiewicz.	Petrosky.	Wargo.
Dougherty.	Kornick.	Pettigrew.	Waterhouse.
Dowling.	Kratz.	Pfaff.	Watkins.
Duffy.	Kubacki.	Pichney.	Weidner.
Dunn.	Lederer.	Pitzer.	Welsh.
Erb.	Leisey.	Polaski.	Wescott.
Ewing.	Leonard, L.	Polen.	Westrick.
Fenrich.	Leonard, W. C.	Price, H. W. Jr.	Whalley.
Ferster.	Leven.	Price, R. A.	Wheeler.
Filip.	Light.	Readinger.	White.
Filo.	Limper.	Reagan.	Williams.
Firmstone.	Loftus.	Reese.	Wilt.
Flack.	Lopresti.	Reidenbach.	Wood.
Frost.	Lovett.	Reilly, J. M.	Yeaker.
Gaffney.	Lutty.	Rigby.	Yester.
Geer.	Lyons.	Riley, R. L.	Yetzer.
Gibson.	Madden.	Robertson.	Young.
Gleason.	Madigan.	Rose.	Ziegler.
Good.	Markley.	Rosen.	Sorg.
DuBois.		Rovansek.	Speaker

NAYS—0

NOT VOTING—1

Lafore.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1642, as follows:

An Act to further amend Sections 422 423 and 424 of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by removing limitation regulating contributions made by county commissioners towards funeral expenses of deceased service persons and their widows

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections 422 423 and 424 of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" as last amended by the act approved the ninth day of May one thousand nine hundred forty-nine (P. L. 912) are hereby further amended to read as follows

Section 422 Sum to Be Spent The county commissioners of each county are hereby authorized and directed to contribute the sum of seventy-five dollars (\$75) towards the funeral expenses of each deceased service person in the cases enumerated below where in each case application therefore is made within one year after the date of his or her death [and where the total expenses of the funeral does not exceed six hundred dollars (\$600)] Provided That in the case of any deceased service person who died while in the service application need not be made within one year after the date of his or her death but may be made at any time thereafter Payments shall be made under the following circumstances

(1) Where the deceased service person at the time of his or her death had his or her legal resident in the county whether or not he or she died in the county and whether or not he or she was buried in the county It is hereby declared to be the intent of the General Assembly that every deceased service person having a legal residence in this Commonwealth at the time of his or her

death shall be entitled to the benefits of this section regardless of where he or she may have died or where he or she may be buried and that the liability therefor shall be on the county where such deceased service person shall have had his or her legal residence at the time of his or her death

(2) Where the deceased service person died and was buried in the county but at the time of his or her death did not have a legal residence within this Commonwealth if the county commissioners of the county where he or she died shall be notified in writing by any organization of veterans that the body is unclaimed by relatives or friends and upon investigation shall find such conditions to exist

(3) When a deceased service person has died while a member of the Pennsylvania Soldiers' and Sailors' Home at Erie Pennsylvania and such home incurs all funeral expenses and buries the soldier in a cemetery in the City of Erie Pennsylvania or the home furnishes clothing casket and shipping case and ships the body to the county from which he was admitted to the home the county from which he was admitted shall reimburse and pay to the Pennsylvania Soldiers' and Sailors' Home the amount of seventy-five dollars (\$75.00) or so much thereof as was actually expended by such home

Section 423 Burial of Widows of Deceased Service Persons Upon due application and proof the county commissioners of each county are hereby authorized and directed to contribute the sum of seventy-five dollars (\$75.00) from the county funds towards the funeral expenses of any widow of any male deceased service person who at the time of her death had a legal residence in the county whether or not she died in the county and whether or not she was buried in the county Provided however That the county commissioners shall not contribute any moneys toward the funeral expenses of any such widow of a deceased service person who had remarried after the death of such deceased service person [nor where the total expense of any such funeral shall exceed six hundred dollars (\$600)] nor unless application for the payment of such moneys shall be made within one year after the date of the death of such widow of a deceased service person

Section 424 Payments It shall be the duty of the county commissioners of each county in this State to draw a warrant upon the treasurer of their county in the sum of seventy-five dollars (\$75.00) for each body buried in accordance with the provisions of this act to be paid out of the funds of the county and such warrants shall be made payable to the applicant or applicants if the application shows that the funeral expenses have been paid otherwise to the undertaker performing the services with notice to the applicant

Application for such contribution shall be made by the personal representative of such deceased service man or deceased service man's widow if there be such personal representative if no such personal representative has qualified then by any next of kin individual or veterans' organization who or which assumes responsibility for the cost of burial of the body and shall be sustained by affidavit as to the facts

Such application shall be on forms prescribed by the Department of Military Affairs and shall set forth whether or not the funeral expenses have been paid The application shall have attached thereto a certified copy of the death certificate and an affidavit by the undertaker who had charge of the burial of the body to the effect that the undertaker did render such service [and that the cost of burial did not exceed the sum of six hundred dollars (\$600)]

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?



Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—206

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarra,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenschild,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Breisch,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendening,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varnier,
Dalrymple,	Kline,	Penglase,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
DuBois,	Kubacki,	Pichney,	Welsh,
Duffy,	Lederer,	Pitzer,	Weldner,
Dunn,	Leisey,	Polaski,	Wescott,
Erb,	Leonard, L.,	Polen,	Westrick,
Ewing,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley,
Feurich,	Leven,	Price, R. A.,	Wheeler,
Ferster,	Light,	Readinger,	White,
Filip,	Limper,	Reagan,	Williams,
Flo,	Loftus,	Reese,	Wilt,
Firmstone,	Lopresti,	Reidenbach,	Wood,
Flack,	Lovett,	Reilly, J. M.,	Yeakel,
Frost,	Lutty,	Rigby,	Yester,
Gaffney,	Lyons,	Riley, R. L.,	Yetzer,
Geer,	Madden,	Robertson,	Young,
Gibson,	Madigan,	Rose,	Ziegler,
Gleason,	Markley,	Rosen,	Sorg,
Good,		Rovansek,	

## NAYS—0

## NOT VOTING—1

Lafore,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1643, entitled:

An Act fixing the fees and mileage of the coroner in counties of the sixth class

On the question,

Will the House agree to the bill on third reading?

Mr. ANDREWS. Mr. Speaker, I rise to inquire why coroners in sixth class counties should have their mileage fixed at fifteen cents a mile.

Mr. JOHNSON. Mr. Speaker, in answer to the gentle-

man's question I would say that this bill does not amend the present mileage for coroners. It is at the present time fifteen cents.

As I understand the bill, and as I requested to have it drafted, I am sure it provides merely that the viewing of the body has been increased from \$7.50 to \$10. That is the only increase in the bill. I believe the present law is fifteen cents.

Mr. ANDREWS. Will the gentleman let the bill go over until tomorrow until we have a chance to look into it?

Mr. JOHNSON. I will be glad to pass it over.

## BILL PASSED OVER

There being no objection

House Bill No. 1643, Printer's No. 894 was passed over at the request of Mr. ANDREWS.

## BILL PASSED OVER

There being no objection

Senate Bill No. 41, Printer's No. 285 was passed over at the request of Mr. READINGER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 191, as follows:

An Act to further amend Section 671 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing the change of the fiscal year by districts of the second class

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 671 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" as amended by the act approved the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1722) is hereby further amended to read as follows

Section 671 Fiscal Year In all school districts of the second third and fourth class the fiscal year shall begin on the first Monday of July in each year Provided That [in order to conform to the provisions of existing law requiring school taxes in cities of the second class A to be included in the same statement as taxes of political subdivisions which levy their taxes on the basis of the calendar year] the board of school directors of any district of the second class may by resolution adopted by two-thirds vote of the members thereof at a meeting of the board after not less than ten days' notice of the fact that such resolution would be presented for action at such meeting fix the fiscal year of such school district so as to begin on the first day of January in each year instead of on the first Monday of July as hereinabove provided

Section 2 The provisions of this act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and nays were taken and were as follows:

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas considered and agreed to.



## YEAS—206

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Masza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarraff,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenschild,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Breisch,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendenning,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varner,
Dalrymple,	Kline,	Penglase,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennisson,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
DuBois,	Kubacki,	Pichney,	Weidner,
Duffy,	Lederer,	Pitzer,	Welsh,
Dunn,	Lelsey,	Polaski,	Wescott,
Erb,	Leonard, L.,	Polen,	Westrick,
Ewing,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leven,	Price, R. A.,	Wheeler,
Ferster,	Light,	Readinger,	White,
Fillip,	Limper,	Reagan,	Williams,
Filo,	Loftus,	Reese,	Wilt,
Firmstone,	Lopresti,	Reidenbach,	Wood,
Flack,	Lovett,	Reilly, J. M.,	Yeakel,
Frost,	Lutty,	Rigby,	Yester,
Gaffney,	Lyons,	Riley, R. L.,	Yetzer,
Geer,	Madden,	Robertson,	Young,
Gibson,	Madigan,	Rose,	Ziegler,
Gleason,	Markley,	Rosen,	Sorg,
Good,		Rovansek,	Speaker

## NAYS—0

## NOT VOTING—1

Lafore,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

## BILL PASSED OVER

There being no objection

Senate Bill No. 708, Printer's No. 338 was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 723, as follows:

An Act to amend section 3 of the act approved the fifteenth day of June one thousand nine hundred thirty-nine (P. L. 359) entitled "An act relating to recognizances and official bonds of present and future sheriffs and coroners and to their sureties thereon imposing the expense of corporate suretyships on such obliga-

tions upon the several counties and various duties upon the courts of common pleas and county officers thereof authorizing the substitution of approved surety companies for individual or corporate sureties upon such obligations and the release of any surety upon any such recognizance by such court upon certain conditions dispensing with sureties on such recognizances but providing for the acknowledgement recording and indexing of same as liens on certain real estate regulating such liens and releases therefrom providing for refunds to sheriffs and coroners of certain premiums paid to sureties on their official bonds and recognizances and repealing inconsistent laws except as to existing claims or pending suits thereunder subject to certain limitations" by fixing the time the lien of such recognizances shall run including those heretofore executed

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 3 of the act approved the fifteenth day of June one thousand nine hundred thirty-nine (P. L. 359) entitled "An act relating to recognizances and official bonds of present and future sheriffs and coroners and to their sureties thereon imposing the expense of corporate suretyships on such obligations upon the several counties and various duties upon the courts of common pleas and county officers thereof authorizing the substitution of approved surety companies for individual or corporate sureties upon such obligations and the release of any surety upon any such recognizance by such court upon certain conditions dispensing with sureties on such recognizances but providing for the acknowledgment recording and indexing of same as liens on certain real estate regulating such liens and releases therefrom providing for refunds to sheriffs and coroners of certain premiums paid to sureties on their official bonds and recognizances and repealing inconsistent laws except as to existing claims or pending suits thereunder subject to certain limitations" is hereby amended to read as follows

Section 3 Every sheriff whether elected or appointed to fill a vacancy not including any coroner temporarily acting as sheriff and every coroner before he is commissioned or executes any duties of his respective office shall execute and duly acknowledge before the recorder of deeds of the proper county a proper recognizance without any surety to the Commonwealth of Pennsylvania for the faithful discharge of all his official duties in like amount as that of his official bond required by existing law and in a form containing like conditions as such bond which recognizance shall be immediately recorded in said county at the expense of said sheriff or coroner and when so recorded shall be transmitted to the Secretary of the Commonwealth with said recorder's certificate endorsed thereon of its having been duly recorded and with a reference to the place of record thereof Every such recognizance thereafter executed shall continue to be a lien on the real estate owned by the sheriff or coroner at the date of such acknowledgement for a period of six years that date Every recognizance heretofore executed by any sheriff or coroner shall continue to be a lien on the real estate owned by the sheriff or coroner at the time the recognizance was dated for a period of six years after that date but in every case where the period of six years has already expired the lien of such recognizance shall continue for a period of two years after the effective date of this amendment or to the end of the lien term fixed by law at the time the recognizance was executed whichever date shall first occur The Secretary of the Commonwealth shall have and keep the custody of every such recognizance and any copy thereof and of said endorsements certified to by said Secretary of the Commonwealth shall be competent evidence of the execution delivery and recording thereof in any judicial proceedings and may be relied upon by any public officer to the same extent as he original recognizance would be The proper recorder of deeds may also certify copies of such recognizance and the time and place of record thereof for like purposes upon receipt of his proper fees therefor according to existing laws Such recognizances or any duly certified copy thereof may likewise be recorded and indexed like a judgment in any



other county of this Commonwealth by any person or public officer upon payment of the usual fees to the recorder of deeds and prothonotary of such county respectively for the purpose of creating a lien on any real estate of the sheriff or coroner obligated thereby lying in such other county. It shall be the duty of the recorder of deeds of the county for which a sheriff or coroner is elected or appointed as soon as said sheriff or coroner is commissioned to certify the date amount and place of record of his recognizance with the name and address of said sheriff or coroner to the prothonotary of said county who shall enter such information upon his dockets and index the lien of such recognizance like a judgment obtained in the court of common pleas of said county. Every sheriff's or coroner's recognizance hereafter given shall inure to the benefit of any surety on his official bond entitled to subrogation to the rights of any person or corporation including any county intended to be benefited thereby injured by any official misconduct or neglect of the sheriff or coroner who executed such recognizance to the extent of any payments by such surety for any damages for which such sheriff or coroner may be held to be liable in any suit or proceedings against such sheriff or coroner on his official bond or recognizance. And a similar right of subrogation may be enforced with respect to any such recognizance heretofore given to the extent permitted by law or equity.

Section 2 All acts and parts of acts are hereby repealed in so far as they are inconsistent with the provisions of this act

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—206

Amarando,	Goodling,	Maxwell,
Andrews,	Graybill,	Mazza,
Banker,	Greenwood,	McConnell,
Barkdoll,	Greer,	McCormack,
Baumunk,	Guarnieri,	McCullough,
Bear,	Gutendorf,	McDermitt,
Beaver,	Guthrie,	McGee,
Beech,	Hagerty,	McInroy,
Berkstresser,	Hall,	McKinney,
Blair,	Hamilton, R. K.,	McMillen,
Bloom,	Hamilton, W. H.,	McNally,
Boles,	Harney,	Metz,
Bolton,	Haudenshield,	Mihm,
Bomberger,	Headlee,	Mikula,
Boorse,	Helm,	Miller, H. G.,
Bower,	Hersch,	Miller, J. C.,
Brelsich,	Hewitt,	Mills,
Breth,	Hocker,	Mintess,
Brown,	Hoggard,	Monroe,
Bucchin,	Hunter,	Moore, C. E.,
Byrne,	Jenkins,	Moore, H. A.,
Cella,	Johnson,	Moran,
Clapper,	Jones, G. E.,	Muldowney,
Clendening,	Jones, J. M.,	Munley,
Cochran,	Jones, P. F.,	Murray,
Conway,	Jones, T. H. W.,	Musto,
Cooper,	Jump,	Najaka,
Corr,	Kamyk,	Naugle,
Costa,	Keller,	Needham,
Coyle,	Kent,	Olsen,
Dalrymple,	Kline,	Penglase,
Davis,	Kohl,	Peta,
Dennison,	Kolankiewicz,	Petrosky,
Dougherty,	Kornick,	Pettigrew,
Dowling,	Kratz,	Praff,
DuBols,	Kubacki,	Pichney,
Duffy,	Lederer,	Pitzer,
Dunn,	Lelsey,	Polaski,
Erb,	Leonard, L.,	Polen,
Ewing,	Leonard, W. C.,	Price, H. W. Jr.,
Fenrich,	Leven,	Price, R. A.,
Ferster,	Light,	Readinger,
Filip,	Limper,	Reagan,
		Royer,
		Rubin,
		Sarrafi,
		Sax,
		Scanlon,
		Schmidt,
		Schuster,
		Scott,
		Seyler,
		Shoemaker,
		Shotwell,
		Smith,
		Snider,
		Sollenberger,
		Spencer,
		Stank,
		Stimmel,
		Stoner,
		Swartz,
		Swope,
		Tahl,
		Taylor,
		Thompson, E. F.,
		Thompson, R. L.,
		Toll,
		Tompkins,
		Toomey,
		VanSant,
		Varallo,
		Varner,
		Verona,
		Wachhaus,
		Wargo,
		Waterhouse,
		Watkins,
		Weidner,
		Welsh,
		Wescott,
		Westrick,
		Whalley,
		Wheeler,
		White,
		Williams,

Filo,	Loftus,	Reese,	Wilt,
Firmstone,	Lopresti,	Reidenbach,	Wood,
Flack,	Lovett,	Reilly, J. M.,	Yeakel,
Frost,	Lutty,	Rigby,	Yester,
Gaffney,	Lyons,	Riley, R. L.,	Yetzer,
Geer,	Madden,	Robertson,	Young,
Gibson,	Madigan,	Rose,	Ziegler,
Gleason,	Markley,	Rosen,	Sorg,
Good,		Rovanssek,	Speaker

NAYS—0

NOT VOTING—1

Lafore.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 752, as follows:

An Act to further amend the act approved the twenty-sixth day of June one thousand nine hundred thirty-one (P. L. 1379) entitled "An act creating in counties of the third class a board for the assessment and revision of taxes providing for the appointment of the members of such board by the county commissioners providing for their salaries payable by the county abolishing existing boards defining the powers and duties of such board regulating the assessment of persons property and occupations for county borough town township school and poor purposes authorizing the appointment of subordinate assessors a solicitor engineers and clerks providing for their compensation payable by such counties abolishing the office of ward borough and township assessors so far as the making of assessments and valuations for taxation is concerned and providing for the acceptance of this act by cities" by further regulating the assessment and valuation of property for local taxation purposes further defining the duties of subordinate assessors and the board changing the time for the preparation and inspection of the assessment roll and duplicate assessment roll notice of appeal and hearings on appeals prescribing duties of and fees to be collected by municipal officers who issue building permits imposing duties on taxables making improvements on land and grantees of land and prescribing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the twenty-sixth day of June one thousand nine hundred thirty-one (P. L. 1379) entitled "An act creating in counties of the third class a board for the assessment and revision of taxes providing for the appointment of the members of such board by the county commissioners providing for their salaries payable by the county abolishing existing boards defining the powers and duties of such board regulating the assessment of persons property and occupations for county borough town township school and poor purposes authorizing the appointment of subordinate assessors a solicitor engineers and clerks providing for their compensation payable by such counties abolishing the office of ward borough and township assessors so far as the making of assessments and valuations for taxation is concerned and providing for the acceptance of this act by cities" is hereby amended by adding after Section 5 thereof a new section to read as follows

Section 5.1 Before entering on the duties of his office each subordinate assessor shall take and subscribe the following oath or affirmation

"I.....do hereby (swear or affirm) that I will as assessor for ..... (district) use my utmost diligence to discover and ascertain all per-



sons and property made taxable by law and will perform to the best of my ability the duties imposed upon me by law and keep faith with trust reposed in me by the citizens of the community I serve"

A copy of the oath of assessor duly attested by an officer empowered to administer oaths shall be filed by the assessor with the board For the purpose of this section any member of the board shall be competent to administer the oath or affirmation

Section 2 Section 6 7 and 8 of said act as last amended by the act approved the twenty-sixth day of May one thousand nine hundred forty-nine (P. L. 1848) are hereby further amended to read as follows

Section 6 (a) The subordinate assessors shall make the annual assessment of all property and persons taxable upon occupations subject to assessment for taxation for aforesaid purposes together with a list of all persons subject to a school per capita tax or a poll tax within their respective districts and in so doing shall view all properties in their district taxable for said purposes and shall make a personal house to house canvass for their district in order that the lists of persons taxable upon occupation or subject to a school per capita tax or poll tax may be accurate and correct insofar as it is possible to make them

(b) They shall also gather and report to the board all data and information necessary to assess rate and value all subjects or objects of local taxation within their respective districts in accordance with the law and all lawful regulations prescribed by the board

(c) It shall be the duty of the subordinate assessors to assess rate and value all objects of taxation for all purposes according to the actual value thereof and at such rates and prices for which the same would separately bona fide sell or at such percentage thereof as the board shall fix by resolution The assessed value shall be based upon an established predetermined ratio which shall be fixed by resolution by the board not exceeding seventy-five per cent (75%) of its actual value or the price for which the same would separately bona fide sell in arriving at such value the price at which any property may actually have been sold shall be considered but shall not be controlling instead such selling price estimated or actual shall be subject to revision by increase or decrease to accomplish equalization with other similar property within the county when assessing real property they shall also take into consideration the value of such property as indicated by the use of cost charts and land values applied on the basis of zones and districts as well as the general adherence to the established predetermined ratio

(d) They shall also have and possess except as modified by this act the same powers and perform the same duties and be subject to the same liabilities as are now or shall hereafter be conferred or imposed upon borough ward town and township assessors with respect to making assessments and valuations for taxation purposes

(e) All such assessor who shall fail to make assessments and lists in the manner herein provided or who neglect or refuse to secure any information or data necessary for assessment purposes reasonably and properly requested by the board for assessment purposes shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars and in default of the payment of such fine and costs to undergo an imprisonment not exceeding ninety days

Section 7 The said board shall before the [fifteenth] first day of September examine and revise the said annual assessments and valuations increasing or decreasing the same as in their judgment may seem proper and shall add thereto and assess such property or persons taxable upon occupations as may have been omitted and may also add thereto the names of any persons subject to a school per capita tax or poll tax as may have been omitted

The board shall before the first day of [October] August prepare an assessment roll or list of persons and property subject to local taxation together with the value place upon each person each parcel or tract of real property and the personal property of each person The board

shall at the same time prepare a list of all property exempted by law from taxation

Section 8 (a) The assessment roll shall be open to public inspection at the office of the board at the county seat during ordinary business hours of each business day from the time of completion to and including the first day of [November] September Upon completion of the assessment roll the board shall give notice by publication once in one or more newspapers published in the county that such assessment roll has been completed and the place and times when such roll will be open for inspection and shall in the same notice state that any person desiring to appeal from any assessment shall file with the board appeal in writing designating the assessment appealed from

(b) Upon completion of the assessment roll but in no event later than the first day of [October] September the board shall cause to be mailed to each owner of property or person assessed the value of whose property or personal assessment has not theretofore been separately fixed or the value of whose property or personal assessment has been changed from that finally fixed in the preceding assessment roll at his last known address a notice of such change and the amount of the old assessment if the property or personal assessment was previously separately assessed and the amount of the new assessment Such notice shall state that any person aggrieved by any assessment may appeal to the board for trial by filing with the board on or before the first day of [November] September an appeal in writing designating the assessment or assessments by which such person is aggrieved and the address to which notice of the time and place for a hearing of the appeal shall be mailed

(c) Any person aggrieved by any assessment whether or not the value thereof shall have been changed since the preceding annual assessment may appeal to the board for relief Any person desiring to make an appeal shall on or before the first day of [November] September file with the board an appeal in writing setting forth

(1) The assessment or assessments by which such person feels aggrieved

(2) The address to which the board shall mail notice of the time and place of hearing

(d) On the first Monday of [November] September the board shall meet for the hearing of appeals and shall continue to meet for such purpose from time to time until all appeals have been heard and acted upon All appeals shall be heard and acted upon not later than the first day of [January] October The board shall notify each person who has filed an appeal of the time and place of hearing on said appeal by depositing such notice in the mail addressed to such person at the address designated in the appeal not later than the tenth day preceding the day designated in the notice for such appearance Any person who shall fail to appear for hearing at the time fixed shall be conclusively presumed to have abandoned his appeal

(e) When the board has completed the hearing of appeals and has in each case entered its order it shall make such changes in the assessment roll as will make it conform to such orders When such corrections have been made the board shall prepare three copies of the assessment roll and deliver them on or before the first day of December with its certificate that they are a true copy of the original assessment roll to the following

(1) One copy to the chief clerk of the county commissioners

(2) One copy of such portion of the roll as contains the assessment of persons or property within each school district to the secretary of the board of school directors of the respective school district and

(3) One copy of such portion of the roll as contains the assessment of persons or property within each city accepting the provisions of this act borough town or township to the respective city clerk borough secretary town clerk or secretary or township secretary All copies of such roll so furnished shall for all purposes be considered as originals The said copies in addition to the information required to be shown on the original assessment roll shall provide space to the right of each assessment for the



entry of all taxes which may be levied thereon by the respective political subdivisions. The original assessment roll as corrected after appeals shall be preserved in the office of the chief assessor or of the board and shall be open to public inspection subject to such regulations as the board may prescribe for the preservation and safe-keeping of such roll.

(f) On or before the fifteenth day of [January] October the board shall certify to the clerk or secretary of each political subdivision coming within the scope of this act within the county the value of real property the value of occupations and the number of persons subject to personal taxes appearing in the assessment roll and taxable by the respective political subdivisions.

Section 3 Section 9 of said act is hereby amended to read as follows:

Section 9 After action on such assessments by said board and dissatisfied taxable may within thirty days from the final fixing of his assessment and valuation appeal therefrom to the court of common pleas of the said county in the manner provided by law for appeals from assessments and it shall be the duty of the court at once to hear and determine said appeal and if necessary to make such changes therein as may be right and proper in the case of real property the courts shall determine from the evidence submitted at the hearing what ratio was used generally in the taxing district and the court shall direct the application of the ratio so found to the value of the property which is the subject matter of the appeal and such shall be the assessment from the decision of the court of appeal may be taken to the superior or supreme court as now provided by law.

Section 4 Said act is hereby amended by adding after Section 9 thereof three new sections to read as follows:

Section 10 The board may change the assessed valuation on real property when (1) a parcel of land is divided and conveyed away in smaller parcels or (2) when the economy of the county or any portion thereof has depreciated or appreciated to such extent that real estate values generally in that area are affected and (3) when improvements are made to real property or existing improvements removed from real property. The painting of a building or the normal regular repairs to a building aggregating one thousand dollars (\$1.00) or less in value annually shall not be deemed cause for a change in valuation.

Section 10.1 (a) The office issuing building permits in every political subdivision of the county shall keep a daily record separate and apart from all other records of every building permit issued which shall set forth the following information: the date of issuance, the names and addresses of the persons owning and a description sufficient to identify the property for which the permit was issued, the nature of the improvements and the amount in dollars in which issued. On or before the first Monday of each month such office shall file the daily record in the office of the board together with a certificate of the head of such office that its contents are correct. Such office shall charge and collect from each person to whom a building permit is issued the sum of fifteen cents which sum shall be in full compensation for its services under the provisions of this act.

(b) Whenever any person makes improvements other than the painting of or normal regular repairs to a building aggregating one thousand dollars (\$1,000) or less in value annually to any real property in any political subdivision in the county and he is not required to obtain a building permit therefor by any political subdivision within thirty days of commencing the improvements he shall furnish the following information to the board: the name and address of the person owning and a description sufficient to identify the property involved, the nature of the improvements made or to be made and the amount in dollars of the value of the improvements.

Any person who wilfully fails to comply with the provisions of this subsection or who in furnishing such information wilfully falsifies the same shall upon conviction thereof in a summary proceeding be sentenced to pay a fine of not more than fifty dollars (\$50).

(c) At least once every three months the board shall forward copies of such improvement records to the subordinate assessors for the districts in which such improvements are made or contemplated. The subordinate assessors shall visit the site of the improvements and secure any information the board requests which may include the description and measurements, type of construction, degree of completion cost and probable value of the improvements.

Section 10.2 (a) It shall be the duty of every grantee of real property to register the deed of conveyance in the office of the board within thirty days from the date of conveyance unless such deed shall have been previously recorded in the office of the Recorder of Deeds.

(b) Any person who wilfully fails to comply with the provisions of this section shall upon conviction thereof in a summary proceeding be sentenced to pay a fine of not less than fifty dollars (\$50) and not more than one hundred dollars (\$100).

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the constitution the yeas and nays were taken and were as follows:

#### YEAS—206

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarraf,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstreeser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Haudenshield,	Metz,	Smith,
Bolton,	Harney,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Brelsach,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendenning,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Oosta,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varnier,
Dalrymple,	Kline,	Penglase,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
DuBois,	Kubacki,	Pichney,	Weidner,
Duffy,	Lederer,	Pitzer,	Welsh,
Dunn,	Leisey,	Polaski,	Wescott,
Erb,	Leonard, L.,	Polen,	Westrick,
Ewing,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leven,	Price, R. A.,	Wheeler,
Ferster,	Light,	Readinger,	White,
Filo,	Limper,	Reagan,	Williams,
Fillp,	Loftus,	Reese,	Wilt,
Firmstone,	Lopresti,	Reidenbach,	Wood,
Flack,	Lovett,	Reilly, J. M.,	Yeakel,
Frost,	Lutty,	Rigby,	Yester,
Gaffney,	Lyons,	Riley, R. L.,	Yetzer,
Geer,	Madden,	Robertson,	Young,
Gibson,	Madigan,	Rose,	Ziegler,
Gleason,	Markley,	Rosen,	Sorg,
Good,		Rovansek,	Speaker

#### NAYS—0

#### NOT VOTING—1

Lafore,



The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 771, as follows:

An Act to further amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by empowering the board of school directors in every school district to insure all of its employees against liability for personal damages sustained by pupils or others as the result of the employees' negligence in the performance of his or her duties during the course of his or her employment.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 774 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" as amended by the act approved the ninth day of May one thousand nine hundred forty-nine (P. L. 1017) is hereby further amended to read as follows

Section 774 Insurance on Buildings Public Liability Insurance for Employees etc (a) The board of school directors in every school district shall have full power and authority to make and enter into any contract or contracts it may deem proper with any person firm or corporation including any mutual fire insurance company authorized to transact business in this Commonwealth for the purpose of insuring against loss or damage by fire or otherwise any or all of the school buildings or other property owned or lease by the school district

(b) The board of school directors in every school district shall have full power and authority to make and enter into any contract or contracts it may deem proper with any person firm or corporation including any mutual insurance company authorized to transact business in this Commonwealth for the purpose of insuring every employee of the school district against liability for damages sustained by pupils or others as a result of the employees' negligence in the performance of his or her duties during the course of his or her employment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—206

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarra,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarneri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Botes,	Harney,	Metz,	Smith,
Bolton,	Haudenschild,	Mihm,	Snider,

Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Breisch,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendenning,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varner,
Dalrymple,	Kline,	Penglase,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
DuBois,	Kubacki,	Pichney,	Weldner,
Duffy,	Lederer,	Pitzer,	Welsh,
Dunn,	Lelsey,	Polaski,	Westcott,
Erb,	Leonard, L.,	Polen,	Westrick,
Ewing,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leven,	Price, R. A.,	Wheeler,
Ferster,	Light,	Readinger,	White,
Fillip,	Limper,	Reagan,	Williams,
Filo,	Loftus,	Reese,	Wilt,
Firmstone,	Lopresti,	Reidenbach,	Wood,
Flack,	Lovett,	Reilly, J. M.,	Yeakel,
Frost,	Lutty,	Rigby,	Yester,
Gaffney,	Lyons,	Riley, R. L.,	Yetzer,
Geer,	Madden,	Robertson,	Young,
Gibson,	Madigan,	Rose,	Ziegler,
Gleason,	Markley,	Rosen,	Sorg,
Good,		Rovansek,	Speaker

#### NAYS—0

#### NOT VOTING—1

Lafore,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 801, entitled:

An Act to further amend the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by permitting employees to make up back payments to the retirement system from the time they enter school service and securing to such employees the full benefits of the retirement system from the time they entered school service

On the question,

Will the House agree to the bill on third reading?

#### BILL RECOMMITTED

Mr. JOHNSON. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations for the purpose of further study.



The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 808, as follows:

An Act to further amend Section 1201 of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" by further providing for the sale of borough property

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1201 of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" as last amended by the act approved the nineteenth day of July one thousand nine hundred fifty-one (Act No 217) is hereby further amended to read as follows

Section 1201 General Powers A borough may

I Have succession perpetually by its corporate name

II Sue and be sued and complain and defend in the courts of the Commonwealth

III Make and use a common seal and alter the same at pleasure

IV Purchase acquire by gift or otherwise hold lease let and convey by sale or lease such real and personal property as shall be deemed to be to the best interest of the borough Provided That no real estate owned by the borough shall be sold for a consideration in excess of five hundred dollars except to the highest bidder after due notice by advertisement for bids in one newspaper of the county Such advertisement shall be published not less than ten days prior to the date fixed for the opening of bids and such date for opening shall be announced in such advertisement The acceptance of bids shall be made only by public announcement at the meeting at which bids are received All bids shall be accepted on the condition that payment of the purchase price in full shall be made within ten days of the acceptance of bids

No borough personal property shall be disposed of by sale or otherwise except upon approval of council by ordinance or resolution in cases where council shall approve a sale of such property it shall estimate the sale value of the entire lot to be disposed of if council shall estimate the sale value to be two hundred dollars or more the entire lot shall be advertised for sale once in at least one newspaper of the county not less than ten days prior to the date fixed for the opening of bids and such date for opening bids shall be announced in such advertisement and sale of the property so advertised shall be made to the best responsible bidder

The provisions of this [section] clause shall not be mandatory where borough property is to be traded in or exchanged for new borough property

The provisions of this clause requiring advertising for bids and sale to the highest bidder shall not apply where borough real or personal property is to be sold to a municipality authority pursuant to the Municipality Authorities Act of 1945

And said bill having been read at length the third time, considered and agreed to.

On the question.

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—206

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarraff,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,

Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenshield,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Brelsich,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendenning,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varner,
Dairymple,	Kilne,	Penglase,	Verona,
Davis,	Kohl,	Pets,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
DuBois,	Kubacki,	Pichney,	Weidner,
Duffy,	Lederer,	Pitzer,	Welsh,
Dunn,	Lelsey,	Polaski,	Wescott,
Erb,	Leonard, L.,	Polen,	Westrick,
Ewing,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leven,	Price, R. A.,	Wheeler,
Ferster,	Light,	Readinger,	White,
Fillip,	Limper,	Reagan,	Williams,
Filo,	Loftus,	Reese,	Wilt,
Firmstone,	Lopresti,	Reidenbach,	Wood,
Flack,	Lovett,	Reilly, J. M.,	Yeakel,
Frost,	Luffy,	Rigby,	Yester,
Gaffney,	Lyons,	Riley, R. L.,	Yetzer,
Geer,	Madden,	Robertson,	Young,
Gibson,	Madigan,	Rose,	Ziegler,
Gleason,	Markley,	Rosen,	Sorg,
Good,		Rovansek,	Speaker

NAYS—0

NOT VOTING—1

Lafore.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered. That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

## BILL ON THIRD READING POSTPONED

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. JOHNSON.

The House resumed the consideration on third reading of House Bill No. 240, entitled:

An Act to amend section two thousand five hundred nine of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial school amending revising consolidating and changing the laws relating thereto" by increasing reimbursement on account of courses for handicapped children

On the question recurring,

Will the House agree to the bill on third reading?

## BILL RECOMMITTED

Mr. JOHNSON. Mr. Speaker, I move that this bill be



recommitted to the Committee on Appropriations for the purpose of further study.

The motion was agreed to.

### RESOLUTIONS

#### FIXING LAST DAY FOR INTRODUCTION OF BILLS

Mr. HELM offered a resolution which was read, considered and adopted as follows:

In the House of Representatives, September 17, 1951

Resolved, That Wednesday, September 19, 1951 be fixed as the last day for introduction of bills in the House of Representatives during this regular session, except bills making appropriations and raising revenues.

Signed by the Committee on Rules

CHARLES C. SMITH, Chairman  
ALBERT W. JOHNSON  
WILSON L. YEAKEL  
ADAM T. BOWER  
W. STUART HELM  
HERBERT P. SORG

#### BILLS REPORTED AS COMMITTED READ FIRST TIME

Mr. HELM offered a resolution which was read, considered and adopted as follows:

In the House of Representatives, September 17, 1951

Resolved, That all bills reported from Committees of the House as committed for the remainder of the Session be read for the first time on the day they are reported.

House Committee on Rules

CHARLES C. SMITH, Chairman  
ALBERT W. JOHNSON  
WILSON L. YEAKEL  
ADAM T. BOWER  
W. STUART HELM  
HERBERT P. SORG

#### REPORT FROM SLATE COMMITTEE

Mr. BOWER offered a resolution which was read, considered and adopted as follows:

In the House of Representatives, September 17, 1951

Resolved, That the following named persons shall be and are hereby elected employees of this House, under the provisions of the Act of January 21st, 1947, P. L. 3, as amended by the Act of February 11th, 1949, P. L. 4 and Act 2, of March 6th, 1951, for the positions as designated, effective September 17, 1951.

Respectfully submitted

ADAM T. BOWER, Chairman  
JOHN H. HAUDENSHIELD  
HAROLD E. FLACK  
THOMAS H. GREER, JR.  
AMOS M. LEISEY  
FRANK A. COSTA  
IVAN C. WATKINS

#### CHAPLAIN

Rev. William H. Fryer, Chester County

#### JOURNAL CLERK

Joseph H. Siegfried, Lycoming County

#### READING CLERK

John F. Mathias, Allegheny County

#### MESSAGE CLERK

Frank J. Lillie, Erie County

#### POSTMASTERS

Walter W. Rhodes, Potter County  
Roy V. Lesh, Venango County

#### SERGEANT-AT-ARMS

Shad N. Goss, Luzerne County  
George F. Hare, Delaware County  
William A. Sheldon, Wyoming County  
Stephen J. Rzezniak, Schuylkill County  
John Y. Dentzel, Armstrong County  
J. K. Sauserman, Perry County  
Charles W. Kern, Sullivan County  
Russell E. Espenshade, Philadelphia County  
Charles Radiss, Philadelphia County

#### DOCUMENT CLERKS

Calvin G. Cowan, Clinton County  
Joseph R. Feeser, York County  
John T. McGrath, Philadelphia County  
John C. Moran, Schuylkill County  
Ralph F. Troxel, Dauphin County

#### MAILING CLERKS

Joseph Wicsinski, Philadelphia County  
Cameron O. Stevens, Lehigh County  
Roy J. Erb, Blair County  
Howard S. Keener, Armstrong County

#### STENOGRAPHERS

Hilda A. Fuhrer, Northumberland County  
Emily I. Campbell, Bradford County  
Grace S. Gill, Centre County  
Bertha M. Shelley, Dauphin County  
Marie B. Moser, Huntingdon County  
Claudia B. Dieffenbach, Beaver County  
Esther C. Stoner, Cumberland County  
John W. Sterrett, Clarion County

#### TELEPHONE ATTENDANT

William A. Riddall, Wayne County

#### CHIEF PAGE

Benjamin H. Foltz, Daupin County

#### PAGES

Patrick F. Needham, Lackawanna County  
Robert M. Courtney, Dauphin County  
Harold E. Maguire, Perry County  
George Gephart, Cumberland County

#### REPORTS FROM COMMITTEES

Mr. FROST from the Committee on Ways and Means, reported as committed, House Bill No. 1416, entitled:

An Act to amend the act, approved the eighteenth day of April, one thousand nine hundred forty-nine (P. L. 512), entitled "An act relating to the administration and distribution of decedents' estates, trust estates, minors' estates and absentees' estates, both as to real and personal property, and the procedure relating thereto; including the disposition of such estates or portions thereof and the determination of title thereto without the appointment of a fiduciary in certain cases; the appointment, bond, removal and discharge of fiduciaries of such estates, their powers, duties and liabilities; the rights of persons dealing with such fiduciaries, and the rights of persons claiming an interest in such estates or in property distributed therefrom whether as claimants or distributees, and containing provisions concerning guardians of the person of minors, the powers, duties and liabilities of sureties and of foreign fiduciaries, the abatement, survival and control of actions and rights of action, and the presumption of death; and also generally dealing with the jurisdiction, powers and procedure of the orphans' court



and of the register of wills in all matters relating to fiduciaries," by providing for the examination of safe deposit boxes rented in the names of decedents, by an appraiser appointed by the Secretary of Revenue.

Mr. GIBSON from the Committee on Ways and Means, reported as committed, House Bill No. 1669, entitled:

An Act to amend section one thousand three hundred ten point one of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection, and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such sub-divisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository any every debtor or creditor of the Commonwealth," by providing for the sale of escheatable property by the Secretary of Revenue.

Mr. GREER from the Committee on Ways and Means, reported as committed, House Bill No. 1692, entitled:

An Act to reenact the title and to reenact and further amend the act, approved the sixteenth day of May, one thousand nine hundred thirty-five (P. L. 208), entitled as amended, "An act to provide revenue for State purposes by imposing an excise tax, for a limited period of time, on the net incomes of certain corporations, joint-stock associations, and limited partnerships; providing for the assessment, collection, settlement and resettlement of taxes, and reviews and appeal therefrom; conferring powers, and imposing duties on certain persons, corporations, joint-stock associations, limited partnerships, State and county officers, boards, and departments; making an appropriation; and providing penalties," by further defining net income, changing the due date of certain payments, requiring additional reports and extending the provisions of the act for a further limited period of time.

Mr. McCORMACK from the Committee on Ways and Means, reported as committed, House Bill No. 1693, entitled:

An Act to further amend section three of the act approved the twenty-second day of June, one thousand nine hundred thirty-one (P. L. 694), entitled "An act imposing a tax on gross receipts as an excise on the use of the public highways by certain owners or operators of motor vehicles transporting passengers and property for hire," by eliminating certain deductions.

Mr. GIBSON from the Committee on Ways and Means, reported as committed, House Bill No. 1694, entitled:

An Act to further amend section twenty-four of the act, approved the first day of June, one thousand eight hundred eighty-nine (P. L. 420), entitled "A further

supplement to an act, entitled 'An act to provide revenue by taxation,' approved the seventh day of June, Anno Domini one thousand eight hundred and seventy-nine," by retroactively removing exemptions of life insurance companies and companies doing business upon the mutual plan, and certain purely mutual beneficial associations, from the State tax or gross premiums, premium deposits and assessments received from insurance business transacted within this Commonwealth.

Mr. ROYER from the Committee on Ways and Means, reported as committed, House Bill No. 1695, entitled:

An Act to reenact the title and to reenact and amend the act, approved the twenty-fourth day of August, one thousand nine hundred fifty-one (Act No. 345), entitled "An act to provide revenue for State purposes by imposing a property tax for a limited period of time on the net incomes derived from sources within the Commonwealth of certain corporations, joint-stock associations and limited partnerships excluding certain income; providing for the assessment, collection, settlement and resettlement of taxes and reviews and appeal therefrom; conferring powers and imposing duties on certain persons, corporations, joint-stock associations, limited partnerships, State and county officers, boards and departments; making an appropriation and providing penalties," by further defining net income, changing the due date of certain payments, requiring additional reports and extending and provisions of the act for a further limited period of time.

Mr. WEIDNER from the Committee on Ways and Means, reported as committed, House Bill No. 1696, entitled:

An Act to further amend section one of the act, approved the fourth day of June, one thousand nine hundred fifteen (P. L. 820), entitled "An act to provide revenue by imposing a State tax upon sales or agreements to sell or memoranda of sales of stock, and upon deliveries or transfers of shares or certificates of stock in domestic and foreign corporations, copartnership associations, and joint-stock associations; providing the manner of collecting such tax, and prescribing penalties," by further regulating the imposition of the tax.

Mr. SAX from the Committee on Ways and Means, reported as committed, House Bill No. 1697, entitled:

An Act to further amend section two of the act, approved the twentieth day of June one thousand nine hundred nineteen (P. L. 521), entitled, as amended "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; defining and taxing transfers made in contemplation of death; defining as a transfer and taxing the right of survivorship in property as to which such right exists; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal," by increasing the rate of tax in certain instances from ten per centum to twenty per centum.

Mr. McCORMACK from the Committee on Ways and Means, reported as committed, House Bill No. 1698, entitled:

An Act to provide revenue by imposing a State tax upon certain documents, prescribing and regulating the method and manner of evidencing the payment of such



tax; conferring powers and imposing duties upon certain persons, partnerships, associations, and corporations, recorders of deeds, and the Department of Revenue; saving certain local taxes and authorizing amendments, extensions and supplements to the ordinances and resolutions relating thereto; and providing penalties.

Mr. READINGER from the Committee on Ways and Means, reported as committed, House Bill No. 1699, entitled:

An Act to further amend the title and the act, approved the twentieth day of June, one thousand nine hundred nineteen (P. L. 521), entitled, as amended "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; defining and taxing transfers made in contemplation of death; defining as a transfer and taxing the right of survivorship in property as to which such right exists; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal," by imposing duties on surviving parties and banks or other institutions or depositories of joint accounts or accounts in trust and by adding a new section pertaining to the opening and examining of safe deposit boxes of decedents and providing penalties

Mr. FROST from the Committee on Ways and Means, reported as amended, House Bill No. 1544, entitled:

An Act imposing a permanent and a temporary State tax on fuels used within the Commonwealth in internal combustion engines for the generation of power to propel motor vehicles using the public highways providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring dealer-users to secure licenses and to file bonds as a guarantee of payment of taxes penalties in terest fines uncollectible check fees and Attorney General's fees to file reports and to compile and retain certain records requiring registration of carriers for hire imposing duties on such persons requiring persons selling or delivering fuels to licensed dealer-users to furnish information imposing certain costs on counties conferring powers and imposing duties on State officers and departments providing for refunds of taxes penalties and interest illegally or erroneously collected from licensees and providing penalties.

#### BILLS ON FIRST READING

In accordance with a resolution this day adopted, the following bills were read the first time:

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1416, entitled:

An Act to amend the act, approved the eighteenth day of April, one thousand nine hundred forty-nine (P. L. 512), entitled, "An act relating to the administration and distribution of decedents' estates, trust estates, minors' estates and absentees' estates, both as to real and personal property, and the procedure relating thereto; including the disposition of such estates or portions thereof and the determination of title thereto without the appointment of a fiduciary in certain cases; the appointment, bond, removal and discharge of fiduciaries of such estates, their powers, duties and liabilities; the rights of persons claiming an interest in such estates or in property distributed therefrom whether as claimants or dis-

tributees, and containing provisions concerning guardians of the person of minors, the powers, duties and liabilities of sureties and of foreign fiduciaries, the abatement, survival and control of actions and rights of action, and the presumption of death; and also generally dealing with the jurisdiction, powers and procedure of the orphans' court and of the register of wills in all matters relating to fiduciaries," by providing for the examination of safe deposit boxes rented in the names of decedents, by an appraiser appointed by the Secretary of Revenue.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1669 entitled:

An Act to amend section one thousand three hundred ten point one of the act, approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343), entitled State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection, and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such sub-divisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or Creditor of the Commonwealth," by providing for the sale of escheatable property by the Secretary of Revenue.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1692, entitled:

An Act to reenact the title and to reenact and further amend the act, approved the sixteenth day of May, one thousand nine hundred thirty-five (P. L. 208), entitled as amended, "An act to provide revenue for State purposes by imposing an excise tax, for a limited period of time, on the net incomes of certain corporations, joint-stock associations, and limited partnerships; providing for the assessment, collection, settlement and resettlement of taxes, and reviews and appeal therefrom; conferring powers, and imposing duties on certain persons, corporations, joint-stock associations, limited partnerships, State and county officers, boards, and departments; making an appropriation; and providing penalties," by further defining net income, changing the due date of certain payments, requiring additional reports and extending the provisions of the act for a further limited period of time.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.



Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1693, entitled:

An Act to further amend section three of the act approved the twenty-second day of June, one thousand nine hundred thirty-one (P. L. 694), entitled "An act imposing a tax on gross receipts as an excise on the use of the public highways by certain owners or operators of motor vehicles transporting passengers and property for hire," by eliminating certain deductions.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1694, entitled:

An Act to further amend section twenty-four of the act, approved the first day of June, one thousand eight hundred eighty-nine (P. L. 420), entitled "A further supplement to an act, entitled 'An act to provide revenue by taxation,' approved the seventh day of June, Anno Domini one thousand eight hundred and seventy-nine," by retroactively removing exemptions of life insurance companies and companies doing business upon the mutual plan, and certain purely mutual beneficial associations, from the State tax on gross premiums, premium deposits and assessments received from insurance business transacted within this Commonwealth.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1695, entitled:

An Act to reenact the title and to reenact and amend the act, approved the twenty-fourth day of August, one thousand nine hundred fifty-one (Act No. 345), entitled "An act to provide revenue for State purposes by imposing a property tax for a limited period of time on the net incomes derived from sources within the Commonwealth of certain corporations, joint-stock associations and limited partnerships excluding certain income; providing for the assessments, collection, settlement and resettlement of taxes and reviews and appeal therefrom; conferring powers and imposing duties on certain persons, corporations, joint-stock associations, limited partnerships, State and county officers, boards and departments; making an appropriation and providing penalties," by further defining net income, changing the due date of certain payments, requiring additional reports and extending the provisions of the act for a further limited period of time.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1696, entitled:

An Act to further amend section one of the act, approved the fourth day of June, one thousand nine hundred fifteen (P. L. 820), entitled "An act to provide revenue by imposing a State tax upon sales or agreements to sell or memoranda of sales of stock, and upon deliveries or transfers of shares or certificates of stock in domestic and foreign corporations, copartnership associations, and joint-stock associations; providing the manner of collecting such tax, and prescribing penalties," by further regulating the imposition of the tax.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1697, entitled:

An Act to further amend section two of the act, approved the twentieth day of June, one thousand nine hundred nineteen (P. L. 521), entitled, as amended "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and to property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; defining and taxing transfers made in contemplation of death; defining as a transfer and taxing the right of survivorship in property as to which such right exists; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal," by increasing the rate of tax in certain instances from ten per centum to twenty per centum.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1698, entitled:

An Act to provide revenue by imposing a State tax upon certain documents, prescribing and regulating the method and manner of evidencing the payment of such tax; conferring powers and imposing duties upon certain persons, partnerships, associations, and corporations, recorders of deeds, and the Department of Revenue; saving certain local taxes and authorizing amendments, extensions and supplements to the ordinances and resolutions relating thereto; and providing penalties.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1699, entitled:

An Act to further amend the title and the act, approved the twentieth day of June, one thousand nine hundred nineteen (P. L. 521), entitled, as amended "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; defining and taxing transfers made in contemplation of death; defining as a transfer and taxing the right of survivorship in property as to which such right exists; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal," by imposing duties on surviving parties and banks or other institutions or depositories of joint accounts or accounts in trust and by adding a new section pertaining to the opening and examining of safe deposit boxes of decedents and providing penalties.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.



### PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. DALRYMPLE asked and obtained unanimous consent to add additional sponsors to a bill to be introduced by him.

### PERMISSION TO ADDRESS HOUSE

Mr. SMITH asked and obtained unanimous consent to address the House.

Mr. Speaker, several weeks ago the Minority Leader entrusted to my trusteeship a bill which would raise the salaries of the Members of the Legislature—not the present Members, of course, that cannot be done, but the future Legislators.

I told him at that time I was sure that there would be sponsorship with him for this bill. He and I have gone over it and we have prepared what we think is a fair and honest bill for future Legislators. I would like to go on record with him and with the Members that as of now I am putting in a salary increase for Members of future Legislatures.

### PERMISSION TO ADDRESS HOUSE

Mr. ANDREWS asked and obtained unanimous consent to address the House.

Mr. Speaker, the classical reference is harked from the tombs, a doleful sound. It is with exceeding joy that I see that we can amend the traditional reference and say at long last "Hark from the mausoleum a joyous note."

I am sure that the Members of the House appreciate the strain upon the Majority Leader while he has been making up his mind whether there were enough men on his side of the House who believed that they were worth \$5,000 for a legislative session. We never were under any misapprehensions on that point, Mr. Speaker, we always knew we were worth \$5,000 for a session. If there are annual sessions, we are worth \$5,000 for every one of them. We are exceedingly glad and we do not believe that on a showdown, Mr. Speaker, there will be a single dissenting vote. If there is we will murder him.

Mr. Speaker, the tax package has been introduced and given a first reading. I would request that prior to the consideration of the tax package on second reading the Majority leader, or someone speaking for him, give us a detailed statement for the record concerning what the various bills in the tax package do.

We desire this information because following that we will probably ask the privilege of holding a caucus and we would like to enter that caucus having had the benefit of a technical explanation of what the tax package accomplishes.

### PERMISSION TO ADDRESS HOUSE

Mr. SMITH asked and obtained unanimous consent to address the House.

Mr. Speaker, I will assure the Minority Leader that I will do my best in my humble way to answer his question and to definitely state what each and every tax bill does and how it operates. I am not a technical expert but I will provide him with as much information as I am able to provide within my ability.

### SENATE MESSAGE

#### SENATE INSISTS ON AMENDMENTS NON-CONCURRED IN BY HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 1102, entitled:

An Act to provide for liens for the cost of hospital care and treatment of persons wilfully or negligently injured the liens to exist on rights of action and on counterclaims and on verdicts and judgments recovered as the result of such injuries and on moneys paid in settlement of such actions and counterclaims and providing rights of action to recover such liens if not paid.

And has appointed Messrs. Wade, Mallery and Neff a committee of conference to confer with a similar committee of the House of Representatives already appointed on the subject of the differences existing between the two Houses in relation to said bill.

### PERMISSION TO ADD ADDITIONAL SPONSORS

Mrs. COYLE asked and obtained unanimous consent to add additional sponsors to a resolution to be introduced by her.

### RESOLUTION

#### CONGRATULATIONS

Mrs. COYLE, Messrs. WARGO, MULDOWNNEY, Mrs. MONROE, Messrs. GRANVILLE E. JONES, HOGGARD, CONWAY, MUSTO, McGEE, DUFFY, SCANLON, NEEDHAM and Mrs. VARALLO offered a resolution which was read considered and unanimously adopted as follows:

In the House of Representatives, September 17, 1951.

Of the fruits of a long legislative session, the most pleasant is that of extending birthday greetings to members who happen to have birthdays after the usual closing date of the General Assembly.

The happy occasion this time is that of felicitating Marion L. Munley of the fifth Legislative District, upon her birthday, which was Sunday, August 19.

It is true she is past nineteen, but old friends fondly remember when some fifteen years ago she was "celebrated as the beauty—"Miss Anthracite."

And, then as now, beauty was not her only attribute—for she is of the most happy disposition, inspiring affection from all sides of the House—and as she passes down the aisle the wolf calls rise—"Choo-choo" "choo-choo" which means to the callers—"Oh you beautiful doll, we love you in spite of your love of the old iron horse." (She has been vigorously opposed to the commonly called "Big Truck Bill"), therefore be it

Resolved, That the House of Representatives hereby wishes Marion L. Munley a very, very happy birthday and wishes she may have many, many more of them.

The SPEAKER. The Chair recognizes the lady from Lackawanna, Mrs. Munley.

Mrs. MUNLEY. Mr. Speaker, this certainly was a surprise, and I want to thank Josephine for her kindness.

Yes, I have always been against the truck bill, and I have been named "Choo Choo"—no reflection on the Members from Philadelphia but I can take it.

For the benefit of Mr. Costa, if he is in the House at present—yes Frank, I am 21 plus. You know a few months ago Frank tried to look up my age in the manual but it was not there. I am a little too wise, Frank, for that.



At this time I wish to thank all the Members of the House for their kindness.

#### COMMITTEE MEETING

Public Health and Sanitation, Mr. Frost, Chairman, Room 329, Tuesday, September 18, at 9:30 a. m. EST.

#### ADJOURNMENT

Mr. DUFFY. Mr. Speaker, I move that this House do now adjourn until Tuesday, September 18, 1951 at 11 a. m. EST.

The motion was agreed to, and (at 5:50 p. m. EST) the House adjourned.







# Legislative Journal.

Session 1951.

139th of the General Assembly.

Vol. 32.

HARRISBURG, PA., TUESDAY, SEPTEMBER 18, 1951.

No. 82.

## SENATE

TUESDAY, September 18, 1951.

The Senate met at 12:00 o'clock, m., Eastern Standard Time.

The PRESIDENT pro tempore (M. Harvey Taylor) in the Chair.

## PRAYER

The Chaplain, Rev. WILLIAM D. McLEAN, Pastor of St. Peter's Episcopal Church, Butler, Pennsylvania, offered the following prayer:

O God, our fountain of wisdom, Whose statutes are good and gracious and Whose law is truth, we humbly ask Thee at this time so to guide and bless the Senate of the Commonwealth of Pennsylvania now assembled. Direct and prosper all their consultations and decisions, so that all things may be so ordered and settled by their endeavors that justice and truth may be established among us for all generations.

Grant that we may all do the work which Thou givest us to do with singleness of heart as Thy servants, and to the benefit of our fellow men. We ask this in the name of Jesus Christ. Amen.

## JOURNAL APPROVED

The PRESIDENT pro tempore. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WALKER and Mr. SCARLETT, further reading was dispensed with, and the Journal was approved.

## LEAVE OF ABSENCE

Mr. Hare asked and obtained leave of absence for Mr. KEPHART, for the week because of illness.

## HOUSE MESSAGES

### HOUSE CONCURS IN SENATE BILL No. 191

The Clerk of the House of Representatives being introduced, returned to the Senate, Senate Bill No. 191, entitled:

An Act to further amend Section 671 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by authorizing the change of the fiscal year by districts of the second class.

with the information that the House has passed the same without amendments.

### HOUSE CONCURS IN SENATE BILL No. 723

He also returned to the Senate, Senate Bill No. 723, entitled:

An Act to amend section 3 of the act, approved the fifteenth day of June, one thousand nine hundred thirty-nine (P. L. 359, entitled "An act relating to recognizances and official bonds of present and future sheriffs and coroners and to their sureties thereon; imposing the expense of corporate suretyships on such obligations upon the several counties and various duties upon the courts of common pleas and county officers thereof; authorizing the substitution of approved surety companies for individual or corporate sureties upon such obligations and the release of any surety upon any such recognizance by such court upon certain conditions; dispensing with sureties on such recognizances but providing for the acknowledgment, recording and indexing of same as liens on certain real estate; regulating such liens and releases therefrom; providing for refunds to sheriffs and coroners of certain premiums paid to sureties on their official bonds and recognizances; and repealing inconsistent laws, except as to existing claims or pending suits thereunder, subject to certain limitations," by fixing the time the lien of such recognizances shall run, including those heretofore executed.

with the information that the House has passed the same without amendments.

### HOUSE CONCURS IN SENATE BILL No. 771

He also returned to the Senate, Senate Bill No. 771, entitled:

An Act to further amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by empowering the board of school directors in every school district to insure all of its employees against liability for personal damages sustained by pupils or others as the result of the employees' negligence in the performance of his or her duties during the course of his or her employment.

with the information that the House has passed the same without amendments.

### HOUSE CONCURS IN SENATE BILL No. 808

He also returned to the Senate, Senate Bill No. 808, entitled:

An Act to further amend Section 1201 of the act, approved the fourth day of May, one thousand nine hundred



twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," by further providing for the sale of borough property.

with the information that the House has passed the same without amendments.

#### SENATE BILL No. 752 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 752, entitled:

An Act to further amend the act, approved the twenty-sixth day of June, one thousand nine hundred thirty-one (P. L. 1379), entitled "An act creating in counties of the third class a board for the assessment and revision of taxes; providing for the appointment of the members of such board by the county commissioners; providing for their salaries, payable by the county; abolishing existing boards; defining the powers and duties of such board; regulating the assessment of persons, property, and occupations for county, borough, town, township, school, and poor purposes; authorizing the appointment of subordinate assessors, a solicitor, engineers, and clerks; providing for their compensation, payable by such counties; abolishing the office of ward, borough, and township assessors, so far as the making of assessments and valuations for taxation is concerned; and providing for the acceptance of this act by cities," by further regulating the assessment and valuation of property for local taxation purposes; further defining the duties of subordinate assessors and the board; changing the time for the preparation and inspection of the assessment roll, and duplicate assessment roll, notice of appeal, and hearings on appeals; prescribing duties of and fees to be collected by municipal officers who issue building permits; imposing duties on taxables; making improvements on land and grantees of land; and prescribing penalties.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT pro tempore. The bill as amended will appear on the Calendar.

#### HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence bills of the House, as follows:

House Bill No. 28, entitled:

An Act to further amend section 703 of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206), entitled "First Class Township Law," by changing the compensation paid to township commissioners.

Which was committed to the Committee on Local Government.

House Bill No. 274, entitled:

An Act to further amend Section 1001 of the act approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206), entitled "First Class Township Law," by increasing the compensation of the township auditors.

Which was committed to the Committee on Local Government.

House Bill No. 862, entitled:

An Act to add Section 510.1 to the act, approved the tenth day of March, one thousand nine hundred forty-

nine (P. L. 30), entitled "Public School Code of 1949," by authorizing school directors of school districts in townships of the second class to appoint special school police and defining the power and duties of such police.

Which was committed to the Committee on Education.

House Bill No. 967, entitled:

An Act to further amend the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "General County Law," providing for sick and disability leave with salary, and hospital and medical expenses, for employees of jails and workhouses in counties of the second class temporarily incapacitated in the performance of duties.

Which was committed to the Committee on Local Government.

House Bill No. 1350, entitled:

An Act to amend Section 2508 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "Public School Code of 1949," by providing for the allocation of funds to school districts for programs essential to mobilization, or de-mobilization, of civilian manpower.

Which was committed to the Committee on Education.

House Bill No. 1497, entitled:

An Act to amend the act, approved the twelfth day of June, one thousand nine hundred fifty-one (Act No. 141), entitled "The Mental Health Act of 1951," by changing and adding definitions; further providing for the licensing of private institutions, the functions of various State institutions, the procedure relating to the admission, commitment, transfer, escape, discharge, leave of absence, care, rights and employment of patients, and in certain cases, the costs incident thereto, and relating to the appointment of guardians of the person; removing inoperative and unnecessary provisions; making editorial changes; and adding and changing penalties.

Which was committed to the Committee on Public Health and Welfare.

House Bill No. 1546, entitled:

An Act to amend Section 504 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "Public School Code of 1949," by further regulating the operation and maintenance of cafeterias by boards of school directors.

Which was committed to the Committee on Education.

House Bill No. 1553, entitled:

An Act to further amend section twenty-seven of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 748), entitled, as amended, "The Pennsylvania Securities Act," as previously reenacted and amended, by increasing the fees charged by the Pennsylvania Securities Commission.

Which was committed to the Committee on Banking.

House Bill No. 1581, entitled:

An Act to amend the act, approved the eleventh day of May, one thousand nine hundred five (P. L. 518), entitled "An act making an appropriation for the erection of a home or school for indigent orphans, to be called the Thaddeus Stevens Industrial and Reform School of Pennsylvania, in which school provision shall be made for giving instruction in reading, writing, arithmetic, drawing, duties of citizenship, elementary manual training, the elements of farming, and other requisite branches," by



further providing for the course of instruction and the admission of students at such institution; and authorizing certain tuition charges for its use.

Which was committed to the Committee on Education.

House Bill No. 1589, entitled:

An Act to further amend Section 9 of the act, approved the fifth day of June, one thousand nine hundred forty-seven (P. L. 1217), entitled "State Public School Building Authority Act," by further providing for examination of the books and accounts of the Authority.

Which was committed to the Committee on Education.

House Bill No. 1599, entitled:

An Act providing for an expense allowance for members of the board of inspectors of the Berks County Prison.

Which was committed to the Committee on Local Government.

House Bill No. 1637, entitled:

An Act to further amend sections two, three and four of the act, approved the eleventh day of June, one thousand nine hundred thirty-five (P. L. 326), entitled "An act relating to counties of the first class; defining deceased service persons; providing for contributions by the county to the funeral expenses for such persons and their widows; providing for the erection and care of markers, headstones, and flags, and for the compilation of war records," by removing limitation regulating contributions made by county commissioners towards funeral expenses of deceased service persons and their widows.

Which was committed to the Committee on Local Government.

House Bill No. 1642, entitled:

An Act to further amend Sections 422, 423 and 424 of the act approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "General County Law," by removing limitation regulating contributions made by county commissions towards funeral expenses of deceased service persons and their widows.

Which was committed to the Committee on Local Government.

The PRESIDENT pro tempore. At this time the Chair calls the gentleman from Somerset, Mr. Hare, to the rostrum to preside.

The PRESIDING OFFICER (Fred P. Hare) in the Chair.

## REPORTS FROM COMMITTEES

Mr. KESSLER, from the Committee on Labor and Industry, reported as amended, House Bill No. 1441, entitled:

An Act to further amend the act approved the second day of June one thousand nine hundred fifteen (P. L. 736) entitled as amended "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties" by increasing maximum and minimum rates and deleting the limitation of number of weeks and aggregate of compensation for total disability increasing the maximum amounts payable upon death and increasing the minimum and maximum wages upon which death compensation shall be paid and changing procedure.

He also from the Committee on Labor and Industry, reported as amended, House Bill No. 1442, entitled:

An Act to further amend the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 566) entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employe arising out of and in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder imposing duties on the Department of Labor and Industry the Workmen's Compensation Board Workmen's Compensation Referees and deans of medical schools creating a medical board to determine controverted medical issues establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases making an appropriation and prescribing penalties" by increasing maximum and minimum rates and total amounts and aggregate of compensation and changing time for mailing medical report.

He also from the Committee on Labor and Industry, reported as committed, House Bill No. 1590, entitled:

An Act to further amend the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 566) entitled "A supplement to the act approved the second day of June one thousand nine hundred and fifteen (P. L. 736) entitled as amended 'An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties' as reenacted and amended providing for the payment of compensation to volunteer firemen or their dependents" by amplifying the provisions thereof as to persons entitled to such benefits.

Mr. YOSKO, from the Committee on Law and Order, reported as amended, Senate Bill No. 835, entitled:

An Act to amend the act approved the twelfth day of April one thousand nine hundred fifty-one (P. L. 90) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" by increasing license and filing fees.

Mr. MAHANY on behalf of Mr. HARE, from the Committee on Education, reported as committed, Senate Bill No. 713, entitled:

An Act to further amend part of Section 202 of, and to add Sections 462 and 1314 to, the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing



the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by establishing the State Auctioneers' Commission as a departmental administrative commission in the Department of Public Instruction; fixing the qualifications and compensation of members, and imposing certain duties on said commission.

He also on behalf of Mr. HARE, from the Committee on Education, reported as committed, Senate Bill No. 724, entitled:

An Act to define, license and regulate resident and non-resident auctioneers and apprentice auctioneers in certain political subdivisions, and revising, consolidating and making the law uniform relative thereto; conferring certain powers and duties on the State Auctioneers' Commission and on certain Departments and Officers of the State and Local Governments; providing for the keeping of records and the inspection thereof; repealing certain inconsistent laws and providing penalties.

#### BILL INTRODUCED AND REFERRED

Mr. STEVENSON read in his place and presented to the Chair Senate Bill No. 842, entitled:

An Act to amend Section 1673 of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" by further regulating publication of notice of land subdivision ordinances.

Which was committed to the Committee on Local Government.

#### PETITIONS AND REMONSTRANCES

Mr. WALKER. Mr. President, I certainly do not want to be placed in the position of quarreling with one of the greatest professions known to mankind, the medical profession, but yesterday in the City of Pittsburgh a very distinguished member of the medical profession saw fit to make a few remarks at a convention being held by the medical profession there regarding the General Assembly of the Commonwealth of Pennsylvania.

Now, Mr. President, among other things Doctor Gardner said—I am quoting from the newspaper—"Our efforts during the past year," Doctor Gardner declared, "have forced me to conclude that the average legislator is primarily a politician and not a statesman, that his vote is determined by the number of letters he receives and not by his own convictions."

Now, Mr. President, Doctor Gardner knows a lot more about the extraction of an appendix than I do, but I think, in all due respect to Doctor Gardner, that I know a lot more about the problems of legislation in Harrisburg than he does. I do not know whether Doctor Gardner considers the term "politician" an insult or a disparaging remark, but I think he used it in that sense.

Mr. President, I would like to say for Doctor Gardner's benefit that it is no disgrace to be a politician, and it certainly is not speaking in a disparaging tone to say that the Members of the General Assembly or the average legislator is primarily a politician. I know Doctor Gard-

ner would resent it if somebody would get up on the Senate floor and suggest that the average member of the medical profession was a "quack" and not a physician, and am assuming that Doctor Gardner thought he was casting a disparaging remark upon the Members of the General Assembly when he said that the average legislator is a politician and not a statesman. Mr. President, maybe Doctor Gardner will take the trouble to explain to his breathless public the difference between a politician and a statesman. Maybe he will explain why he thinks there should be two hundred fifty-eight statesmen down here and no politicians. Maybe Doctor Gardner would like to explain why he prefers to be represented by statesmen and not politicians, and Doctor Gardner says that we are convinced and our vote is determined by the number of letters we receive.

Now, Mr. President, in the last several days I have received hundreds of letters from doctors all over Pennsylvania regarding a bill that is in a committee of which, incidentally, Mr. President, I am not a member, and the letters were sent to me at the direction of the chief lobbyist for the medical profession in the hope that, perhaps, whatever influence I might have would be brought to bear to help get the bill out of committee. Now, Mr. President, those letters were sent to me because I am a politician and not with any idea that I am a statesman. Those letters were sent to me to deliberately influence me. Those letters were sent to me in the hope that by their overwhelming number I would be convinced that the vast majority of people in my district were for that bill. Doctor Gardner and his medical profession were doing the very identical thing that Doctor Gardner now suggests breathes of the essence of politics. If Doctor Gardner and men like him would take more interest in public life and would take more interest in politics, we would not have so much trouble with statesmen.

Mr. President, I am not ashamed of the fact that I am associated with fifty men who in my opinion are good politicians, who are placing public service above private aggrandizement, and am I glad that Doctor Gardner is willing to say that the average legislator is a politician. The thing I do not like, Mr. President, is the fact that he thought he was insulting us when he called us that. I think the medical profession would do a fine thing if they would send a few more doctors down here to become Members of the General Assembly. I think Doctor Chapman, for example, who is the Dean of the Senate, is one of the finest public officials and one of the finest politicians Pennsylvania has ever had. He is far above average, and he is still a good politician. I think we should have more doctors in the General Assembly, and I think that the doctors should send a committee down here, Doctor Gardner should come down here, and find out how the problems of ten million people are solved or at least attempted to be solved by two hundred fifty-eight average citizens. There are very few of the two hundred fifty-eight Members of this General Assembly that even desire to lay claim to being exceptional, outstanding individuals. We are all willing to be just an average guy, and two hundred fifty-eight average guys are trying to solve problems that would worry somebody comparable to the high mental standing of Doctor Gardner, and I think Doctor Gardner, before he starts to sow disunity and dis-



trust and make disparaging remarks about people who are dedicating some of their time, effort and money to solving public problems, should come down here and voluntarily try to understand what we are trying to do for the ten million people that he is discussing in his paper before his own group at a convention.

#### PERMISSION TO ADDRESS SENATE

Mr. STIEFEL asked and obtained unanimous consent to address the Senate.

Mr. STIEFEL. Mr. President, I find myself in a peculiar position, but it is in my opinion a pleasurable position that I will be paying a tribute to members of the opposition.

Mr. President, recently a book made an appearance in Pennsylvania and throughout the United States which has been hailed by many critics as a fine contribution to American History. This book deals with the history of Montgomery County, and has been published under the auspices of the County Commissioners of Montgomery County, Mr. Peters, Mr. Hillegas and Mr. Mensch. Now, in my opinion this book sets an example for emulation throughout Pennsylvania, because it paints a vivid picture of the evolution, development and progress of Montgomery County, and I felt impelled to pay tribute to this fine publication. In connection therewith I am offering, on behalf of Senator Chapman and myself, the following resolution and ask for its immediate adoption.

#### SENATE RESOLUTION

##### "THE MONTGOMERY COUNTY STORY"

Messrs. STIEFEL and CHAPMAN offered the following resolution which was twice read, considered and agreed to:

In the Senate, September 18, 1951.

Whereas The recent publication of "The Montgomery County Story" describing the history of Montgomery County, under the auspices of The Commissioners of Montgomery County, Pennsylvania, is an example for emulation throughout the Keystone State, and

Whereas "The Montgomery County Story" marks an inspiring adventure in education, namely the collaboration between the County Government and the County School System, demonstrating the responsibility which a county as a whole can and should feel towards its youth and our priceless American heritage and its cultural treasures, and

Whereas "The Montgomery County Story" written by E. Gordon Alderfer with a pen dipped in historical data collected by Edward W. Hooker over long years of toil and moil, relates the dramatic passage of history on the county scene to the currents of national life and the emergence of America's culture and civilization, and

Whereas our public schools are now required by law to provide a mandatory course on Pennsylvania history at the ninth grade level, and

Whereas the County Commissioners of Montgomery County have forged a weapon that is a valuable addition to the Arsenal of American Ideology and is a step in the right direction towards the inculcation in our youth of patriotism and appreciation of America's creative genius, now therefore be it

Resolved that the Senate of the General Assembly of Pennsylvania express its commendation of "The Montgomery County Story" and congratulate Frederick C. Peters, Foster C. Hillegas and Raymond K. Mensch, the County Commissioners of Montgomery County for their vision in setting an example for emulation in the sister counties of Pennsylvania, and be it further

Resolved that the Secretary of the Senate forward a copy of the instant resolution, upon its passage to the County Commissioners of Montgomery County.

#### PERMISSION TO ADDRESS SENATE

Mr. STIEFEL asked and obtained unanimous consent to address the Senate.

Mr. STIEFEL. Mr. President, in offering this resolution I hope I did not make a faux pas in not inviting the illustrious Senator from Montgomery to join me, but I felt it would be awkward if a Member hailing from Montgomery County would be paying tribute to the Commissioners of Montgomery County, and this is the reason I did not dare to ask him to join in the resolution.

The PRESIDING OFFICER. I think it is very fine for the Senator from the sister county of Philadelphia to blow the horn for Montgomery County.

#### PERMISSION TO ADDRESS SENATE

Mr. YOSKO asked and obtained unanimous consent to address the Senate.

Mr. YOSKO. Mr. President, during the recess period I had occasion to visit Seattle, Washington, and while I was there the Japanese Peace Treaty Conference was taking place in San Francisco, and since it was only about three hours ride by plane, I thought it would be a good experience to go down to San Francisco and if possible attend the Conference. I had a hard time getting in, but I finally got a pass to get in, and there I witnessed the proceedings which were very very impressive. I witnessed how the Soviet Delegation and the Soviet Satellites made every effort and every attempt to delay and cause confusion among the delegates present to bring about dissension to defeat the signing of the Peace Treaty.

Mr. President, while I was there I witnessed the manner in which the Secretary of State, Dean Acheson, who was elected President of the Conference, disposed of the various maneuvers that were attempted by the Soviet Delegation and her Satellites. I witnessed and heard the arguments that were presented by Mr. Foster Dulles, the Special Representative of the President, who worked on this Treaty for eleven months and did the greater portion of the drafting. I was so impressed with the unity between the forty-eight nations of the world which signed this Treaty that I sort of made up my mind, while I was sitting there, that when I got back I was going to draft and present a resolution commending the nations of the world for the unity they displayed and their desire for world peace, and for the manner in which Dean Acheson conducted the Conference and for the splendid work done by Foster Dulles.

Accordingly, Mr. President, I offer the following resolution and move its immediate adoption.

#### SENATE RESOLUTION

##### COMMENDING DEAN ACHESON AND JOHN FOSTER DULLES FOR THEIR UNTIRING EFFORTS IN THE PREPARATION ON THE JAPANESE PEACE TREATY

Mr. YOSKO offered the following resolution which was twice read, considered and agreed to:

In the Senate, September 18, 1951.

Whereas, Fifty-one nations of the world met in San Francisco, California, from September 4th, 1951 to Sep-



tember 8th, 1951 for the purpose of concluding and signing a Peace Treaty with Japan, and

Whereas, The U.S.S.R. and her two satellites, Poland and Czechoslovakia, not only refused to sign said Peace Treaty but also failed to make an appearance at the signing ceremonies on Saturday, September 8th. In addition the U.S.S.R. and her same two satellites, Poland and Czechoslovakia maneuvered in every possible way to prolong, delay and cause confusion with the hope of bringing about dissension between the participating nations, and

Whereas, the U.S.S.R. and her two satellites were defeated in their attempts to cause said delay and confusion due to the efficient manner in which the Secretary of State, Dean Acheson, presided over the meeting and the efficient manner in which he disposed of motions and maneuvers attempted by the representatives of these disruptive countries, and

Whereas, the Peace Treaty with Japan was prepared by the special representative of the President, Foster W. Dulles, after eleven months of negotiation and study in a manner and form which was highly instrumental in its approval by the forty-eight nations of the world without amendment or objection to its final provisions, and

Whereas, Mr. Dulles in explaining the terms of the treaty did so in simple and concise language and effectively and successfully answered all arguments and defeated all objections presented by the representatives of these disruptive nations,

Therefore, Be It Resolved That the Senate of the Commonwealth of Pennsylvania, hereby, commend the forty-eight nations of the World signing the Japanese Peace Treaty for their expression of unity as well as their desire for peace between the nations of the world, and

Be It Further Resolved that the Senate of the Commonwealth of Pennsylvania, hereby, commends Secretary of State, Dean Acheson, and special representative of the President, John Foster Dulles, for their untiring efforts in the negotiation and preparation of the Japanese Peace Treaty and for the manner in which they conducted themselves at the San Francisco Conference, all of which was instrumental and directly responsible for the success of said conference, and

Be It Finally Resolved that a copy of this resolution be forwarded to the President of the United States, Harry S. Truman, to The Secretary of State, Dean Acheson, and to the Special Representative to the President, Foster W. Dulles, with the compliments of the Senate of the Commonwealth of Pennsylvania.

#### REPORTS FROM COMMITTEE

Mr. WAGNER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WAGNER, from the Committee on Education, reported as committed, House Bill No. 589, entitled:

An Act to amend section one thousand one hundred forty-four of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled, "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further providing for additional increments for holders of college certificates or Masters' Degrees

He also, from the Committee on Education, reported as committed, House Bill No. 590, entitled:

An Act to amend section one thousand one hundred forty-four of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and

changing the laws relating thereto" by further providing for increments for professional employees holding a Masters Degree or its equivalent.

#### PERMISSION TO ADDRESS SENATE

Mr. WAGNER asked and obtained unanimous consent to address the Senate.

Mr. WAGNER. Mr. President, I am about to report three bills from the Committee on Education, and I would like to be very careful to make a clarifying statement in regard to these bills which I am directed to report. I have in my hand House Bills Nos. 333, 334 and 714. House Bill No. 333 deals with the proposed increase in increments for schoolteachers. House Bill No. 334 deals with increased subsidies to school districts to help pay for those increments, and House Bill No. 714 is a salary scale for teachers in State Teachers Colleges, which the Committee feels is long past due and to which they are fully entitled.

Mr. President, the Education Committee approved these bills in principle, and since they are approved in principle and since they are quite involved in their provisions, the committee is eager that the Senators be able to study them in detail at their leisure, rather than in the closing hours of this Session, but it must be thoroughly understood that the Education Committee does not want the teachers of the public schools or the teachers of the teachers colleges in Pennsylvania to assume that the reporting out of these bills means that they are in the clear and that they are going to get increases. That is not necessarily the case.

Mr. President, House Bills Nos. 333, 334, 714 cannot be passed by the Senate unless or until adequate tax measures are passed to provide the necessary money. It would be a breach of faith on our part and it would be placing the Governor of the Commonwealth in an impossible position if we were to pass these bills without revenue measures adequate to take care of them. So, I am announcing to the Senate, and I am announcing to the school directors of the Commonwealth through the press, I hope, that these bills may be subject to amendment. They may be subject to recall to the committee if we find that our economy is not quite in step with our sympathies and our hearts.

Mr. President, with that understanding, I present to the Chair House Bill No. 333, as amended, House Bill No. 334 as committed, and House Bill No. 714 as committed.

#### REPORTS FROM COMMITTEE

Mr. WAGNER, from the Committee on Education reported as amended, House Bill No. 333, entitled:

An Act to amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (Pamphlet Laws 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto" by further providing for the payment of minimum salaries and increments for county and district superintendents, assistant county and district superintendents, teachers, supervisors, principals, supervising principals and other employees.

He also, from the Committee on Education reported as committed, House Bill No. 334, entitled:

An Act to amend subsections 5 and 6 of section two thousand five hundred one and section two thousand five hundred two of the act, approved the tenth day of March,



one thousand nine hundred forty-nine (Pamphlet Laws 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto" by further providing for reimbursement by the Commonwealth to school districts and vocational school districts.

He also, from the Committee on Education reported as committed, House Bill No. 714, entitled:

An Act to provide for minimum compensation and increments for administrators and members of the faculty of State Teachers Colleges providing for leaves of absence imposing certain duties upon the Boards of Trustees and Presidents of State Teachers Colleges and the Superintendent of Public Instruction and repealing inconsistent laws

### BILL INTRODUCED AND REFERRED

Mr. BANE. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. BANE read in place and presented to the Chair Senate Bill No. 843, entitled:

An Act making an appropriation to the Department of Commerce for the use of the State Planning Board.

Which was committed to the Committee on Appropriations.

### SENATE BILL No. 739 RECALLED FROM THE GOVERNOR, TAKEN FROM TABLE

Mr. WALKER. Mr. President, I call from the table Senate Bill No. 739, which was recalled from the Governor for the purpose of amendment.

### RECONSIDERATION OF SENATE BILL No. 739

Mr. WALKER. Mr. President, I move that the Senate do now consider the vote by which Senate Bill No. 739 entitled:

An Act creating Mercy-Douglass State Hospital in Philadelphia County and authorizing the Department of Property and Supplies to sublease said Hospital to Mercy-Douglass Hospital, and providing for the management thereof by the Board of Trustees of Mercy-Douglass Hospital,

passed finally

The PRESIDING OFFICER. How did the Senator vote?

Mr. WALKER. Mr. President, I voted with the majority.

Mr. BERGER. Mr. President, I second the motion.

The PRESIDING OFFICER. How did the Senator vote?

Mr. BERGER. Mr. President, I voted, with the majority.

The motion was agreed to.

Shall the bill pass finally?

Mr. WALKER. Mr. President, I move to reconsider the vote by which the bill passed third reading.

The PRESIDING OFFICER. How did the Senator vote?

Mr. WALKER. Mr. President, I voted with the majority.

Mr. BERGER. Mr. President, I second the motion.

The PRESIDING OFFICER. How did the Senator vote?

Mr. BERGER. Mr. President, I voted with the majority.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. MEADE. Mr. President, I ask unanimous consent

to offer amendments at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Title, page 1, lines 1 to 5, inclusive, of Title, by striking out all of said lines and inserting in lieu thereof "Providing for the construction by The General State Authority of an addition of a medical and surgical hospital building to the Philadelphia State Hospital on a site heretofore conveyed to it by the Mercy-Douglass Hospital, and authorizing the Department of Property and Supplies to sublease said land and building to the Mercy-Douglass Hospital"; Amend Sec. 1, page 2, line 1, by striking out the words "The proposed" and inserting in lieu thereof "An"; Amend Sec. 1, page 2, line 2, by striking out the words "Medical and Surgical Hospital" and inserting in lieu thereof "medical and surgical hospital building is hereby authorized"; Amend Sec. 1, page 3, line 1, by striking out the word "thirtieth" and inserting in lieu thereof "thirty-first"; Amend Sec. 1, page 3, line 12, by striking out the words "at Philadelphia in the" and inserting in lieu thereof "in the Office for Recording of Deeds in and for"; Amend Sec. 1, page 3, line 13, by striking out the words "Office of the Recorder of Deeds" and inserting in lieu thereof "the County of Philadelphia";

Amend Sec. 1, page 3, line 15, by striking out the words "shall upon the " and inserting in lieu thereof "Upon"; Amend Sec. 1, page 3, lines 16 and 17, by striking out the words "thereof be created and constituted a separate State institution to the known as the Mercy-Douglass" and inserting in lieu thereof "said hospital building shall be constituted an addition to the Philadelphia"; Amend the Bill, page 4, lines 1 to 19, both inclusive, by striking out all of said lines; Amend Sec. 5, page 5, lines 1 to 4, inclusive, by striking out all of said lines; Amend Sec. 6, page 5, line 5, by striking out the figure "6" and inserting in lieu thereof "2"; Amend Section 6, page 5, lines 5 and 6, by striking out the words "the Mercy-Douglass State Hospital" and inserting in lieu thereof "said hospital building"; Amend Sec. 6, page 5, lines 10 to 13, by striking out the word "all" in line 10, all of lines 11 and 12 and the words "Hospital for such term" in line 13, and inserting in lieu thereof "said land and hospital building upon such terms and conditions"; Amend Sec. 7, page 5, line 14, by striking out the figure "7" and inserting in lieu thereof "3".

Amend Sec. 7, page 5, line 16, by striking out the words "and the Attorney General"; Amend Sec. 8, page 5, line 17, by striking out the figure "8" and inserting in lieu thereof "4"; Amend Sec. 8, page 5, line 18, by striking out the word "State"; Amend Sec. 8, page 6, line 2, by striking out the words "thereof as fully as if it were a private non-profit institution" and inserting in lieu thereof "governing private non-profit institutions"; Amend Sec. 9, page 6, line 3, by striking out the figure "9" and inserting in lieu thereof "5".

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?



## BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 739, on third reading, go over in its order, as amended.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The bill will appear on the Third Reading Calendar.

## RECESS

Mr. WALKER. Mr. President, I move that the Senate do now take a recess until 2:30 p. m., o'clock Eastern Standard Time.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

## AFTER RECESS

The PRESIDING OFFICER. The time of recess having elapsed the Senate will be in order.

## HOUSE MESSAGE

RESOLUTION RECALLING FROM THE GOVERNOR  
HOUSE BILL No. 984

The Clerk of the House of Representatives being introduced presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, September 18, 1951.

Resolved, (If the Senate concur), That House Bill No. 984, Printer's No. 853, entitled:

An Act to amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "Public School Code of 1940," by further providing for exceptions to compulsory attendance.

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

## BILL INTRODUCED AND REFERRED

Mr. WOLFE. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WOLFE read in place and presented to the Chair Senate Bill No. 844, entitled:

An Act establishing a retirement system for game protectors of the Pennsylvania Game Commission; providing for payments upon retirement, death, disability, involuntary retirement, and of certain medical expenses from the State Employees' Retirement Fund, under the administration of the State Employees' Retirement Board; providing for contributions by game protectors of the Pennsylvania Game Commission and the Commonwealth; providing for the guarantee by the Commonwealth of certain of said funds; providing for the subrogation of the Commonwealth to the rights of the member or dependents against certain third parties; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial processes, and providing penalties.

Which was committed to the Committee on Forests and Waters, Game and Fish.

## SENATE CONCURRENT RESOLUTION

DIRECTING THE CHIEF CLERK OF THE HOUSE OF  
REPRESENTATIVES TO FURNISH THE SENATE  
COMMITTEE ON FINANCE A CERTIFIED  
COPY OF HOUSE BILL No. 1113

Mr. WOOD. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WOOD, offered the following resolution which was twice read, considered and agreed to:

In the Senate, September 18, 1951.

Whereas, House Bill No. 1113, Printer's No. 346, entitled "An act to further amend Section 17 of the act, approved the twenty-first day of May, one thousand nine hundred thirty-one (P. L. 149), entitled, as amended 'Liquid Fuels Tax Law,' by providing for partial reimbursement of taxes paid on liquid fuels consumed in the operation of certain tractors and machinery for agricultural purposes; providing penalties and making appropriations from the Motor License Fund for the payment of such reimbursements and expenses in connection therewith," the official copy of which was referred to the Committee on Finance in the Senate on Wednesday, May 23, 1951, after having passed the House of Representatives, has been lost; therefore be it

Resolved, (if the House of Representatives concur) That the Chief Clerk of the House of Representatives is hereby directed to furnish to the Committee on Finance of the Senate a certified copy of House Bill No. 1113, Printer's No. 346, entitled "An act to further amend Section 17 of the act, approved the twenty-first day of May, one thousand nine hundred thirty-one (P. L. 149), entitled, as amended 'Liquid Fuels Tax Law,' by providing for partial reimbursement of taxes paid on liquid fuels consumed in the operation of certain tractors and machinery for agricultural purposes; providing penalties and making appropriations from the Motor License Fund for the payment of such reimbursements and expenses in connection therewith;" which copy shall be substituted for the original bill.

Ordered, That the Clerk present same to the House of Representatives for concurrence.

## BILLS INTRODUCED AND REFERRED

Mr. BLASS. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. BLASS read in place and presented to the Chair Senate Bill No. 845, entitled:

An Act to further amend Rule 12, and to amend Rule 14 of Article XII of the act, approved the second day of June, one thousand eight hundred ninety-one (P. L. 176), entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith," by authorizing the use of roof bolts and other practical devices in working places.

Which was committed to the Committee on Mines and Mining.

Mr. SCARLETT. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. SCARLETT read in place and presented to the Chair Senate Bill No. 846, entitled:



An Act making certain marriages solemnized on United States Military Reservations located within the Commonwealth as valid as if solemnized elsewhere within the Commonwealth; and validating such marriages heretofore consummated.

Which was committed to the Committee on State Government.

### CALENDAR

#### BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 249, as follows:

An Act to amend subsection (a) of Section 411 of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1053) entitled "An act relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utility business by prescribing defining and limiting their duties powers and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale method of regulating rates providing for the supervision of financial and contractual relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by person associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alteration relocation protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulation the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and improvement for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with the act" by relieving cities of the second class A and third class and the counties in which they are located from payment of damages occasioned by and costs of construction reconstruction repair and maintenance of certain bridges and viaducts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (a) of Section 411 of the act ap-

proved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1053) entitled "An act relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utility business by prescribing defining and limiting their duties powers and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale method of regulating rates providing for the supervision of financial and contractual relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alteration relocation protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulation the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" is hereby amended to read as follows

Section 411 Compensation for Damages Occasioned by Construction Relocation Protection Alteration or Abolition of Crossings (a) The compensation for damages which the owners of adjacent property taken injured or destroyed may sustain in the construction relocation alteration protection or abolition of any crossing under the provisions of this act shall after due notice and hearing be ascertained and determined by the commission Such compensation as well as the expense of such construction relocation alteration protection or abolition of any crossing shall be borne and paid as hereinafter provided by the public utilities or municipal corporations concerned or by the Commonwealth in such proper proportions as the commission may after due notice and hearing determine unless such proportions are mutually agreed upon and paid by the interested parties No part of such compensation and expenses of construction reconstruction repair and maintenance of any bridge or viaduct on a State highway taken over by the Department of Highways in a city of the second class A or third class shall be charged against the city or the county in which the city is located but in each case the charges which the city and county would have borne in the absence of such taking over shall be borne instead by the Commonwealth Any party to the proceeding dissatisfied with the determination of the commission may appeal therefrom as provided in



section one thousand one hundred one of this act and for this purpose is hereby authorized to sue the Commonwealth Provided however That the commission may of its own motion or upon application of any party in interest submit to the court of common pleas of the county wherein the property affected is located the determination of the amount of damages to any property owner due to such condemnation for which purpose such court shall appoint viewers from whose award of damages an appeal to said court shall lie on the part of any person or party aggrieved thereby under the general law applicable to the appointment of viewers for the ascertainment of damages due to the condemnation of private property for public use

Section 2 All acts and parts of acts are hereby repealed in so far as they are inconsistent with the provisions of this act

Section 3 The provisions of this act shall become effective the first day of January one thousand nine hundred fifty-two

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 249

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 249.

Mr. TAYLOR. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—47

Bane,	Freed,	Meade,	Taylor,
Barr,	Haluska,	Neff,	Toole,
Barrett,	Holland,	Pechan,	Wade,
Berger,	Kessler,	Peelor,	Wagner,
Blass,	Lane,	Probert,	Walker,
Byrne,	Leader,	Robinson,	Watkins,
Chapman,	Letzler,	Rosenfeld,	Watson,
Crowe,	Mahany,	Ruth,	Wolfe,
Dent,	McCreesh,	Scarlett,	Wood,
Diehm,	McGinnis,	Silvert,	Yosko,
DiSilvestro,	McMenamin,	Stevenson,	Hare,
Fleming,	McPherson, Jr.	Stiefel,	President, Officers

#### NAYS—2

Mallery, Snowden,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 456, as follows:

An Act to further amend the act approved the thirty-first day of May one thousand nine hundred forty-seven (P. L. 368) entitled "An act to protect consumers in the purchase for fuel purposes of the hard coal known as anthracite providing for and regulating the sale offering for sale resale delivery and shipment of anthracite according to a standard provided for in this act requiring

producers and dealers and persons engaged in the sale and resale of anthracite from storage yards or otherwise to consumers to keep certain records conferring powers on the Anthracite Committee and its agents and providing penalties" by defining "Retail Dealer" "Wholesale Dealer" "Municipal Weighmaster" "Municipality" and "Storage place for anthracite" requiring producers wholesale dealers and municipal weighmasters to issue certain statements and keep certain records imposing and changing penalties providing for the payment of fines for violations to the Commonwealth and providing for injunctions to restrain violations

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (d) of section 2 of the act approved the thirty-first day of May one thousand nine hundred forty-seven (P. L. 368) entitled "An act to protect consumers in the purchase for fuel purposes of the hard coal known as anthracite providing for and regulating the sale offering for sale resale delivery and shipment of anthracite according to a standard provided for in this act requiring producers and dealers and persons engaged in the sale and resale of anthracite from storage yards or otherwise to consumers to keep certain records conferring powers on the Anthracite Committee and its agents and providing penalties" is hereby amended to read as follows

Section 2 Definitions The following words and phrases as used in this act shall be construed to mean

\* \* \* \* \*

(d) "Retail Dealer" a person association partnership or corporation or his or its legal representative [purchasing anthracite for resale to consumers for fuel purposes and who maintains a place for the storage of anthracite] maintaining a place for the storage of anthracite who purchases anthracite for resale to consumers regardless of the quantity sold or who sells to a retail dealer in lots not exceeding 20,000 pounds in any one transaction

Section 2 Section 2 of said act is hereby amended by adding at the end thereof three new clauses to read as follows

Section 2 Definitions The following words and phrases as used in this act shall be construed to mean

\* \* \* \* \*

(l) "Wholesale Dealer" a person association partnership or corporation or his or its legal representative who purchases anthracite for resale to retail dealers in lots exceeding 20,000 pounds or one not maintaining a storage place for anthracite who sells anthracite to a consumer regardless of the quantity sold

(m) "Municipal Weighmaster" a licensed weighmaster designated by a municipality to weigh solid fuels destined for sale or delivery within the municipality

(n) "Municipality" a city borough incorporated town or township of the first class

(o) "Storage place for anthracite" an established place of business including a permanent office storage facilities for not less than 250 ton of anthracite and its own weighing scales

Section 3 Sections 3 4 5 6 7 and 8 of said act as amended by the act approved the eighteenth day of May one thousand nine hundred forty-nine (P. L. 1467) are hereby further amended to read as follows

Section 3 Statements by Producers as to Quality of Anthracite Every producer shall issue with each sale and delivery at or railroad car or motor vehicle shipment of anthracite from his preparation plant to the operator of the motor vehicle or to the retail dealer or wholesale dealer or person to whom delivery is made or to be made a written or printed statement attesting that the anthracite so sold delivered or shipped is "Standard Anthracite" or "Substandard Anthracite" as the case may be [Such statement may be shown] In the case of shipments by motor vehicles such statement shall be placed on the weighmaster's certificate issued in conformity with the act approved the nineteenth day of July one thousand nine hundred thirty-five (P. L. 1356) entitled "An act to regulate the sale and delivery of solid fuel as herein defined providing for appointment of licensed weighmasters prescribing their powers and duties authorizing substitute



licensed weighmasters imposing certain duties on the Department of Internal Affairs and providing penalties" and its amendments and in all other cases shall be placed on the invoice to the purchaser or consignee

In the case of anthracite hauled from a preparation plant directly to the consumer it shall be the duty of the operator of the motor vehicle to deliver [such] the producer's statement to the consumer [at the time the anthracite is delivered to him] simultaneously with the delivery of the anthracite which it attests In all other cases [it] the producer's statement shall be delivered to the retail dealer or wholesale dealer or person to whom delivery or shipment of the anthracite is made

It shall be unlawful for an operator of a motor vehicle to fail or neglect to deliver [any such] the producer's statement to the consumer retail dealer wholesale dealer or person to whom delivery or shipment of the anthracite is made or to deliver any substituted or forged statement [to a consumer] Provided That where the original weighmaster's certificate is surrendered to municipal authorities in conformity with an ordinance relating to the sale of fuel within a municipality and a new weighmaster's certificate issued as provided in section 4 of this act containing the attestations required by this section the operator of the motor vehicle may deliver the same in lieu of the original weighmaster's certificate

Section 4 Statements by Dealers and [Others] Municipal Weighmasters As to Quality of Anthracite Unlawful Acts Any retail dealer [operating a place of storage] or person hauling anthracite direct from a railroad car to a consumer or wholesale dealer who has had issued to him [by a producer] a producer's statement as required by section three of this act shall in the resale of such anthracite [so purchased issue on the weighmaster's certificate a written or printed statement and] deliver [the same] to the [consumer] person to whom delivery is made or to be made a written or printed statement attesting that the anthracite so sold is standard anthracite or substandard anthracite as the case may be Any municipal weighmaster who lawfully demands the surrender of the original weighmaster's certificate pursuant to the requirements of local ordinances regulating the sale of fuel within the municipality shall when a new weighmaster's certificate covering the shipment is issued place thereon a written or printed statement attesting that such anthracite is standard anthracite or substandard anthracite as the case may be

It [is] shall be unlawful for any retail dealer [or his or its] or wholesale dealer or any person hauling anthracite direct from a railroad car to a consumer or any other person by himself agent or employee to mix together standard anthracite and substandard anthracite designated as such on the producer's or wholesale dealer's statement for sale or resale purposes [in or at his place of storage or elsewhere] of the same or different size or to issue any statement attesting that anthracite [known by him to be] wholly or partly substandard anthracite is standard anthracite

A retail dealer or a person engaged in hauling anthracite from a railroad car direct to the consumer or wholesale dealer who has preserved his records as required by this act and who has not been guilty of making mixtures prohibited by this act or a municipal weighmaster shall be entitled to rely upon the producer's or wholesale dealer's statement [issued to him by a producer] and shall not be subject to prosecution under this act for issuing a statement in [accordance with] reliance on the producer's or wholesale dealer's statement [issued to him by the producer for] pertaining to the particular anthracite [purchased by him under] to which such statement relates

Section 5 Contents of Statements Statements issued under the provisions of sections three and four of this act by producers wholesale dealers retail dealers and persons hauling anthracite from a railroad car direct to the consumer and municipal weighmasters shall set forth in ink or indelible pencil the date of the sale resale or shipment of the anthracite to whom sold delivered or shipped [and] the size and weight of the anthracite the registration of the vehicle in which the anthracite is being transported

and in the case of wholesale dealers and producers the railroad car number and the model of the vehicle in which the anthracite is transported Provided That any information appearing on the weighmaster's certificate need not be duplicated in the statement Each statement shall [have thereon the signature of] bear the name under which the producer wholesale dealer retail dealer or other person [which may be a facsimile signature] does business and the signature or facsimile of the producer wholesale dealer retail dealer or other person if an individual or of an officer or partner if a corporation partnership or association or the signature or facsimile signature of the municipal weighmaster where a statement of quality is issued by such weighmaster under the provisions of this act

Section 6 Preservation of Records It shall be the duty of every producer to keep a record of all sales deliveries and shipments of anthracite showing the name of the person to whom sold or delivered the date thereof the size and net weight [and] the point of delivery the railroad car number the model and registration of the vehicle in which the anthracite was transported and whether the anthracite so sold delivered or shipped was sold delivered or shipped as standard anthracite or substandard anthracite

It shall be the duty of every wholesale dealer [and] retail dealer of every person engaged in hauling anthracite from a railroad car direct to a consumer and municipal weighmaster to keep [a record of] and retain all statements issued to or retained by him [by producers of anthracite] in accordance with the provisions of [section three of] this act [and also] It shall also be the duty of every retail dealer and every person engaged in hauling anthracite from a railroad car direct to a consumer and every municipal weighmaster to keep a duplicate [record] of the weighmaster's certificate and of every wholesale dealer of the invoice issued by [the dealer or other person] him in accordance with the provisions of section four of this act

All such records shall be written and preserved for a period of two years and shall be open to inspection by [the] duly accredited agents of the Commonwealth and of the Anthracite Committee during regular business hours

Section 7 Powers of Agents of Anthracite Committee Any duly accredited agent of the Commonwealth or of the Anthracite Committee shall have full access to every preparation plant and premises of a producer including railroad cars or railroad sidings and the storage yard and premises of every retail dealer and to any railroad car or motor vehicle transporting anthracite wherever the same may be and shall have the legal right to take samples of anthracite thereat or therefrom for the purpose of testing the same upon paying or tendering where demanded the value of the sample so taken and to examine the weighmaster's certificate or statement of quality accompanying the shipment as required by this act They shall have the right to inspect the books and records of every producer [and] retail dealer wholesale dealer municipal weighmaster and other persons required to keep records by this act relating to the sale resale reweighing shipment and delivery of anthracite Such agents shall make a report of all inspections and tests to the Anthracite Committee which shall be open to public inspection

Section 8 Penalty Any producer retail dealer wholesale dealer municipal weighmaster or other person who shall fail neglect or refuse to issue a statement when required to do so by section three or section four of this act or who shall issue any written or printed statement attesting that anthracite sold resold shipped delivered or marketed by him is standard anthracite when in fact such anthracite is wholly or partly substandard anthracite or who shall sell resell ship deliver or market anthracite as grade A or premium anthracite or use any other similar designation leading or tending to lead the public to believe that the anthracite being sold resold shipped delivered or marketed is standard anthracite when in fact such anthracite is wholly or partly substandard anthracite or who shall use any label marking or design copyrighted or controlled by the Anthracite Committee or the Commonwealth indicating that anthracite being sold resold shipped delivered or marketed conforms to the requirements of this act or is



standard anthracite without having first secured permission in writing from the Commonwealth or the Anthracite Committee or who shall refuse the duly accredited agents of the Commonwealth of the Anthracite Committee access to records which they are required by this act to keep on their premises as permitted by this act or who shall refuse to permit the duly accredited agents of the Commonwealth or the Anthracite Committee to take samples of anthracite as authorized by this act or any operator of any motor vehicle transporting on the public highways who shall refuse to permit the duly accredited agents of the Commonwealth or the Anthracite Committee to take a sample of the shipment being transported in the vehicle which they are operating as permitted by this act or who shall refuse to exhibit the weighmaster's certificate upon demand by the duly accredited agents of the Commonwealth or the Anthracite Committee or any producer retail dealer municipal weighmaster operator of a motor vehicle or other person who shall otherwise violate any of the provisions of this act shall upon conviction thereof in a summary proceeding be sentenced for a first offense to pay a fine of [not more than] \$300 and costs of prosecution and in default of the payment of such fine and costs of prosecution shall be imprisoned for [not less than 10 days or more than 20] 30 days

Any producer retail dealer wholesale dealer municipal weighmaster or operator of a motor vehicle or other person [guilty of] committing a second or subsequent violation of this act shall be guilty of a misdemeanor and upon conviction thereof the producer retail dealer wholesale dealer municipal weighmaster or other person or the member or members or officer or officers of any association partnership or corporation responsible for such violation shall [upon conviction thereof] be sentenced to pay a fine of not more than \$1000 or suffer imprisonment for [not more than] 6 months or both in the discretion of the court

All fines imposed pursuant to the provisions of this section shall be payable to the Commonwealth and shall be paid into the General Fund in the State Treasury through the Department of Revenue

Section 4 Said act is hereby amended by adding at the end thereof a new section to read as follows

Section 9 Injunctions In addition to any other remedy at law or in equity or under this act the Attorney General may apply to the court of common pleas of Dauphin County for relief by injunction to enforce compliance with or restrain violations of any provisions of this act or rule regulation or order made pursuant thereto The said court of common pleas of Dauphin County is hereby vested with jurisdiction to hear and determine all such actions by the Attorney General regardless of where they may arise in the Commonwealth

The remedy prescribed in this section shall be deemed concurrent or contemporaneous with any other remedy and the existence or exercise of any one remedy shall not prevent the exercise of any other remedy

Section 5 This act shall become effective immediately upon final enactment

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

#### SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 456

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 249.

Mr. TAYLOR. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Bane,	Haluska,	Neff,	Taylor,
Barr,	Holland,	Pechan,	Toole,
Barrett,	Kessler,	Peelor,	Wade,
Berger,	Lane,	Propert,	Wagner,
Blass,	Leader,	Robinson,	Walker,
Byrne,	Letzler,	Rosenfeld,	Watkins,
Chapman,	Mahanay,	Ruth,	Watson,
Crowe,	Mallery,	Scarlett,	Wolfe,
Dent,	McCreesh,	Silvert,	Wood,
Diehm,	McGinnis,	Snowden,	Yosko,
DiSilvestro,	McMenamin,	Stevenson,	Hare,
Fleming,	McPherson, Jr.	Stiefel,	Presiding Officer
Freed,	Meade,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 598, entitled:

An Act to further amend Section 10 of the act approved the twenty-ninth day of May one thousand eight hundred eighty-five (P. L. 29) entitled "An act to provide for the incorporation and regulation of natural gas companies" by providing that natural gas companies shall have the right of eminent domain for underground storage of natural gas or manufactured fuel gas and regulating the exercise of such right

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

#### SENATE NON-CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 598

Mr. WALKER. Mr. President, I move that the Senate do non-concur in the amendments made by the House to Senate Bill No. 598.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 615, on concurrence in House amendments, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace and courts and



the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by increasing annual registration fees for certain commercial motor vehicles trucks tractors trailers and semi-trailers prescribing additional equipment requirements for certain vehicles increasing the maximum gross weights and axle loads allowed for certain vehicles changing the requirements for weighing vehicles removal of excess loads and prescribing and changing penalties providing that certain penalties shall be enforced by liens upon vehicles and the sale of such vehicles free of all liens and encumbrances and imposing duties upon operators owners magistrates and sheriffs

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

### THIRD READING CALENDAR

#### BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 124, as follows:

An Act to amend section one thousand twenty-four of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by increasing compensation and mileage rates for attendance at conventions for the election of county superintendents

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one thousand twenty-four of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" is hereby amended to read as follows

Section 1024 Compensation and Mileage Every school director attending a convention for the election of a county superintendent shall be paid the sum of [four dollars (\$4)] eight dollars (\$8) per day and mileage at the rate of [four cents (4c)] six cents (6c) per mile for each mile necessary to be traveled between the county seat and the home of such director such sum to be paid by the school district in which the director resides by a proper order drawn on the treasurer of such district

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—48

Bane,	Haluska,	McPherson, Jr.,	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Propert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahany,	Rosenfeld,	Watson,

Dent,  
Diehm,  
DiSilvestro,  
Fleming,  
Freud.

Mallery,  
McCreesh,  
McGinnis,  
McMenamin,

Ruth,  
Scarlett,  
Silver,  
Snowden,  
Stevenson.

Wolfe,  
Yosko,  
Hare,  
Presiding Officer

#### NAYS—1

Wood.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

#### BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 407, entitled:

An Act to further amend the title and section of the act approved the third day of May one thousand nine hundred and nine (P. L. 424) entitled as amended "An act providing that in all counties of the first second third fourth fifth and sixth class advertisements and notices required by law or rules of courts to be published in newspapers of general circulation unless dispensed with by special order of court shall be published in the legal newspaper issued at least weekly of the proper county designated by rules of court for the publication of court or other legal notices" by extending the provisions of the said act to all counties and further defining publications excepted from its operation.

And said bill having been read at length the third time, On the question,

Will the Senate agree to the bill on third reading?

Mr. STEVENSON. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Sec. 2 (Sec. 1), page 4, line 8, by striking out the words "election notices"; amend Sec. 2 (Sec. 1), page 4, line 12, by inserting after the word "taxpayers" the following: "and Provided further That publication of election notices in legal newspapers shall be governed by the provisions of the Pennsylvania Election Code."

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

#### BILL OVER IN ORDER

Mr. STEVENSON. Mr. President, I ask unanimous consent that Senate Bill No. 407, on third reading, go over in its order, as amended.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

#### BILL POSTPONED

Mr. WALKER. Mr. President, I move that House Bill No. 620, on third reading, entitled:

An Act to amend clause (b) of Section 207 of the act approved the twelfth day of April one thousand nine hundred fifty-one (Act No. 21) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the



laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State Liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" by further providing for the fixing of sale prices for Pennsylvania liquor stores.

be placed on the Third Reading Postponed Calendar.

Mr. DIEHM. Mr. President, I second the motion.

The motion was agreed to.

### BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 634, as follows:

An Act to amend the act approved the first day of June one thousand nine hundred fifteen (P. L. 701) entitled "An act regulating the payment of persons in the employ of the Commonwealth by providing for pay-days every two weeks

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1 of the act approved the first day of June one thousand nine hundred fifteen (P. L. 701) entitled "An act regulating the payment of persons in the employ of the Commonwealth" is hereby amended to read as follows

Section 1 Be it enacted &c That each person in the employ of the Commonwealth receiving an annual salary shall be paid semi-monthly on the first and fifteenth of the month If such days fall upon Sunday the payment shall be made on the following day shall be paid every other Friday If any such Friday is a holiday the payment shall be made on the Thursday before such Friday Each person employed by the Commonwealth on an hourly or per diem basis shall be paid on the basis of a two week pay period as determined by the head of the respective department board or agency

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. BARR. Mr. President, I want to be recorded as voting "no," because as I read House Bill No. 634, the only thing it does is to make it more costly to the State.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows:

YEAS—46

Bane,	Haluska,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kessler,	Pechan,	Toole,
Blass,	Lane,	Peelor,	Wade,
Byrne,	Leader,	Probert,	Wagner,
Crowe,	Letzler,	Robinson,	Walker,
Dent,	Mahany,	Rosenfeld,	Watkins,
Diehm,	Mallery,	Ruth,	Watson,
DiSilvestro,	McCreesh,	Scarlett,	Wolfe,
Fleming,	McGinnis,	Silvert,	Wood,
Freed,	McMenamin,	Snowden,	Hare,
	McPherson, Jr.	Stevenson,	Presiding Officer

NAYS—3

Barr,

Chapman,

Yosko,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

### BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 652, on third reading, entitled:

An Act to further amend the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by providing credit for retirement purposes for out-of-state service in certain cases.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

### BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 823, as follows:

An Act to amend the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by providing for the payment of service increments to such employees in addition to their retirement allowances

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections 4301 and 4303 of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" as reenacted and amended by the act approved the twenty-eighth day of June one thousand nine hundred fifty-one (Act No. 164) are hereby further amended to read as follows

Section 4301 Police Pension Fund Direction of Cities shall establish by ordinance a police pension fund to be maintained by an equal and proportionate monthly charge against each member of the police force which shall not exceed annually three per centum of the pay of such member which fund shall at all times be under the direction and control of council but may be committed to the custody and management of such officers of the city or citizens thereof or corporations located therein as may be designated by council and applied under such regulations as council may by ordinance prescribe for the benefit of such members of the police force as shall receive honorable discharge therefrom by reason of age or disability and the families of such as may be injured or killed in the service but such allowances as shall be made to those who are retired by reason of the disabilities of age shall be in conformity with a uniform scale together with service increments as hereinafter provided



Any compensation paid to a corporate custodian of the police pension fund shall be paid from the general fund of the city

Section 4303 Allowances and Service Increments (a) Payments for allowances shall not be a charge on any other fund in the treasury of the city or under its control save the police pension fund herein provided for. The basis of the apportionment of the pension shall be determined by the rate of the monthly pay of the member at the date of injury death honorable discharge or retirement and except as to service increments provided for in subsection (b) of this section shall not in any case exceed in any year one-half the annual pay of such member computed at such monthly rate

(b) In addition to the retirement allowance which is authorized to be paid from the police pension fund by this act and notwithstanding the limitations therein placed upon such retirement allowances and upon contributions every contributor who shall become entitled to the retirement allowance shall also be entitled to the payment of a "service increment" in accordance with and subject to the conditions hereinafter set forth

(1) Service increment shall be the sum obtained by computing the number of whole years after having served the minimum required by ordinance during which a contributor has been employed by such city and paid out of the city treasury and multiplying the said number of years so computed by an amount equal to one-fortieth of the retirement allowance which has become payable to such contributor in accordance with the provisions of this act. In computing the service increment no employment after the contributor has reached the age of sixty-five years shall be included and no service increment shall be paid in excess of one hundred dollars (\$100.00) per month

(2) Each contributor from and after the effective date of this amendment shall pay into the retirement fund a monthly sum in addition to his or her retirement contribution which shall be equal to one-half of one per centum of his or her salary. Provided That such payment shall not exceed the sum of one dollar (\$1.00) per month. And provided That such service increment contribution shall not be paid after a contributor has reached the age of sixty-five years

(3) Persons who are contributors on the effective date of this amendment who have already reached the age of sixty-five years shall have his or her service increment computed on the years of employment prior to the date of reaching his or her sixty-fifth birthday

(4) Service increment contributions shall be paid at the same time and in the same manner as retirement contributions and may be withdrawn in full without interest by persons who leave the employment of such city subject to the same conditions by which retirement contributions may be withdrawn

(5) All members of the police force who are now contributors to the retirement fund and all those employed by the city after the effective date of this amendment if required to become contributors to the retirement fund shall be subject to the provisions of this act

Section 2 The provisions of this act shall become effective the first day of January one thousand nine hundred fifty-two

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

#### YEAS—49

Bane,	Haluska,	Meade,	Stiefel,
Barr,	Holland,	Neff,	Taylor,

Barrett,	Kessler,	Pechan,	Toole,
Berger,	Lane,	Peelor,	Wade,
Blass,	Leader,	Propert,	Wagner,
Byrne,	Letzler,	Robinson,	Walker,
Chapman,	Mahany,	Rosenfeld,	Watkins,
Crowe,	Mallery,	Ruth,	Watson,
Dent,	McCreesh,	Scarlett,	Wolfe,
Diehm,	McGinnis,	Silvert,	Wood,
DiSilvestro,	McMenamin,	Snowden,	Yosko,
Fleming,	McPherson, Jr.	Stevenson,	Hare,
Freed,			Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 832, as follows:

An Act to amend rule fifty-five of article XII of the act approved the second day of June one thousand eight hundred ninety-one (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" by permitting the removal of props or timber by blasting or by means of a prop puller

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Rule fifty-five of article XII of the act approved the second day of June one thousand eight hundred ninety-one (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" is hereby amended to read as follows

#### Article XII

#### General Rules

The following general rules shall be observed in every mine to which this act applies

\* \* \* \* \*

Rule 55 No person or persons working in any coal mine or colliery shall cut any props or timbers while the same are in position to support the roof or sides. When it becomes necessary to remove any of the said props or timbers [for the purpose of mining coal that may be supported by the same to dislodge any of the said props or timbers it must be done by blasting] they shall be removed by blasting or by means of a prop puller. Such prop puller however shall be designed and constructed with ropes or chains of sufficient length that the person operating the device will not be exposed to the danger of a falling roof or falling coal resulting from the removal of such props or timbers

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Bane,	Haluska,	Meade,	Stiefel,
Barr,	Holland,	Neff,	Taylor,
Barrett,	Kessler,	Pechan,	Toole,
Berger,	Lane,	Peelor,	Wade,
Blass,	Leader,	Propert,	Wagner,
Byrne,	Letzler,	Robinson,	Walker,
Chapman,	Mahanay,	Rosenfeld,	Watkins,
Crowe,	Mallery,	Ruth,	Watson,



Dent,	McCreesh,	Scarlett,	Wolfe,
Diehm,	McGinnis,	Silvert,	Wood,
DiSilvestro,	McMenamin,	Snowden,	Yosko,
Fleming,	McPherson, Jr.	Stevenson,	Hare,
Freed,			Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 833, as follows:

An Act to further amend the act approved the fifth day of May one thousand nine hundred eleven (P. L. 198) entitled "An act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" by conferring exclusive jurisdiction on the county court of Allegheny County in cases of appeals from decisions of the collector of mercantile taxes imposed by political subdivisions within the territorial limits of its jurisdiction

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (1) of Section 6 of the act approved the fifth day of May one thousand nine hundred eleven (P. L. 198) entitled "An act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" as added by the act approved the sixth day of July one thousand nine hundred fifty-one (Act No 205) is hereby amended to read as follows

Section 6 The court hereby created shall have jurisdiction

\* \* \* \* \*

(1) In all cases of appeal from decisions of the receiver of school taxes or school treasurer in the administration and enforcement of the act of Assembly imposing a mercantile license tax for school purposes in school districts of the first class A and in all cases of appeal from decisions of collectors of mercantile taxes authorized by any act of Assembly and imposed by any political subdivision within the territorial limits of the jurisdiction of the court

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bane,	Haluska,	Meade,	Stiefel,
Barr,	Holland,	Neff,	Taylor,
Barrett,	Kessler,	Pechan,	Toole,
Berger,	Lane,	Peelor,	Wade,
Blass,	Leader,	Propert,	Wagner,
Byrne,	Letzler,	Robinson,	Walker,
Chapman,	Mahany,	Rosenfeld,	Watkins,
Crowe,	Mallery,	Ruth,	Watson,
Dent,	McCreesh,	Scarlett,	Wolfe,
Diehm,	McGinnis,	Silvert,	Wood,
DiSilvestro,	McMenamin,	Snowden,	Yosko,
Fleming,	McPherson, Jr.	Stevenson,	Hare,
Freed,			Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 836, as follows:

An Act making an appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred fifty-one

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of ten million dollars (\$10,000,000) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Public Assistance for the payment of assistance and administrative expenses as provided by the Public Assistance Law and for the payment of attorneys' fees and court costs necessary for the proper conduct of the work of the Department of Public Assistance for the two fiscal years beginning June first one thousand nine hundred fifty-one and for the payment of assistance and administrative expenses attorneys fees and court costs accrued or incurred prior to and remaining unpaid on May thirty-first one thousand nine hundred fifty-one

Section 2 Out of the moneys appropriated by section one of this act the Department of Public Assistance shall allocate funds from time to time for the several assistance programs (old age assistance aid to dependent children pensions for the blind general assistance and other programs provided by the Public Assistance Law) for administrative expenses of the several county boards of assistance for such administrative expenses incurred by the department which are chargeable to such boards and for the payment of attorneys' fees and court costs necessary for the proper conduct of the work of the department

Section 3 Out of the moneys appropriated by section one of this act there is hereby allocated to the Treasury Department the sum of one hundred twenty thousand dollars (\$120,000) and to the Department of the Auditor General the sum of sixty-five thousand dollars (\$65,000) to pay the administrative expenses of said departments in auditing and disbursing the appropriation made by this act

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bane,	Haluska,	Meade,	Stiefel,
Barr,	Holland,	Neff,	Taylor,
Barrett,	Kessler,	Pechan,	Toole,
Berger,	Lane,	Peelor,	Wade,
Blass,	Leader,	Propert,	Wagner,
Byrne,	Letzler,	Robinson,	Walker,
Chapman,	Mahanay,	Rosenfeld,	Watkins,
Crowe,	Mallery,	Ruth,	Watson,
Dent,	McCreesh,	Scarlett,	Wolfe,
Diehm,	McGinnis,	Silvert,	Wood,
DiSilvestro,	McMenamin,	Snowden,	Yosko,
Fleming,	McPherson, Jr.	Stevenson,	Hare,
Freed,			Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,



Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 907, as follows:

An Act to further amend section nine hundred fifteen of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1053) entitled "An act relating to the regulation of public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utility business by prescribing defining and limiting their duties power and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchise defining contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale method of regulating rates providing for the supervision of financial and contractual relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alteration relocation protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporation (except municipal corporations) subject to regulation the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" by permitting motor carriers not qualified to be self-insurers to furnish surety bonds or public liability insurance

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section nine hundred fifteen of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1053) entitled "An act relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utility business by prescribing defining and limiting for their duties powers and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchise defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act

and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale method of regulating rates providing for the supervision of financial and contractual relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alteration relocation protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporation (except municipal corporations) subject to regulation the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" as last amended by the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 636) is hereby further amended to read as follows Section 915 Motor Carriers to Carry Insurance Unless Permitted to Be Self-Insurers \*\* The Commission may as to motor carriers prescribe by regulation or order such requirements as it may deem necessary for the protection of persons or property of their patrons and the public including the filing of surety bonds the carrying of insurance or the qualifications and conditions under which such carriers may act as self-insurers with respect to such matters Provided however That all motor carriers of passengers whose current liquid assets do not exceed their current liabilities by at least one hundred thousand (\$100,000) dollars shall cover each and every vehicle transporting such passengers with a public liability insurance policy or a surety bond issued by an insurance carrier or bonding company authorized to do business in this State in such amounts as the commission may prescribe but not less than five thousand (\$5,000) dollars for one and ten thousand (\$10,000) dollars for more than one person injured in any one accident

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Bane,	Haluska,	Meade,	Stiefel,
Barr,	Holland,	Neff,	Taylor,
Barrett,	Kessler,	Pechan,	Toole,
Berger,	Lane,	Peelot,	Wade,
Blass,	Leader,	Probert,	Wagner,
Byrne,	Letzler,	Robinson,	Walker,
Chapman,	Mahany,	Rosenfeld,	Watkins,
Crowe,	Mallery,	Ruth,	Watson,
Dent,	McCreesh,	Scarlett,	Wolfe,
Diehm,	McGinnis,	Silvert,	Wood,
DiSilvestro,	McMenamin,	Snowden,	Yosko,
Fleming,	McPherson, Jr.	Stevenson,	Hare,
Freud			Presiding Officer



## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

## BILL POSTPONED

Mr. WALKER. Mr. President, I move that House Bill No. 959, on third reading, entitled:

An Act to amend the act approved the twelfth day of April one thousand nine hundred fifty-one (Act No. 21) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" by further regulating and limiting the issuance of distributors' and importing distributors' licenses and changing residence requirements for stock ownership in corporations licensed as malt and brewed beverage manufacturers distributors and importing distributors.

be placed on the Third Reading Postponed Calendar.

Mr. ROBINSON. Mr. President, I second the motion.

The motion was agreed to.

## BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1027, as follows:

An Act to amend subsection (b) of Section 4 of the act approved the twenty-third day of May one thousand nine hundred forty-five (P. L. 903) entitled "An act authorizing cities of the third class to establish and optional retirement system for officers and employees independently of any pension system or systems existing in such cities" by limiting rights to involuntary retirement and providing for the reinstatement of certain persons to and the placing of others upon the pension rolls of certain cities

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (b) of Section 4 of the act approved the twenty-third day of May one thousand nine hundred forty-five (P. L. 903) entitled "An act authorizing cities of the third class to establish an optional retirement system for officers and employees independently of any pension system or systems existing in such cities" is hereby amended to read as follows

## Section 4

\* \* \* \* \*

(b) Where an officer or employe shall have served for twelve (12) years or more and shall have attained the age of sixty (60) years and his tenure of office or employment shall be terminated without his voluntary action before the expiration of twenty (20) years of service he shall in such event during the remainder of his life be entitled to receive such portion of the full compensation as the period of his service up to date of its termination bears to the full twenty-year period of service where an officer or em-

ploye shall have served for twelve (12) years or more and shall not have attained the age of sixty (60) years and his tenure of office or employment shall be terminated without his voluntary action before the expiration of twenty (20) years of service he shall in such event during the remainder of his life after attaining the age of sixty (60) years be entitled to receive such portion of the full compensation as the period of his service up to date of its termination bears to the full twenty-year period of service where an officer or employe who has served for twenty (20) years or more and his tenure of office or employment shall be terminated without his voluntary action then he shall be entitled to full compensation for the remainder of his life after attaining age fifty-five and conditioned upon his continuing his contributions into the fund at the same rate as when he was dismissed until he attains age fifty-five

Should an officer or employe however become so permanently disabled as to render him unable to perform the duties of his position of office after fifteen (15) years of service and before attaining the age of fifty-five (55) years he shall be entitled to full compensation during such disability proof of such disability shall consist of the sworn statement of three (3) practicing physicians designated by the board that the employe is in a condition of health which would permanently disable him from performing the duties of his position or office Such person shall thereafter be subject to physical examination at any reasonable time or times upon order of the board and upon his refusal to submit to any such examination his compensation shall cease

Section 2 Any officer or employe who was receiving a pension under the provisions of the act to which this is an amendment until dropped from the pension rolls as a result of the decision of the Supreme Court of Pennsylvania in the case of Alexander Altieri and others v Allentown Officers' and Employees' Retirement Board Nos 137 and 140 January term 1951 filed June 27 1951 shall be entitled to reinstatement upon the said pension rolls and any officer or employe who would have been entitled to receive a pension but for the lack of a fixed age in subsection (b) of section four of the act approved the twenty-third day of May one thousand nine hundred forty-five (P. L. 903) shall be entitled to pension payments upon qualifying and complying with the provisions of this law as herein amended

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bane,	Haluska,	Meade,	Stiefel,
Barr,	Holland,	Neff,	Taylor,
Barrett,	Kessler,	Pechan,	Toole,
Berger,	Lane,	Peelor,	Wade,
Blass,	Leader,	Probert,	Wagner,
Byrne,	Letzler,	Robinson,	Walker,
Chapman,	Mahanay,	Rosenfeld,	Watkins,
Crowe,	Mallery,	Ruth,	Watson,
Dent,	McCreesh,	Scarlett,	Wolfe,
Diehm,	McGinnis,	Silvert,	Wood,
DiSilvestro,	McMenamin,	Snowden,	Yosko,
Fleming,	McPherson, Jr.	Stevenson,	Hare,
Freed,			Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of



Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

### BILLS POSTPONED

Mr. WALKER. Mr. President, I move that House Bill No. 1030, on third reading, entitled:

An Act to further amend Section 643 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by prohibiting minors from delivering liquor or malt and brewed beverages.

be placed on the Third Reading Postponed Calendar.

Mr. FREED. Mr. President, I second the motion.

The motion was agreed to.

Mr. WALKER. Mr. President, I move that House Bill No. 1039, on third reading, entitled:

An Act to amend sections 401 and 406 of the act approved the twelfth day of April one thousand nine hundred fifty-one (Act No. 21) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" by permitting certain sales of liquor for consumption off the premises.

be placed on the Third Reading Postponed Calendar.

Mr. WADE. Mr. President, I second the motion.

The motion was agreed to.

Mr. WALKER. Mr. President, I move that House Bill No. 1060, on third reading, entitled:

An Act to amend the act approved the twelfth day of April one thousand nine hundred fifty-one (Act No. 21) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" by making the serving of food optional with certain licensees and changing certain requirements relating to the serving of food.

be placed on the Third Reading Postponed Calendar.

Mr. WATSON. Mr. President, I second the motion.

The motion was agreed to.

Mr. WALKER. Mr. President, I move that House Bill No. 1085, on third reading, entitled:

An Act to amend the act approved the twelfth day of April one thousand nine hundred fifty-one (Act No. 21) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" by making the establishment and operation of Pennsylvania Liquor Stores and the granting of malt and brewed beverage distributors licenses subject to local option and providing where tie vote occurs on local option question the status quo obtains.

be placed on the Third Reading Postponed Calendar.

Mr. WATKINS. Mr. President, I second the motion.

The motion was agreed to.

Mr. WALKER. Mr. President, I move that House Bill No. 1100, on third reading, entitled:

An Act to amend sections 464 and 471 of the act approved the twelfth day of April one thousand nine hundred fifty-one (Act No. 21) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" by further defining the powers of courts on appeal.

be placed on the Third Reading Postponed Calendar.

Mr. CROWE. Mr. President, I second the motion.

The motion was agreed to.

### BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1185, as follows:

An Act to further amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing school directors of the third class to elect an associate superintendent in lieu of a district superintendent prescribing his powers and duties and fixing his compensation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections 1004 1007 1008 and 1009 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" are hereby amended to read as follows



Section 1004 Oath of Office Every person elected or appointed as county superintendent district superintendent [or] assistant county or district superintendent or associate superintendent shall before entering upon the duties of his office subscribe to and take before the Superintendent of Public Instruction or before any judge of a court of common pleas in this Commonwealth the same oath or affirmation as has herein been prescribed to be taken by persons elected to the office of school director Such oath or affirmation being attested by the Superintendent of Public Instruction or judge shall be filed in the office of the Superintendent of Public Instruction

Section 1007 Not to Engage in Teaching Exceptions No county district [or] assistant county or district superintendent or associate superintendent in this Commonwealth shall engage in the business or profession of teaching in this Commonwealth unless it is done without any other compensation than that paid to him as such superintendent Provided That he may receive compensation for services in a summer school maintained in a State teachers' college or other college or university devoted to the training of teachers if he is released for such service by the board of school directors of the district in which he is employed

Section 1008 Additional Compensation and Interest in Sale or Adoption of Books or Supplies Prohibited No county district [or] assistant county or district superintendent or associate superintendent shall receive any compensation for service rendered in connection with the public schools under his jurisdiction except the compensation herein provided No county district [or] assistant county or district superintendent or associate superintendent who is engaged as such or any person who is an applicant for such position shall be an agent for nor shall he be in any way financially interested in the sale or adoption of any book or books or supplies in the county or district in which is engaged or in which he is an applicant for such position

Section 1009 Influencing Elections Penalty Any person who shall either directly or indirectly pay or give to a school director any sum of money or other thing of value for his vote or support in the election of a county district [or] assistant county or district superintendent or associate superintendent or pay or give to a school director any or all of his expenses incurred in and about the convention for the election of a county district [or] assistant county or district superintendent or associate superintendent shall be guilty of a misdemeanor and on conviction thereof shall be sentenced to pay a fine of not less than five dollars (\$5) or more than five hundred dollars (\$500) or to undergo imprisonment for not less than thirty (30) days or more than one (1) year either or both at the discretion of the court In addition thereto he shall forever thereafter be disqualified from holding the office of county superintendent district superintendent assistant county or district superintendent associate superintendent school director or any other office in the public school system of this Commonwealth

Section 2 Article X of said act is hereby amended by adding immediately after Section 1072 a new section to read as follows

Section 1072.1 Associate Superintendents in Districts Third Class In lieu of electing a district superintendent the board of school directors in any district of the third class may by a majority vote of all the members thereof elect a properly qualified person as associate superintendent who shall perform the duties of a district superintendent under the general supervision of the county superintendent The public schools of any district having an associate superintendent shall be subject to the superintendence of the county superintendent and shall participate in all services provided by the county superintendent

The directors of any district electing an associate superintendent shall participate in the election of a county superintendent

The approval of the county board of school directors shall not be required for the election of an associate superintendent

Section 3 Section 1073 of said act as amended by the

act approved the twenty-sixth day of May one thousand nine hundred forty-nine (P. L. 1873) is hereby further amended to read as follows

Section 1073 Manner of Election Change of Class of District The boards of school directors of each district of the second or third class electing a district superintendent or in districts of the third class electing an associate superintendent shall meet in convention at its regular place of meeting on the second Tuesday of April one thousand nine hundred fifty (1950) and every four years thereafter at an hour previously fixed by the board The secretary shall mail to each member thereof at least five days beforehand a notice of the time place and purpose of such convention Such convention shall in the same manner as a county superintendent is elected and certified elect and certify a properly qualified district superintendent or associate superintendent to serve for four years from the first Monday of July next following his election Whenever the term of office of any district superintendent or associate superintendent expires he shall continue in office for a further term of four years unless at least sixty (60) days before the date fixed for the election of such a superintendent four or more members of a board of school directors in a second class district or three or more members of a board of school directors in a third class district employing such officer shall forward by registered mail a notice to the district superintendent or associate superintendent that another or other candidates will be considered for the office

The term of office or commission of a district superintendent [or] assistant district superintendent or associate superintendent shall not be shortened by reason of the fact that the district in which he serves shall because of loss of population enter a class of districts for which there is no provision for a district superintendent [or] assistant district superintendent or associate superintendent and such superintendent [or] assistant district superintendent or associate superintendent shall continue to serve such district for the term of his office or commission

Section 4 Section 1074 of said act is hereby amended to read as follows

Section 1074 Districts Having No Superintendent Any school district of the second [or third] class having no district superintendent or school district of the third class having no district superintendent or associate superintendent may elect a district or associate superintendent before the regular time fixed for the election of district or associate superintendents in the manner herein provided and he shall serve until the date when the terms of other district or associate superintendents end

Section 5 Section 1075 of said act as amended by the act approved the twenty-sixth day of May one thousand nine hundred forty-nine (P. L. 1820) is hereby further amended to read as follows

Section 1075 Salary The board of school directors at any convention electing a district superintendent or the board of school directors of any district of the third class at any convention electing an associate superintendent shall determine the amount of salary to be paid such district superintendent or associate superintendent which compensation shall be paid out of the funds of the district

District superintendents and associate superintendents shall be entitled to the following minimum annual salaries

(1) In districts having a population of less than forty-five thousand (45,000) six thousand dollars (\$6000)

(2) In districts having a population of forty-five thousand (45,000) and more but less than one hundred fifty thousand (150,000) six thousand five hundred dollars (\$6500)

(3) In districts having a population of one hundred fifty thousand (150,000) or more seven thousand dollars (\$7000)

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?



The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bane,	Haluska,	Meade,	Stiefel,
Barr,	Holland,	Neff,	Taylor,
Barrett,	Kessler,	Pechan,	Toole,
Berger,	Lane,	Peelor,	Wade,
Blass,	Leader,	Propert,	Wagner,
Byrne,	Letzler,	Robinson,	Walker,
Chapman,	Mahany,	Rosenfeld,	Watkins,
Crowe,	Mallery,	Ruth,	Watson,
Dent,	McCreesh,	Scarlett,	Wolfe,
Diehm,	McGinnis,	Silvert,	Wood,
DiSilvestro,	McMenamin,	Snowden,	Yosko,
Fleming,	McPherson, Jr.	Stevenson,	Hare,
Freed.			Presiding Officer

## NAYS—0

A majority of all the Senators havin voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

## BILL POSTPONED

Mr. WALKER. Mr. President, I move that House Bill No. 1196, on third reading, entitled:

An Act to amend clause (15) of the second paragraph of Section 493 of the act approved the twelfth day of April one thousand nine hundred fifty-one (Act No. 21) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" by making the cashing receiving handling or negotiating of Public Assistance checks or the cashing of payroll checks by licensees of the Pennsylvania Liquor Control Board an unlawful act.

be placed on the Third Reading Postponed Calendar.

Mr. WOOD. Mr. President, I second the motion.

The motion was agreed to.

## BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1286, entitled:

An Act authorizing the Commonwealth to negotiate temporary emergency loans to defray current and other expenses of the State government during any fiscal biennium evidenced by tax anticipation notes secured by and payable from current revenues of any current biennium levied assessed collectible and accruing during such fiscal biennium defining the powers and duties of the Governor the Auditor General and the State Treasurer in relation thereto providing for the payment of interest on and the repayment of such loans and making an appropriation

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. ROSENFELD. Mr. President, I ask unanimous consent to offer an amendment at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The Clerk read the amendment as follows:

Amend Section I, page 2, line 13, by adding at the end of the said line the following: "Whenever any such loan or loans are about to be sought, it shall be the duty of the Governor, the Auditor General and the State Treasurer to notify all lending institutions in the Commonwealth of the amount or amounts sought, inviting participation and requesting commitments of the amount such institution will lend and the rate of interest it will charge therefor. It shall be the duty of the Governor, the Auditor General, and the State Treasurer to borrow from such institutions offering sums in amounts of not less than \$300,000 at the lowest rate of interest."

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

## BILL OVER IN ORDER

Mr. ROSENFELD. Mr. President, I ask unanimous consent that House Bill No. 1286, on third reading, go over in its order, as amended.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

## BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1326 on third reading, entitled:

An Act to further amend the act approved the nineteenth day of March one thousand nine hundred nine (P. L. 46) entitled "An act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing of osteopaths in this State and to provide penalties for the violation of this act" by providing for the licensing without examination of persons licensed by the provinces of the Dominion of Canada in certain cases

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

## BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1366, as follows:

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further providing for the payment of expenses of teachers' meetings by the county treasurer

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one thousand one hundred ninety-two of the act approved the tenth day of March one thousand



nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" is hereby amended to read as follows

Section 1192 Expenses Paid by County Limitation Upon the receipt from a county superintendent of duplicate vouchers and a statement of expenses incurred in the conduct of a teachers' meeting as herein provided which has been sworn to by the county superintendent and approved by the auditors of such meeting the county treasurer of the county in which the school district under the or greatest part thereof in area shall be located shall pay out the county treasury to such county superintendent the amount of such expenses which shall not exceed [two hundred dollars (\$200)] four hundred dollars (\$400)

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bane,	Haluska,	Meade,	Stiefel,
Barr,	Holland,	Neff,	Taylor,
Barrett,	Kessler,	Pechan,	Toole,
Berger,	Lane,	Peelor,	Wade,
Blass,	Leader,	Probert,	Wagner,
Byrne,	Letzler,	Robinson,	Walker,
Chapman,	Mahanay,	Rosenfeld,	Watkins,
Crowe,	Mallery,	Ruth,	Watson,
Dent,	McCreesh,	Scarlett,	Wolfe,
Diehm,	McGinnis,	Silvert,	Wood,
DiSilvestro,	McMenamin,	Snowden,	Yosko,
Fleming,	McPherson, Jr.	Stevenson,	Hare,
Freed,			Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1367, as follows:

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further providing for the payment of the expenses of the annual convention of school directors out of county funds

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section nine hundred eight of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating there" is hereby amended to read as follows

Section 908 Payment of Expenses by County The county treasurer shall pay to the treasurer of such School Directors' Association from the county funds the necessary expenses incurred for the holding of such annual convention including the cost of sending out the notices therefore The total sum thus paid by the treasurer of any county shall not exceed [two hundred dollars (\$200)] four hundred dollars (\$400) for each annual convention No payment shall be made to the treasurer of such School Directors' Association until he shall first have

presented to the county treasurer an itemized verified statement of all the expenses connected with such convention showing when and where the same was held the number of directors present and the speakers engaged The treasurer of such directors' association within thirty (30) days after receiving said payment shall file with the county treasurer proper vouchers for all such expenses

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bane,	Haluska,	Meade,	Stiefel,
Barr,	Holland,	Neff,	Taylor,
Barrett,	Kessler,	Pechan,	Toole,
Berger,	Lane,	Peelor,	Wade,
Blass,	Leader,	Probert,	Wagner,
Byrne,	Letzler,	Robinson,	Walker,
Chapman,	Mahany,	Rosenfeld,	Watkins,
Crowe,	Mallery,	Ruth,	Watson,
Dent,	McCreesh,	Scarlett,	Wolfe,
Diehm,	McGinnis,	Silvert,	Wood,
DiSilvestro,	McMenamin,	Snowden,	Yosko,
Fleming,	McPherson, Jr.,	Stevenson,	Hare,
Freed			Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1440, as follows:

An Act to further amend Sections 315 and 413 of the act approved the second day of June one thousand nine hundred fifteen (P. L. 736) entitled as amended "An act defining the liability of an employer to pay damages for injuries received by an employee in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties" by limiting the effect on workmen's compensation claims of insurance payments for non-occupational illness or injury

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections 315 and 413 of the act approved the second day of June one thousand nine hundred fifteen (P. L. 736) entitled as amended "An act defining the liability of an employer to pay damages for injuries received by an employee in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties" as last reenacted and amended by the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 520) are hereby further amended to read as follows

Section 315 In cases of personal injury all claims for compensation shall be forever barred unless within one year after the accident the parties shall have agreed upon the compensation payable under this article or unless within one year after the accident one of the parties shall have filed a petition as provided in article four hereof In cases of death all claims for compensation shall be forever barred unless within one year after the death the parties shall have agreed upon the compensation under this article or unless within one year after the death one of the parties shall have filed a petition as provided in



article four hereof Where however payments of compensation have been made in any case said limitations shall not take effect until the expiration of one year from the time of the making of the most recent payment prior to date of filing such petition Provided That any payment made under an established plan or policy of insurance for the payment of benefits on account of non-occupational illness or injury shall not be considered to be payment in lieu of workmen's compensation and such payment shall not toll the running of the Statute of Limitations

Section 413 The board or a referee designated by the board may at any time review and modify or set aside an original or supplemental agreement upon petition filed by either party with the board or in the course of the proceedings under any petition pending before such board or referee if it be proved that such agreement was procured by the fraud coercion or other improper conduct of a party or was founded upon a mistake of law or of fact Provided That except in the case of eye injuries an agreement can only be reviewed modified or set aside if a petition is filed with the board within one year after the date of the most recent payment of compensation made prior to the filing of such petition

The board or referee designated by the board may at any time modify reinstate suspend or terminate an original or supplemental agreement or an award upon petition filed by either party with such board upon proof that the disability of an injured employe has increased decreased recurred or has temporarily or finally ceased or that the status of any dependent has changed Such modification reinstatement suspension or termination shall be made as of the date upon which it is shown that the disability of the injured employe has increased decreased recurred or has temporarily or finally ceased or upon which it is shown that the status of any dependent has changed Provided That except in the case of eye injuries an agreement or an award can only be reviewed modified or reinstated during the time such agreement or award has to run if for a definite period and except in the case of eye injuries no agreement or award shall be reviewed or modified or reinstated unless a petition is filed with the board within one year after the date of the most recent payment of compensation made prior to the filing of such petition And provided further That any payment made under an established plan or policy or insurance for the payment of benefits on account of non-occupational illness or injury shall not be considered to be payment in lieu of workmen's compensation and such payment shall not toll the running of the Statute of Limitations

The board or referee to whom any such petition has been assigned may subpoena witnesses hear evidence make findings of fact and award or disallow compensation in the same manner and with the same effect and subject to the same right of appeal as if such petition were an original claim petition

The filing of a petition to terminate or modify a compensation agreement or award as provided in this section shall operate as a supersedeas and shall suspend the payment of compensation fixed in the agreement or by the award in whole or to such extent as the facts alleged in the petition would if proved require

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bane,	Haluska,	Meade,	Stiefel,
Barr,	Holland,	Neff,	Taylor,
Barrett,	Kessler,	Pechan,	Toole,
Berger,	Lane,	Peelor,	Wade,
Blass,	Leader,	Propert,	Walker,
Byrne,	Letzler,	Robinson,	Watkins,
Chapman,	Mahany,	Rosenfeld,	Watson,
Crowe,	Mallery,	Ruth,	Wolfe,

Dent,	McCreesh,	Scarlett,	Wood,
Diehm,	McGinnis,	Silvert,	Wagner,
DiSilvestro,	McMenamin,	Snowden,	Yosko,
Fleming,	McPherson, Jr.	Stevenson,	Hare,
Freed,			Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered; That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

## BILL POSTPONED

Mr. WALKER. Mr. President, I move that House Bill No. 1506, on third reading, entitled:

An Act to amend the act approved the twelfth day of April one thousand nine hundred fifty-one (P. L. 90) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" by further providing for transfers of certain retail liquor and retail dispenser licenses and changing the quota provisions

be placed on the Third Reading Postponed Calendar.

Mr. PEELOR. Mr. President, I second the motion.

The motion was agreed to.

## BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1554, as follows:

An Act to authorize the Secretary of Public Assistance of the Commonwealth of Pennsylvania to apply to the Secretary of Agriculture of the United States for the return of assets of the former Pennsylvania Rural Rehabilitation Corporation to receive deposit and administer such assets for rural rehabilitation or other authorized purposes and to enter into agreements with the Secretary of Agriculture of the United States with respect to the future administration of said assets

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Secretary of Public Assistance of the Commonwealth of Pennsylvania is hereby designated as the official of the Commonwealth of Pennsylvania to make application to the Secretary of Agriculture of the United States or any other proper Federal official for the return of the trust assets either funds or property held by the United States as trustees in behalf of the former Pennsylvania Rural Rehabilitation Corporation

Section 2 The Secretary of Public Assistance of the Commonwealth of Pennsylvania is hereby authorized to receive and to deposit the funds and proceeds of the said assets in the Treasury of the Commonwealth earmarked for rural rehabilitation and to administer expend and use in the Commonwealth of Pennsylvania by payments made on the warrant of the Auditor General upon requisition of the Secretary of Public Assistance all or any part of the said funds and proceeds so received and the income



therefrom only for such of the rural rehabilitation purposes as were set forth in the charter of the former Pennsylvania Rural Rehabilitation Corporation or for carrying out the purposes of Titles I and II of the Bankhead-Jones Farm Tenant Act pursuant to the applicable provisions of Title IV thereof as now or hereafter amended as may from time to time be agreed upon by the Secretary of Public Assistance of the Commonwealth of Pennsylvania and the Secretary of Agriculture of the United States or any other proper Federal official pursuant to the Rural Rehabilitation Corporation Trust Liquidation Act (Public Law 499 81st Congress)

Section 3 The Secretary of Public Assistance of the Commonwealth of Pennsylvania is hereby authorized and empowered to (a) Collect compromise adjust or cancel claims and obligations arising out of or administered under this act or under any mortgage lease contract or agreement entered into or administered pursuant to this act and if in his judgment necessary and advisable pursue the same to final collection in any court having jurisdiction (b) bid for and purchase at any execution foreclosure or other sale or otherwise to acquire property upon which he has a lien by reason of a judgment or execution or which is pledged mortgaged conveyed or which otherwise secures any loan or other indebtedness owing to or acquired by him under this act and (c) accept title to any property so purchased or acquired to operate or lease such property for such period as may be deemed necessary to protect the investment therein and to sell or otherwise dispose of such property in a manner consistent with the provisions of this act

Section 4 The Secretary of Public Assistance of the Commonwealth of Pennsylvania is further authorized hereby in his discretion to enter into agreements with the Secretary of Agriculture of the United States upon such terms and conditions and for such periods of time as may be mutually agreeable authorizing the Secretary of Agriculture of the United States to accept administer expend and use in the Commonwealth of Pennsylvania all or any part of such trust assets either funds or proceeds and the income therefrom or any other funds of the Commonwealth of Pennsylvania which may be appropriated for such uses for carrying out the purposes of Titles I and II of the Bankhead-Jones Farm Tenant Act pursuant to the applicable provisions of Title IV thereof as now or hereafter amended and to do any and all things necessary to effectuate and carry out the purposes of said agreements

Section 5 The authority conferred upon the Secretary of Public Assistance of the Commonwealth of Pennsylvania by the provisions of section 3 of this act may be delegated to the Secretary of Agriculture of the United States with respect to any funds or assets authorized to be administered and used by the said Secretary of Agriculture of the United States under any agreements entered into pursuant to section 4 of this act

Section 6 The United States and the Secretary of Agriculture thereof shall be held free from liability by virtue of the transfer of the assets to the Secretary of Public Assistance of the Commonwealth of Pennsylvania pursuant to this act

Section 7 All acts and parts of acts in conflict herewith are hereby repealed

Section 8 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	Meade,	Stiefel,
Barr,	Holland,	Neff,	Taylor,

Barrett,	Kessler,	Pechan,	Toole,
Berger,	Lane,	Peelor,	Wade,
Blass,	Leader,	Probert,	Wagner,
Byrne,	Letzler,	Robinson,	Walker,
Chapman,	Mahany,	Rosenfeld,	Watkins,
Crowe,	Mallery,	Ruth,	Watson,
Dent,	McCreesh,	Scarlett,	Wolfe,
Diehm,	McGinnis,	Silvert,	Wood,
DiSilvestro,	McMenamin,	Snowden,	Yosko,
Fleming,	McPherson, Jr.	Stevenson,	Hare,
Freed,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1574, as follows:

An Act to further amend the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by changing certain provisions relating to contracts recreation places highways and expense accounts of delegates to conventions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 916 the first paragraph of section 1901 and sections 1903 2939 and 3703 of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" as reenacted and amended or added as the case may be by the act approved the twenty-eighth day of June one thousand nine hundred fifty-one (Act No 164) are hereby amended or further amended to read as follows

Section 916 City Leagues and Other Municipal Affairs Organizations Any city may unite with other cities or with cities of two or more classes and may form and organize leagues of said cities and hold annual conventions for the study and consideration of such municipal affairs as concern and pertain to the cities comprising the league Each city member of a league may send delegates thereto and pay necessary expenses incident to their attending said convention and pay dues to the league and provide a fund for the necessary costs and expenses of the league and league conventions and the work carried on by said league Each delegate shall submit to the city controller for approval an itemized account of his expenses to be paid him under the authority of this section Council is hereby authorized to appropriate monies for like support of and participation in other organizations concerned with municipal affairs

Section 1901 Power to Make Contracts Regulations Concerning Contracts Each city may make contracts for carrying into execution the provisions of this act and the laws of the Commonwealth The council shall by ordinance provide for and regulate the award of all contracts No contract shall be entered into or purchase made by the city in an amount involving more than two hundred dollars [\* \* \* \* \*] except upon council's approval thereof

Section 1903 Contracts for Less Than Seven Hundred and Fifty Dollars Written Bids In all cases of contracts or purchases other than the kinds mentioned in clauses (1) to (5) inclusive of section one thousand nine hundred one of this act [twenty-five] two hundred dollars to seven hundred and fifty dollars inclusive whether made by council or by an officer or appointee of the city written bids shall be solicited therefor and no such contract or purchase shall be made for the city except upon at least two such written bids The specifications upon which bids



are solicited shall be uniform in so far as possible to afford equal opportunity for bidding Catalogues and circulars of firm prices shall be acceptable as bids upon the contract; or purchases herein regulated All such bids shall be retained in the proper department or office for a period of at least two months and shall be reported monthly to the director of accounts and finance who shall make a consolidated monthly report thereof to council The members of council and the controller shall have access to the bids in all departments and offices of the city for the enforcement of this provision Any official or appointee of the city contracting or purchasing in violation of the provisions of this section shall be liable upon his bond if any or personally in the full amount of the purchase or contract so made and council may avoid any such purchase or contract

Section 2939 Highways in Cities Wherever in this act a city is given powers rights and duties as to its streets or sections thereof the same shall extend as well to highways or sections thereof which are also streets of the city to the extent that the city is legally responsible for them excepting damages to abutting property owners for acts of the Commonwealth unless the city shall assume them under this act or the State Highway Law The use of the word "street" in this act shall to that extent include highways

Section 3703 Acquisition of Lands and Buildings Cities may enter upon take use purchase and acquire by gift or by the right of eminent domain lands property and buildings for the purpose of making extending enlarging and maintaining recreation places which shall consist of public parks parkways playgrounds playfields gymnasiums public baths swimming pools or indoor recreation centers [hereinafter called recreation places] may levy and collect such special taxes as may be necessary to pay for the same and make appropriations for the improvement maintenance care regulations and government of the same Cities may designate and set apart for use for any of the purposes specified in this section lands and buildings owned by such cities and not dedicated or devoted to other public use Cities may also lease lands and buildings in such cities for temporary use for such purposes Lands property and buildings outside the limits of the city may be acquired in like manner for recreation places and such lands may be annexed to the city in the manner provided by this act for the annexation of territory to a city

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Bane,	Haluska,	Meade,	Stiefel,
Barr,	Holland,	Neff,	Taylor,
Barrett,	Kessler,	Pechan,	Toole,
Berger,	Lane,	Peelor,	Wade,
Blass,	Leader,	Propert,	Wagner,
Byrne,	Letzler,	Robinson,	Walker,
Chapman,	Mahany,	Rosenfeld,	Watkins,
Crowe,	Mallery,	Ruth,	Watson,
Dent,	McCreesh,	Scarlett,	Wolfe,
Diehm,	McGinnis,	Silvert,	Wood,
DiSilvestro,	McMenamin,	Snowden,	Yosko,
Fleming,	McPherson, Jr.	Stevenson,	Hare,
Freed,			Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1647, as follows:

An Act to add section three hundred twenty-seven to the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by making it a crime to picket or parade in or near any building housing a court of the Commonwealth of Pennsylvania with the intent of influencing any judge juror witness or court officer in the discharge of his duty and prescribing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" is hereby amended by adding immediately after section three hundred twenty-six a new section to read as follows

Section 327 Whoever with the intent of interfering with obstructing or impeding the administration of justice or with the intent of influencing any judge juror witness or court officer in the discharge of his duty pickets or parades in or near any building housing a court of the Commonwealth of Pennsylvania or in or near a building or residence occupied or used by such judge juror witness or court officer or with such intent uses any sound-truck or similar device or resorts to any other demonstration in or near any such building or residence shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five thousand dollars (\$5000) or to undergo imprisonment not exceeding one (1) year or both

Nothing in this section shall interfere with or prevent the exercise by any court of the Commonwealth of Pennsylvania of its power to punish for contempt

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Bane,	Haluska,	Meade,	Stiefel,
Barr,	Holland,	Neff,	Taylor,
Barrett,	Kessler,	Pechan,	Toole,
Berger,	Lane,	Peelor,	Wade,
Blass,	Leader,	Propert,	Wagner,
Byrne,	Letzler,	Robinson,	Walker,
Chapman,	Mahany,	Rosenfeld,	Watkins,
Crowe,	Mallery,	Ruth,	Watson,
Dent,	McCreesh,	Scarlett,	Wolfe,
Diehm,	McGinnis,	Silvert,	Wood,
DiSilvestro,	McMenamin,	Snowden,	Yosko,
Fleming,	McPherson, Jr.	Stevenson,	Hare,
Freed,			Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

#### SECOND READING CALENDAR

#### BILL ON SECOND READING AMENDED

Agreeably to order.

The rule requiring bill to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 482, entitled:

An Act to amend Section 771 of the act approved the



tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for suitable ceremonies affirming and developing allegiance to the Flag of the United States and our American way of life and organization of government

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. PECHAN offered the following amendments:

Amend Section 1, (Sec. 771), page 3, line 5, by inserting after the word "daily" the following: "instruction or;" Amend Section 1, (Sec. 771), page 3, line 8, by striking out the word "democratic" and inserting in lieu thereof: "American;" Amend Section 1, (Sec. 771), page 3, line 8, by inserting after the word "life" the following: "with all of the unparalleled individual opportunities;" Amend Section 1, (Sec. 771), page 3, lines 8 and 9, by striking out the word "American" and inserting in lieu thereof "Republican;" Amend Section 1, (Sec. 771), page 3, line 9, by inserting after the word "government" the following: "with its responsiveness to majority decisions and demands;" Amend Section 1, (Sec. 771), page 3, line 11, by inserting after the word "of" where it appears the third time in said line the following: "the Commonwealth of Pennsylvania and the Constitution of."

They were agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time, and agreed to, as amended,

Ordered, To be transcribed for a third reading.

### BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 542, entitled:

An Act to amend the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1120) entitled "An act to promote the safety of employes and travelers upon railroads by compelling common carriers by railroad to man locomotive trains and other self propelled engines or machines with competent employes to provide the least number of men that may be employed on locomotive trains and other self propelled engines or machines to provide the qualifications of certain employes and to provide a penalty for the violation thereof and the enforcement thereof by the Public Utility Commission" by further regulating the size of locomotive crews

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILL ON SECOND READING, AMENDMENTS OFFERED

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1356, entitled:

An Act to amend sections one eight and thirteen of the act approved the twenty-fifth day of June one thousand

nine hundred forty-seven (P. L. 940) entitled "An act relating to boarding houses for children providing for the licensing and inspection thereof and the adoption of rules and regulations for the maintenance operation and conduct thereof by the Department of Welfare defining offenses and prescribing penalties" by redefining "boarding houses for children" providing for an advisory committee with which the department shall confer in adopting rules and regulations and increasing penalties

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. DENT (by request) offered the following amendment:

Amend Section I, page 3, line 15, by inserting after the word "Commonwealth," the following: "(7)" Any place maintained conducted and supervised by a recognized religious organization."

On the question,

Will the Senate agree to the amendment?

(HOUSE BILL No. 1356)

Mr. WALKER. Mr. President, I object to the amendments and ask that they be voted down.

Mr. DENT. Mr. President, I would very much like to vote for this bill. However, there are those in Pennsylvania who have for years been connected with the question of foster children and neglected children. The consensus of opinion of those whom I have talked to is that religious organizations as a whole have performed an excellent service in Pennsylvania in the placement of neglected children. There is a need in Pennsylvania for some supervision and examination by the Department of Welfare, and I have always held that that need should be filled at some time. However, the fear that arises in the passage of this bill in its present form, without the amendments, is that bonafide church organizations will no longer have the right of selection and placement of that child who belongs to a certain religious faith. Many churches believe that that is part and parcel of their religious duty, and feel that this bill would injure the operation of their organizations.

Mr. President, if the amendment is rejected, I personally cannot vote for the bill, much as I want to. I think that the original start ought to be made by the Department of Welfare in looking into the management of the foster homes that do not come under the direct supervision of religious organizations. I think you will find upon investigation that the weaknesses in our systems to the care of foster children and neglected children lie in the direct contacts made and the direct contracts made with the private homes and some professional homes. The care usually given, after religious placement, is the kind of care that prepares children in the long run for a useful life along civic and religious lines, and I do not think that we ought to upset at this time that program that has gone on for many many years.

Mr. President, we talk about bureaucracy and we talk about centralization. This bill specifically does these two things, and I for one believe that every man in this Senate, unless he wants to directly insult the management of the homes under the religious groups, ought to give very serious consideration to the amendments just handed in. I would ask my colleagues to vote for the amendments.



Mr. WALKER. Mr. President, one of the legislative hazards in not having a joint Democratic and Republican Caucus is the fact that it is sometimes difficult for the one Caucus to find out what the other one is doing, and usually the newspaper men find out before the gentlemen in caucus, but they seem to be reluctant to tell the Democratic Caucus what the Republican Caucus decided today.

Mr. President, I would like to suggest to the gentleman from Westmoreland that he would withdraw his amendments until tomorrow. The Republican Caucus today had as a guest the Secretary of the Department of Welfare to discuss these bills, and the Republican Caucus has requested the Attorney General of the Commonwealth to come in tomorrow so that these bills can be discussed with him.

Mr. President, the thought conveyed in Senator Dent's amendments has been discussed favorably by some of the Members of our caucus, and we would like to clarify some matters before the bills are acted on. It was my intention when the bills were called up to ask that they go over in order, pending the action of the early morning caucus, as a matter of fact, the nine o'clock Wednesday morning caucus. If the gentleman will hold his fire until we can get finished with this nine o'clock caucus tomorrow, we might have what is so often termed statesmanship in the Senate Chamber. We might be in accord, novel as that may seem.

#### AMENDMENT LAID ON THE TABLE

Mr. DENT. Mr. President, in view of the statement just made by the Majority Leader, I ask that the amendment be laid on the table.

The PRESIDING OFFICER. The amendment will be laid on the table.

And the question recurring,

Will the Senate agree to the section?

#### BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1356, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

#### BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1357, on second reading, entitled:

An Act to amend the act approved the fourteenth day of April one thousand nine hundred and twenty-five (P. L. 234) entitled "An act relating to Boarding Houses for Infants providing for the licensing thereof and the adoption of rules and regulations for the maintenance operation and conduct thereof by the Department of Welfare and fixing penalties by redefining "boarding houses for infants" eliminating license fees providing for an advisory committee with which the department shall confer in adopting rules and regulations and increasing penalties"

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

#### BILLS POSTPONED

Mr. WALKER. Mr. President, I move that House Bill No. 1378, on second reading, entitled:

An Act providing for the examination licensure and registration of persons firms or corporations engaged in the business or work of plumbing or house and building drainage and prescribing certain rules regulations and requirements for the construction of plumbing house and building drainage and cesspools in cities of the second class second class A and third class and imposing fines penalties and forfeitures for violation thereof and providing for administration of this act by county departments of health or joint-county departments of health in cities of the second class second class A and third class which are within the jurisdiction of such departments of health and repealing certain laws

be placed on the Second Reading Postponed Calendar.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

#### BILL ON SECOND READING AMENDED

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1402, entitled:

An Act providing for appeals to the court of common pleas from the decisions of Civil Service Boards and Commissions in cities

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. FLEMING offered the following amendment:

Amend Sec. 1, page 2, line 1 by inserting after the word "pleas" the following "or the county court".

It was agreed to.

The section was agreed to as amended.

The second and third sections were read and agreed to.

The title was read.

On the question,

Will the Senate agree to the title??

Mr. FLEMING offered the following amendment:

Amed Title, page 1, line 1 of title, by striking out the words "to the court of common pleas".

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

#### BILL OVER IN ORDER

Mr. FLEMING. Mr. President, I ask unanimous consent that House Bill No. 1402, on second reading, go over in its order, as amended.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

#### BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1445, entitled:



An Act to add section three hundred twenty-eight to the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by making it a crime to falsify a material fact or make fraudulent statements in any matter within the jurisdiction of any department board or commission of the Commonwealth and prescribing penalties

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1480, entitled:

An Act to further amend the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An Act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" by defining and re-defining certain terms by further providing for the submission of reports by the department to the Governor concerning the administration and operation of the act by providing for the selection of certain personnel on a civil service basis by providing for the disposition of obsolete files and records and for the admissibility of copies of such records in evidence for reciprocal arrangements with foreign governments for modification of the manner in which contribution rates are determined and redetermined for modification of the manner in which reports are filed and contributions paid for modification of the provisions with respect to eligibility for benefits and the amount thereof by conferring upon the department the right of appeal by eliminating appeal filing fees and by making further provisions for the prosecution of fraud and for recoupment of benefit payments

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1505, entitled:

An Act to amend the act approved the twelfth day of June one thousand nine hundred thirty-one (P. L. 510) entitled "An act providing for the licensure and regulation of certain private nursing homes and private hospitals conferring certain powers and duties upon the Department of Welfare and providing penalties" by further providing for the licensure and regulation of such nursing homes and hospitals

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

## RECESS

Mr. WALKER. Mr. President, I move that the Senate do now take a recess for five minutes, to permit a meeting of the Committee on State Government.

Mr. LETZLER. Mr. President, I second the motion.

The motion was agreed to.

## AFTER RECESS

The PRESIDING OFFICER. The time of recess having elapsed the Senate will be in order.

## REPORTS FROM COMMITTEES

Mr. WOLFE. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WOLFE, from the Committee on State Government, reported as committed, Senate Bill No. 846, entitled:

An Act making certain marriages solemnized on United States Military Reservations located within the Commonwealth as valid as if solemnized elsewhere within the Commonwealth; and validating such marriages heretofore consummated.

He also, from the Committee on State Government, reported as committed, Senate Bill No. 839, entitled:

An Act authorizing the Department of Property and Supplies to sell and convey a tract of land in Allegheny Township, Blair County, Pennsylvania, with the approval of the Governor.

Mr. BLASS. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. BLASS, from the Committee on State Government, re-reported as amended, House Bill No. 955, entitled:

An Act to amend section 10 of the act, approved the twenty third day of May, one thousand nine hundred forty-five (P. L. 903) entitled "An act authorizing cities of the third class to establish an optional retirement system for officers and employes independently of any pension system or systems existing in such cities," by removing the limitations on contributions by the city.

## BILL RE-REFERRED

Mr. BLASS, from the Committee on Forests and Waters, Game and Fish, reported as committed, Senate Bill No. 844, entitled:

An Act establishing a retirement system for game protectors of the Pennsylvania Game Commission; providing for payments upon retirement, death, disability, involuntary retirement, and of certain medical expenses from the State Employees' Retirement Fund, under the administration of the State Employees' Retirement Board; providing for contributions by game protectors of the Pennsylvania Game Commission and the Commonwealth; providing for the guarantee by the Commonwealth of certain of said funds; providing for the subrogation of the Commonwealth to the rights of the member or dependents against certain third parties; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial processes, and providing penalties.

which was re-referred to the Committee on State Government.



Mr. HOLLAND. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. HOLLAND, from the Committee on State Government, reported as committed, Senate Bill No. 831, entitled:

An Act to further amend the act approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employees, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employees; exempting annuities, allowances, returns, benefits and rights from taxation and judicial process; and providing penalties," by further extending the time for present employees to elect to be covered by the retirement system and granting retirement rights to certain additional persons who have withdrawn from and returned to school service.

#### SENATE RESOLUTION

#### URGING THE COMPLETION OF CERTAIN THOROUGHFARE CONSTRUCTION IN PHILADELPHIA

Mr. BYRNE. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. BYRNE offered the following resolution which was twice read, as follows:

In the Senate, September 18, 1951.

Whereas, Seven years ago a project to build a new needed thoroughfare in the City of Philadelphia came to a standstill at Aramingo Avenue and Ontario Street; and

Whereas, This partially completed project, if finished according to plan, would greatly relieve traffic from Richmond and Thompson Streets in Philadelphia and is vitally necessary; and therefore be it

Resolved (by the Senate of Pennsylvania), That we hereby urge the local authorities in the City of Philadelphia to do everything in their power to hasten the completion of the thoroughfare which was stopped in 1944 at Ontario Street and Aramingo Avenue by cutting Aramingo Avenue at Torresdale Avenue and Aramingo Avenue; and be it further

Resolved, That copies of this resolution be sent to the Mayor and members of council of the City of Philadelphia.

#### REQUEST THAT RULE 39 BE SUSPENDED

Mr. BYRNE. Mr. President, I ask unanimous consent that Rule 39, which requires resolutions be referred to an appropriate committee, be dispensed with and the Senate proceed to the consideration of the foregoing resolution.

The PRESIDING OFFICER. Is there objection?

Mr. WALKER. Mr. President, with apologies to the gentleman from Philadelphia, I object to immediate consideration of the resolution.

The PRESIDING OFFICER. The resolution is referred to the Committee on Rules.

The PRESIDENT pro tempore (M. Harvey Taylor) in the Chair.

#### BILLS SIGNED

The President pro tempore (M. Harvey Taylor) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 191, entitled:

An Act to further amend Section 671 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by authorizing the change of the fiscal year by districts of the second class.

Senate Bill No. 249, entitled:

An Act to amend subsection (a) of Section 411 of the act, approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 1053), entitled "An act relating to the regulation of public utilities; defining as public utilities certain corporations, companies, associations, and persons; providing for the regulation of public utilities, including, to a limited extent, municipalities engaging in public utility business, by prescribing, defining, and limiting their duties, powers, and liabilities, and regulating the exercise, surrender, or abandonment of their powers, privileges, and franchises; defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle; conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons, associations, companies and corporations, including, to a limited extent, municipal corporations subject to this act, and administering the provisions of this act; authorizing the commission to fix temporary rates; placing the burden of proof on public utilities to sustain their rates and certain other matters; authorizing a permissive or mandatory sliding scale method of regulating rates; providing for the supervision of financial and contractual relations between public utilities and affiliated interests, and supervision and regulation of accounts and securities or obligations issued, assumed or kept by persons, associations, companies, corporations, or municipal corporations subject to this act; conferring upon the commission power to vary, reform, or revise certain contracts; conferring upon the commission the exclusive power to regulate or order the construction, alteration, relocation, protection, or abolition of crossings of facilities of public utilities, and of such facilities by or over public highways, to appropriate property for the construction or improvement of such crossings, and to award or apportion resultant costs and damages; authorizing owners of such property to sue the Commonwealth for such damages; providing for ejectment proceedings in connection with the appropriation of property for crossings; conferring upon the commission power to control and regulate budgets of public utilities; imposing upon persons associations, companies and corporations (except municipal corporations) subject to regulation, the cost of administering this act; prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action; giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings; prescribing penalties, fines, and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties; and repealing legislation supplied and superseded by or inconsistent with this act," by relieving cities of the second class A and third class and the counties in which they are located from payment of damages occasioned by and costs of construction, reconstruction, repair and maintenance of certain bridges and viaducts.



## House Bill No. 361, entitled:

An Act to further amend section 6 of the act, approved the nineteenth day of June, one thousand nine hundred eleven (P. L. 1055), entitled "Indeterminate Sentence, Probation and Penitentiary Parole Law," by further regulating the manner of sentencing of convicts in certain cases.

## Senate Bill No. 456, entitled:

An Act to further amend the act, approved the thirty-first day of May, one thousand nine hundred forty-seven (P. L. 368), entitled "An act to protect consumers in the purchase for fuel purposes of the hard coal known as anthracite; providing for and regulating the sale, offering for sale, resale, delivery and shipment of anthracite according to a standard provided for in this act; requiring producers and dealers and persons engaged in the sale and resale of anthracite, from storage yards or otherwise to consumers, to keep certain records; conferring powers on the Anthracite Committee and its agents, and providing penalties," by defining "Retail Dealer," "Wholesale Dealer," "Municipal Weighmaster," and "Municipality," requiring producers, wholesale dealers and municipal weighmasters to issue certain statements and keep certain records; imposing and changing penalties; providing for the payment of fines for violations to the Commonwealth; and providing for injunctions to restrain violations.

## Senate Bill No. 723, entitled:

An Act to amend section 3 of the act, approved the fifteenth day of June, one thousand nine hundred thirty-nine (P. L. 359), entitled "An act relating to recognizances and official bonds of present and future sheriffs and coroners and to their sureties thereon; imposing the expense of corporate suretyships on such obligations upon the several counties and various duties upon the courts of common pleas and county officers thereof; authorizing the substitution of approved surety companies for individual or corporate sureties upon such obligations and the release of any surety upon any such recognizance by such court upon certain conditions; dispensing with sureties on such recognizances but providing for the acknowledgment, recording and indexing of same as liens on certain real estate; regulating such liens and releases therefrom; providing for refunds to sheriffs and coroners of certain premiums paid to sureties on their official bonds and recognizances; and repealing inconsistent laws, except as to existing claims or pending suits thereunder, subject to certain limitations," by fixing the time the lien of such recognizances shall run, including those heretofore executed.

## Senate Bill No. 771, entitled:

An Act to further amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by empowering the board of school directors in every school district to insure all of its employees against liability for personal damages sustained by pupils or others as the result of the employees' negligence in the performance of his or her duties during the course of his or her employment.

## Senate Bill No. 808, entitled:

An Act to further amend Section 1201 of the act, approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," by further providing for the sale of borough property.

## House Bill No. 976, entitled:

An Act to amend Section 1 of the act, approved the

twentieth day of May, one thousand nine hundred forty-nine (P. L. 1489), entitled "An act providing for a two-platoon system for firemen employed and paid by cities of the second class A and fixing the maximum hours of service in any one day or week for such platoons, with certain exceptions," by further prescribing the maximum hours of service for such employes in any one week.

## House Bill No. 1269, entitled:

An Act to amend Section 15 of the act, approved the twenty-second day of April, one thousand eight hundred fifty (P. L. 538), entitled "An act to secure the cities of Pittsburgh and Allegheny, and the neighborhood thereof, from damage by gun powder; to incorporate an association for the establishment of a house of refuge for western Pennsylvania; and relative to the Pennsylvania State Lunatic hospital," by changing the maximum age for the commitment of delinquents to the Pennsylvania Training school at Canonsburg, and changing admission requirements relative thereto.

## House Bill No. 1270, entitled:

An Act providing for the commitment and transfer of certain female juvenile delinquents to the Pennsylvania Training School for Girls, and imposing duties on the courts of this Commonwealth relative thereto.

## House Bill No. 1513, entitled:

An Act to amend section four hundred twelve of the act approved the first day of June, one thousand nine hundred forty-five (P. L. 1242), entitled "State Highway Law," by defining the estate of substitute rights of way for public service companies and requiring conveyance thereof.

## House Bill No. 1562, entitled:

An Act to amend sections one and two of the act, approved the twenty-third day of May, one thousand nine hundred forty-five (P. L. 926), entitled "An act for the protection of the public health by regulating the conduct and operation of public eating and drinking places within this Commonwealth; requiring their licensing; imposing certain duties on the Department of Health of this Commonwealth and on the local health authorities; and providing penalties," by providing for the licensing of public eating or drinking places by county departments of health or joint-county departments of health in certain political subdivisions.

## House Bill No. 1577, entitled:

An Act fixing the salary of the Director of the Legislative Reference Bureau.

Whereupon,

The President pro tempore (M. Harvey Taylor) in the presence of the Senate signed the same.

## BILLS ON FIRST READING

Mr. WALKER. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. WADE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. LANE. Mr. President, I object to the first reading of House Bill No. 1441 and House Bill No. 1442.

The PRESIDENT pro tempore. The gentleman from Washington, Mr. Lane, objects to the first reading of House Bill No. 1441 and House Bill No. 1442. These bills will appear on the Calendar.

And the question recurring,



Will the Senate agree to the motion?

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 333, entitled:

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further providing for the payment of minimum salaries and increments of county and district superintendents assistant county and district superintendents teachers supervisors principals supervising principals and other employes

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 334, entitled:

An Act to amend subsections 5 and 6 of section two thousand five hundred one and section two thousand five hundred two of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further providing for reimbursement by the Commonwealth to school districts and vocational school districts

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 589, entitled:

An Act to amend section one thousand one hundred forty-four of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto" by further providing for additional increments for holders of college certificates or Masters' Degrees.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 590, entitled:

An Act to amend section one thousand one hundred forty-four of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto" by further providing for increments for professional employes holding a Master's Degree or its equivalent.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 713, entitled:

An Act to further amend part of Section 202 of, and to add Sections 462 and 1314 to, the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by establishing the State Auctioneers' Commission as a departmental administrative commission in the Department of Public Instruction; fixing the qualifications and compensation of members, and imposing certain duties on said commission.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 714, entitled:

An Act to provide for minimum compensation and increments for administrators and members of the faculty of State Teachers Colleges; providing for leaves of absence; imposing certain duties upon the Boards of Trustees and Presidents of State Teachers Colleges and the Superintendent of Public Instruction and repealing inconsistent laws.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 724, entitled:

An Act to define, license and regulate resident and non-resident auctioneers and apprentice auctioneers in certain political subdivisions, and revising, consolidating and making the law uniform relative thereto; conferring certain powers and duties on the State Auctioneers' Commission and on certain Departments and Officers of the State and Local Governments; providing for the keeping of records and the inspection thereof; repealing certain inconsistent laws and providing penalties.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 831, entitled:

An Act to further amend the act approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having



the employment of public school employees; exempting annuities, allowances, returns, benefits and rights from taxation and judicial process; and providing penalties," by further extending the time for present employees to elect to be covered by the retirement system and granting retirement rights to certain additional persons who have withdrawn from and returned to school service.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 835, entitled:

An Act to amend the act approved the twelfth day of April one thousand nine hundred fifty-one (P. L. 90) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" by increasing license and filing fees.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 839, entitled:

An Act authorizing the Department of Property and Supplies to sell and convey a tract of land in Allegheny Township, Blair County, Pennsylvania with the approval of the Governor.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 846, entitled:

An Act making certain marriages solemnized on United States Military Reservations located within the Commonwealth as valid as if solemnized elsewhere within the Commonwealth; and validating such marriages heretofore consummated.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1590, entitled:

An Act to further amend the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 566) entitled "A supplement to the act approved the second day of June one thousand nine hundred and fifteen (P. L. 736) entitled as amended 'An act defining the liability of an employer to pay damages for injuries received by an employee in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties as reenacted and amended providing for the payment of compensation to volunteer firemen or their dependents" by

amplifying the provisions thereof as to persons entitled to such benefits.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

## ADJOURNMENT

Mr. WALKER. Mr. President, I move that the Senate do now adjourn until Wednesday, September 19, 1951, at 9:30 o'clock, a. m., Eastern Standard Time.

Mr. CROWE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 5:22 o'clock, p. m., Eastern Standard Time, until Wednesday, September 19, 1951, at 9:30 o'clock, a. m., Eastern Standard Time.

## HOUSE OF REPRESENTATIVES

TUESDAY, September 18, 1951

The House met at 11:00 a. m. EST.

The SPEAKER (Herbert P. Sorg) in the Chair.

## PRAYER

The Chaplain, Reverend William Hugh Fryer, offered the following prayer:

O Almighty God, our refuge and strength; keep us we beseech Thee under Thy watchful providence. Protect our country, guard our homes and sanctify our lives. So guide our hearts that we may use and not abuse the liberty therewith Thy Son Jesus Christ hath made us free. In times of prosperity kindle in us a spirit of grateful service, and in adversity endue us with courage, faith and sympathy for others. May truth, purity and charity dwell among us from generation to generation, through Jesus Christ our Lord. Amen.

## JOURNAL APPROVED

The SPEAKER. Are there any corrections to the Journal of Monday, September 17, 1951? If not, and without objection, the Journal is approved.

## BILLS INTRODUCED AND REFERRED

By Mr. DUNN.

HOUSE BILL No. 1700.

An Act requiring the Commissioner of the Pennsylvania State Police to prescribe a standardized uniform to be worn by uniformed officers and men employed in the police departments of political subdivisions.

Referred to the Committee on State Government.

By Mr. JOHNSON

HOUSE BILL No. 1701.

An Act to amend the act, approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," by authorizing the stocking of waters on lands posted against trespassing when the public is permitted to fish therein.

Referred to the Committee on Fisheries.



By Mr. JOHNSON

HOUSE BILL No. 1702.

An Act to add Section 939 to the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by authorizing the stocking of lands posted against trespassing when the public is permitted to hunt thereon.

Referred to the Committee on Game and Forestry.

By Mr. BOWER.

HOUSE BILL No. 1703.

An Act making an appropriation to the Senate and to the House of Representatives of the General Assembly and to the Legislative Reference Bureau for the payment of mileage, compensation of employes and contingent expenses.

Referred to the Committee on Appropriations.

By Messrs. DALRYMPLE and SCHMIDT.

HOUSE BILL No. 1704.

An Act to further amend sections 4 and 8 of the act, approved the sixteenth day of May, one thousand nine hundred twenty-three (P. L. 207), entitled "An act providing when, how, upon what property, and to what extent, liens shall be allowed for taxes and for municipal improvements, for the removal of nuisances, and for water rents or rates, sewer rates, and lighting rates; for the procedure upon claims filed therefor; the methods for preserving such liens and enforcing payment of such claims; the effect of judicial sales of the properties liened; the distribution of the proceeds of such sales, and the redemption of the property therefrom; for the lien and collection of certain taxes heretofore assessed, and of claims for municipal improvements made and nuisances removed within six months before the passage of this act; and for the procedure on tax and municipal claims filed under oath and prior acts of Assembly," by authorizing the assignment by municipal authorities organized by cities of the third class of their municipal claims and liens to, and the purchase thereof by, cities, boroughs and townships in which the property subject to such municipal claims or liens is located.

Referred to the Committee on Municipal Corporations.

By Mr. WOOD.

HOUSE BILL No. 1705.

An Act appropriating certain surplus funds to the Department of Public Assistance upon the exhaustion of its appropriation.

Referred to the Committee on Appropriations.

By Mr. MIKULA.

HOUSE BILL No. 1706.

An Act authorizing the Department of Property and Supplies, with the approval of the Governor and the Board of Trustees of Hazleton State Hospital, to acquire three tracts of land for the use of the Hazleton State Hospital; and making an appropriation therefor.

Referred to the Committee on Appropriations.

By Mr. MURRAY.

HOUSE BILL No. 1707.

An Act to further amend section seven of the act, approved the fourteenth day of May, one thousand nine hundred fifteen (P. L. 524), entitled "An act creating a fund for the purpose of rebuilding, restoring, and replacing buildings, structures, equipment, or other property of the Commonwealth of Pennsylvania, damaged or destroyed by fire or other casualty, and regulating the placing of insurance thereon, and providing penalties for any violation of the provisions of this act," by authorizing the Department of Property and Supplies to purchase

insurance on property owned by the Commonwealth against loss or damage by fire or other casualty exceeding five hundred thousand dollars (\$500,000) and resulting from a single occurrence.

Referred to the Committee on State Government.

By Mr. BEAR.

HOUSE BILL No. 1708.

An Act to amend Section 312 and to repeal Section 313 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by providing representation of each component district on the board of directors of union and merged school districts.

Referred to the Committee on Education.

By Messrs. DALRYMPLE, SPENCER and GREEN-WOOD.

HOUSE BILL No. 1709.

An Act to facilitate traffic in the northern section of the Commonwealth; providing for a traffic survey to ascertain the need for and financial feasibility of constructing a northern extension of the Pennsylvania Turnpike; and upon findings by such survey that a turnpike extension is needed and financially feasible; providing for the construction, operation and maintenance of a turnpike from a point on the Erie extension to a point on the Scranton extension of the Pennsylvania Turnpike or to a point on the northeastern extension of the Pennsylvania Turnpike at such points as the Pennsylvania Turnpike Commission may decide are the most feasible and practicable for the further extension of the Pennsylvania Turnpike from or near the City of Erie in Erie County to or near the City of Scranton in Lackawanna County, or to a point on the northeastern extension of the Pennsylvania Turnpike; conferring powers and imposing duties on the Pennsylvania Turnpike Commission; authorizing the issuance of Turnpike revenue bonds of the Commonwealth payable solely from tolls to pay the cost of such turnpike and to issue notes or other evidences of indebtedness; providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act; providing for the collection of tolls for the payment of such bonds, notes or other evidences of indebtedness and for the cost of maintenance, operation and repair of the turnpike; making such turnpike bonds, notes or other evidences of indebtedness exempt from taxation, constituting such bonds legal investments in certain instances requiring suits against the commission to be brought in Dauphin County; prescribing conditions on which such turnpike shall become free; providing for grade separations, grade changes, relocations, restoration and vacation or public roads and State highways affected by the turnpike; providing for the purchasing or condemnation of land and procedure for determining damages in condemnation; granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the commission and authorizing the issuance of turnpike revenue refunding bonds.

Referred to the Committee on Highways.

By Messrs. SMITH and ANDREWS.

HOUSE BILL No. 1710.

An Act to further amend Section 1 of the act, approved the twenty-fourth day of June, one thousand nine hundred nineteen (P. L. 579), entitled "An act to fix the salary and mileage of the members of the General Assembly, and to provide for the furnishing of such postage, stationery, and supplies, as may be necessary for the conduct of their offices, and repealing all acts or parts of acts inconsistent therewith," by increasing the



salary of members of the General Assembly, and providing a salary and payment of expenses in the event of annual sessions.

Referred to the Committee on State Government.

### SENATE MESSAGE

#### SENATE BILL FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bill numbered and entitled as follows:

#### SENATE BILL No. 795.

An Act vesting and confirming in cities of the second class all right title and interest of the Commonwealth in certain streets lanes and alleys situate within such cities.

Referred to the Committee on Cities and County—Second Class.

### FORMER MEMBERS WELCOMED

The SPEAKER. The Chair is pleased to welcome a former Member from Philadelphia, now the Register of Wills, Honorable Joseph D. Burke.

The Chair also welcomes a former Member of the House, the gentleman from Philadelphia, Honorable Herman H. Yaffe.

### LEAVE OF ABSENCE

By consent of the House leave of absence was granted as follows:

Mrs. Munley for Mr. REIDENBACH for the week.

### SENATE MESSAGE

#### AMENDED SENATE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate bill numbered and entitled as follows:

#### SENATE BILL No. 172

An Act to amend the act approved the fourth day of June one thousand nine hundred forty-five (P. L. 1388) entitled "An act relating to the practice procedure regulations and adjudications of departments departmental administrative boards and commissions officers and other administrative agencies of this Commonwealth and judicial review thereof and preserving equitable jurisdiction in certain cases" by redefining "regulation" changing provisions governing promulgation of regulations imposing duties on the Department of State requiring all appeals to be taken to the Superior Court and enumerating the agencies affected and the extent to which they are affected

### BILL SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

#### SENATE BILL No. 172

An Act to amend the act approved the fourth day of June one thousand nine hundred forty-five (P. L. 1388) entitled "An act relating to the practice procedure regulations and adjudications of departments departmental administrative boards and commissions officers and other administrative agencies of this Commonwealth and judicial review thereof and preserving equitable jurisdiction in certain cases" by redefining "regulation" changing pro-

visions governing promulgation of regulations imposing duties on the Department of State requiring all appeals to be taken to the Superior Court and enumerating the agencies affected and the extent to which they are affected

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

### SENATE MESSAGE

#### HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

#### HOUSE BILL No. 361

An Act to further amend section 6 of the act approved the nineteenth day of June one thousand nine hundred eleven (P. L. 1055) entitled "An act authorizing the release on probation of certain convicts instead of imposing sentences the appointment of probation and parole officers and the payment of their salaries and expenses regulating the manner of sentencing convicts in certain cases and providing for their release on parole their conviction of crime during parole and their rearrest and reconviction for breach of parole and extending the powers and duties of boards of prison inspectors of penitentiaries" by further regulating the manner of sentencing of convicts in certain cases

#### HOUSE BILL No. 976.

An Act to amend Section 1 of the act approved the twentieth day of May one thousand nine hundred forty-nine (P. L. 1489) entitled "An act providing for a two-platoon system for firemen employed and paid by cities of the second class A and fixing the maximum hours of service in any one day or week for such platoons with certain exceptions" by further prescribing the maximum hours of service for such employees in any one week

#### HOUSE BILL No. 1513.

An Act to amend Section 412 of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1242) entitled "An act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto" by defining the estate of substitute rights of way for public service companies and requiring conveyance thereof

#### HOUSE BILL No. 1562.

An Act to amend sections one and two of the act approved the twenty-third day of May one thousand nine hundred forty-five (P. L. 926) entitled "An act for the protection of the public health by regulating the conduct and operation of public eating and drinking places within this Commonwealth requiring their licensing imposing certain duties on the Department of Health of this Commonwealth and on the local health authorities and providing penalties" by providing for the licensing of public eating or drinking places by county departments of health or joint-county departments of health in certain political subdivisions

#### HOUSE BILL No. 1577.

An Act fixing the salary of the Director of the Legislative Bureau

With the information that the Senate has passed the same without amendment.



## SENATE MESSAGE

AMENDED HOUSE BILLS RECALLED FROM  
GOVERNOR CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 1269.

An Act to amend Section 15 of the act approved the twenty-second day of April one thousand eight hundred fifty (P. L. 538) entitled "An act to secure the cities of Pittsburgh and Allegheny and the neighborhood thereof from damage by gun-powder to incorporate an association for the establishment of a house of refuge for western Pennsylvania and relative to the Pennsylvania State Lunatic hospital" by changing the maximum age for the commitment of delinquents to the Pennsylvania Training School at Morganza and changing admission requirements relative thereto

## HOUSE BILL No. 1270.

An Act providing for the commitment and transfer of certain female juvenile delinquents to the Pennsylvania Training School for Girls or to certain other institutions and imposing duties on the courts of this Commonwealth and the Department of Welfare relative thereto

Said bills having been recalled from the Governor for the purpose of amendment, the vote had on final passage and third reading on said bills was reconsidered in the House and the bills amended, in which amendments the Senate has concurred.

## BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1544, entitled:

An Act imposing a permanent and a temporary State tax on fuels used within the Commonwealth in internal combustion engines for the generation of power to propel motor vehicles using the public highways providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring dealer-users to secure licenses and to file bonds as a guarantee of payment of taxes penalties interest fines uncollectible check fees and Attorney General's fees to file reports and to compile and retain certain records requiring registration of carrier for hire imposing duties on such persons requiring persons selling or delivering fuels to licensed dealer-users to furnish information imposing certain costs on counties conferring powers and imposing duties on State officer and departments providing for refunds of taxes penalties and interest illegally or erroneously collected from licensees and providing penalties.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

## BILLS ON SECOND READING PASSED OVER

The SPEAKER. If there is no objection, the Chair will pass over temporarily the order of business of bills on second reading. The Chair has been informed that there are amendments to some of the bills that have not been received by the Members.

## BILLS ON THIRD READING

## BILLS PASSED OVER

There being no objection

House Bill No. 488, Printer's No. 476 and

House Bill No. 744, Printer's No. 908  
were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1401, as follows:

An Act to further amend subsection (a) of Section 722 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by including the Civil Air Patrol among the organizations exempt from payment of fees for vehicles used by such organization

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (a) of Section 722 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as amended by the acts approved the second day of May one thousand nine hundred forty-nine (P. L. 822) and the tenth day of May one thousand nine hundred forty-nine (P. L. 1072) is hereby further amended to read as follows

## Section 722 Exemptions from Fees

(a) No fee shall be charged for a certificate of title or registration of motor vehicles fire department equipment trailers and semi-trailers owned by and used exclusively in the performance of the duties of (a) the Federal Government (b) any state other than Pennsylvania which issues titles or registrations to this Commonwealth without charge (c) the Commonwealth of Pennsylvania (d) any city borough incorporated town township county poor or school district of this Commonwealth (e) the Civil Air Patrol any duly authorized volunteer fire force in the extinguishment and prevention of fires or in rescue work hospital humane society or anti-cruelty society in this



Commonwealth (f) the American Red Cross (g) churches (h) Girl Scouts of America (i) Boy Scouts of America (j) Salvation Army (k) duly chartered post or organization of the American Legion Veterans of Foreign Wars American Veterans of World War II (AMVEIS) the Marine Corps League Military Order of the Purple Heart Jewish War Veterans Catholic War Veterans Inc or United Spanish War Veterans of this Commonwealth or La Societe Des Forty Hommes et Eight Cheveaux and organizations and units of the Pennsylvania National Guard (l) mine or industrial ambulances (m) ambassadors ministers foreign consuls general consuls and vice consuls who are nationals of the country appointing them and who are assigned to foreign consulates in this Commonwealth Provided That American consular officers of equal rank who are citizens of the United States and who exercise their official functions at American consulates in such foreign country are granted reciprocal exemptions No fee shall be charged for certificates of title or registration of motor vehicles owned and used by war amputees which were obtained through the Veterans' Administration All such vehicles except those owned and used by the Federal Government shall be titled and registered and shall display registration plates as is now provided for privately owned motor vehicles trailers and semi-trailers

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—204

Amarando,	Good,	Maxwell,
Andrews,	Graybill,	Mazza,
Banker,	Greenwood,	McConnell,
Barkdoll,	Greer,	McCormack,
Baumunk,	Guarnieri,	McCullough,
Bear,	Gutendorf,	McDermitt,
Beaver,	Guthrie,	McGee,
Beech,	Hagerty,	McInroy,
Berkstresser,	Hall,	McKinney,
Blair,	Hamilton, R. K.,	McMillen,
Bloom,	Hamilton, W. H.,	McNally,
Boles,	Harney,	Metz,
Bolton,	Haudenschild,	Mihm,
Bomberger,	Headlee,	Mikula,
Boorse,	Helm,	Miller, H. G.,
Bower,	Hersch,	Miller, J. C.,
Breisch,	Hewitt,	Mills,
Breth,	Hocker,	Mintess,
Brown,	Hoggard,	Menroe,
Buchin,	Hunter,	Moore, C. E.,
Byrne,	Jenkins,	Moore, H. A.,
Cella,	Johnson,	Moran,
Clapper,	Jones, G. E.,	Muldowney,
Clendening,	Jones, J. M.,	Munley,
Cochran,	Jones, P. F.,	Murray,
Conway,	Jones, T. H. W.,	Musto,
Cooper,	Jump,	Najaka,
Corr,	Kamyk,	Naugle,
Costa,	Keller,	Needham,
Coyle,	Kent,	Olsen,
Dalrymple,	Kline,	Penglase,
Davis,	Kohl,	Peta,
Dennison,	Kolankiewicz,	Petrosky,
Dougherty,	Kornick,	Pettigrew,
Dowling,	Kratz,	Pfaff,
DuBois,	Kubacki,	Pichney,
Duffy,	Lederer,	Pitzer,
Dunn,	Leisey,	Polaski,
Erb,	Leonard, L.,	Polen,
Ewing,	Leonard, W. C.,	Price, H. W. Jr.,
Fenrich,	Leven,	Price, R. A.,
Ferster,	Light,	Readinger,
Fillp,	Limper,	Reagan,
Filo,	Loftus,	Reese,
Firmstone,	Lopresti,	Reilly, J. M.,
Flack,	Lovett,	Rigby,
Frost,	Lutty,	Riley, R. L.,
Gaffney,	Lyons,	Robertson,
Geer,	Madden,	Rose,
Gibson,	Madigan,	Rosen,
		Royer,
		Rubin,
		Sarra,
		Sax,
		Scanlon,
		Schmidt,
		Schuster,
		Scott,
		Seyler,
		Shoemaker,
		Shotwell,
		Smith,
		Snider,
		Sollenberger,
		Spencer,
		Stank,
		Stimmel,
		Stoner,
		Swartz,
		Swope,
		Tahl,
		Taylor,
		Thompson, E. F.,
		Thompson, R. L.,
		Toll,
		Tompkins,
		Toomey,
		VanSant,
		Varallo,
		Varnier,
		Verona,
		Wachhaus,
		Wargo,
		Waterhouse,
		Watkins,
		Weldner,
		Welsh,
		Wescott,
		Westrick,
		Whalley,
		Wheeler,
		White,
		Williams,
		Wilt,
		Wood,
		Yeakel,
		Yester,
		Yetzer,
		Young,
		Ziegler,

Gleason,

Markley,

Rovanssek,

Sorg,

Speaker

## NAYS—0

## NOT VOTING—3

Goodling,

Lafore,

Reidenbach,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

## BILLS PASSED OVER

There being no objection

House Bill No. 1566, Printer's No. 767 and

House Bill No. 1580, Printer's No. 883

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1588, as follows:

An Act to further amend Section 672 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by increasing the limitation on tax rates which may be levied and assessed for school purposes in districts of the second third and fourth class

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 672 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" as amended by the act approved the ninth day of May one thousand nine hundred forty-nine (P. L. 1017) and as amended in part by the act approved the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1722) is hereby further amended to read as follows

Section 672 Tax Levy Limitations (a) In all school districts of the second third and fourth class all school taxes shall be levied and assessed by the board of school directors therein during the month of April or May each year for the ensuing fiscal year except in districts of the second class where the fiscal year begins on the first day of January in which the school taxes shall be levied and assessed during the month of October or November of each year In school districts of the second class the tax rate shall not exceed [twenty] twenty-five mills on the dollar and in school districts of the third and fourth class shall not exceed [twenty-five] thirty mills on the dollar on the total amount of the assessed valuation of all property taxable for school purposes therein Each school district of the second third or fourth class may also collect a per capita tax on each resident or inhabitant of such district over twenty-one years of age as herein provided

(b) Boards of school directors of school districts of the second third and fourth classes are hereby authorized and directed to levy annually a tax on each dollar of the total assessment of all property assessed and certified for taxation therein (1) To pay the minimum salaries and increments of the teaching and supervisory staff provided for herein and (2) To pay rentals due the State Public School Building Authority Neither of said taxes shall be invalidated or affected by reason of the fact that it may increase the total annual school tax levy of any school district beyond the millage fixed or limited by this section [Provided That in districts of the fourth class the tax herein authorized to pay minimum salaries and increments together with all other school taxes except taxes to pay rentals due



the State Public School Building Authority levied in the district shall not exceed thirty-five (35) mills on each dollar of the assessed valuation thereof and the tax to pay rentals due the State Public School Building Authority together with the maximum rate permitted by this section for purposes other than to pay minimum salaries and increments shall not exceed thirty-five (35) mills on each dollar of the assessed valuation thereof and in case of emergency with the approval of the Superintendent of Public Instruction an additional five (5) mills to provide for obligations due the State Public School Building Authority under a contract previously entered into

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—203

Amarando,	Good,	Maxwell,	Rosen,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarra,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenschild,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Breisch,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Buchlin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendenen,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varner,
Dairymple,	Kline,	Pengase,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
DuBois,	Kubacki,	Pichney,	Weidner,
Dunn,	Lederer,	Pitzer,	Welsh,
Duffy,	Leisey,	Polaski,	Wescott,
Erb,	Leonard, L.,	Polen,	Westrick,
Ewing,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leven,	Price, R. A.,	Wheeler,
Ferster,	Light,	Readinger,	White,
Filip,	Limper,	Reagan,	Williams,
Filo,	Loftus,	Reese,	Wilt,
Firmstone,	Lopresti,	Reilly, J. M.,	Wood,
Flack,	Lovett,	Rigby,	Yeakel,
Frost,	Lutty,	Riley, R. L.,	Yetzer,
Gaffney,	Lyons,	Robertson,	Young,
Geer,	Madden,	Rovansek,	Ziegler,
Gibson,	Madigan,	Royer,	Sorg,
Gleason,	Markley,	Rose,	Speaker

## NAYS—1

## NOT VOTING—3

Yeater,		
Goodling,	Lafore,	Reidenbach,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1597, as follows:

An Act to amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments board and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by further providing for the execution of the forests powers and duties of the Department of Forests and Waters

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1802 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as last amended by the act approved the twenty-first day of June one thousand nine hundred thirty-seven (P. L. 1865) and in part by the acts approved the eighth day of April one thousand nine hundred thirty-seven (P. L. 282) and the fifth day of June one thousand nine hundred forty-seven (P. L. 416) is hereby further amended to read as follows

Section 1802 Forest Powers and Duties The Department of Forests and Waters shall have the power and its duty shall be [(a) With] with the approval of the State Forest Commission [to] (a) To acquire in the name of the Commonwealth by purchase gift lease or condemnation and hold as State forests subject to the conditions of any such lease and subject to such reservations if any of mineral rights stumpage rights rights of way or other encumbrances as the department and the State Forest Commission deem to be consistent with such holding any lands including tax delinquent lands which in the judgment of the department the Commonwealth should hold manage control protect maintain utilize and regulate as State forests or for reforestation and adding to and extending the existing State forests for the purpose of lessening soil erosion and silting up of reservoirs control the flow of streams and extinguish interior holdings or for the establishment and maintenance of fire observation towers and stations and such adjoining lands as may be deemed necessary to control maintain and develop such towers and stations and to furnish access to them The



purchase price of any such lands shall not exceed ten dollars per acre except such as are acquired for fire observation tower and station purposes except the price paid for interior holdings and farms and marginal farms along State forest lands which shall not exceed twenty dollars per acre. The amount expended for the acquisition of lands for State forest purposes in any biennial appropriation period shall not exceed the appropriation for that purpose for such period and the amount expended for other land acquisitions shall not exceed appropriations made for such purposes.

(b) To purchase and hold as State forest unseated vacant or unappropriated lands advertised for sale for taxes and land sold for taxes as may now or hereafter be provided by law.

(c) To hold manage control protect maintain utilize develop and regulate the occupancy and use of all lands heretofore or hereafter acquired owned leased and maintained as State forests for reforestation for extending existing State forests for the purpose of lessening soil erosion the silting up of reservoirs to control stream flow and to extinguish interior holdings and for fire observation tower and station purposes together with the resources thereof.

(d) To divide the State into such convenient forest districts as it deems economical and effective to administer protect develop utilize and regulate the occupancy and use of the lands and resources of the State forests to protect all forest land in the State from forest fires fungi insects and other enemies to promote and develop forestry and knowledge of forestry throughout the State to advise and assist landowners in the planting of forest and shade trees to obtain and publish information respecting forest lands and forestry in the State to assist in Arbor Day work and promote and advance any other activity in local forestry which the department may deem helpful to the public interest and to execute the rules and regulations of the department for the protection of forests from fire and depredation. It may also assign district foresters to take active charge of such forest districts and also foresters forest rangers and other help for the administration of such forest districts as the Secretary of Forests and Waters may deem necessary for the accomplishment throughout the State of the purposes for which the department is established.

(e) To cooperate with the authorities of townships boroughs and cities of this Commonwealth in the acquisition and administration of municipal forests as may now or hereafter be provided by law.

(f) [With the advice of the State Forest Commission to] To establish such rules and regulations not inconsistent with law for the control management protection utilization development occupancy and use of the lands and resources of the State forests as the department deems proper to conserve the interests of the Commonwealth. Such rules and regulations shall be compatible with the purposes for which the State forests are created namely to provide a continuous supply of timber lumber wood and other forest products to protect the watersheds conserve the waters and regulate the flow of rivers and streams of the State and to furnish opportunities for healthful recreation to the public.

The net receipts arising out of the occupancy and use of the State forests hereunder shall be paid into the State Treasury through the Department of Revenue and shall belong to and form part of the State Forests and Waters Fund.

(g) Whenever it shall appear that the welfare of the Commonwealth with reference to reforesting and the betterment of the State forests with respect to control management protection utilization development and regulation of their occupancy and use will be advanced by selling or disposing of any of the timber on the State forests to dispose of such timber on terms most advantageous to the State. Provided That the department is authorized and directed to set aside within the State forests unusual or historical groves of trees or natural features especially worthy of permanent preservation to make the same accessible and convenient for public use and to dedicate

them in perpetuity to the people of the State for their recreation and enjoyment. And the said department is hereby empowered [with the advice of the State Forest Commission] to make and execute contracts or leases in the name of the Commonwealth for the mining or removal of any valuable minerals oil or gas that may be found in said State forests whenever it shall appear to the satisfaction of the department that it would be for the best interests of the State to make such disposition of said minerals oil or gas. Provided further That any proposed contracts or leases of valuable minerals oil or gas exceeding three hundred dollars in value shall have been advertised once a week for three weeks in at least two newspapers published nearest the locality indicated in advance of awarding such contract or lease. Such contracts or leases may then be awarded to the highest and best bidder who shall give bond for the proper performance of the contract as the department shall designate.

(h) To appoint and with the approval of the Governor fix the compensation of a chief forest fire warden and such district forest fire wardens and to appoint and fix the compensation of such local forest fire wardens and other assistants as shall be required for the prevention control and extinction of forest fires.

(i) To establish and administer auxiliary forest reserves in the manner and under such terms and conditions as may now or hereafter be provided by law.

(j) To distribute young forest trees shrubs and vines as provided by law to those desiring to plant them.

(k) To furnish information and issue certificates and requisition necessary for the payment of such fixed charges in lieu of taxes on State forests and auxiliary forest reserves to school districts road districts and counties as may now or hereafter be provided by law.

(l) To sell or exchange State forest land as provided by law whenever it shall be to the advantage of the State forest interests. Provided That such action has been authorized by resolution of the State Forest Commission unanimously adopted at a meeting at which a majority of its members are present and voting and has been approved by the Governor.

(m) To set aside when in the judgment of the Department of Forests and Waters it is deemed necessary for exclusive use for parks parkways and other places of scientific historic or wild life interest any State owned lands which are now or which may hereafter be under the jurisdiction of the Department of Forests and Waters.

Section 2 (Clause (a) of Section 1803 of said act as amended by the act approved the sixteenth day of July one thousand nine hundred thirty-five (P. L. 1052) is hereby amended to read as follows:

Section 1803 Forests Powers The Department of Forests and Waters shall have the power

(a) To lease for a period not exceeding ten years on such terms and conditions as it may consider reasonable to any citizen [church] organization or school board of Pennsylvania such portion of any State forest whether owned or leased by the Commonwealth as the department may deem suitable as a site for a temporary building to be used by such citizen [church] organization or school board for health and recreation or as a site for a church or school purposes.

Section 3 Clause (e) of said Section 1803 is hereby amended to read as follows:

Section 1803 Forest Powers The Department of Forests and Waters shall have the power

\* \* \* \* \*

(e) [With the advice of the State Forest Commission to] To give to boroughs and other municipalities of this Commonwealth upon such terms and subject to such restrictions and regulations as the department may deem proper the privilege of impounding water upon any State forest and of constructing maintaining and operating lines of pipes upon and through State forests for the purpose of conveying water therefrom whenever it shall be to the public interest so to do.

And said bill having been read at length the third time, considered and agreed to.



On the question,  
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—204

Amarando.	Good,	Maxwell,	Royer,
Andrews.	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarra,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bea,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenschild,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Breisch,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendening,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varnier,
Dalrymple,	Kline,	Penglase,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
DuBois,	Kubacki,	Pichney,	Weidner,
Duffy,	Lederer,	Pitzer,	Welsh,
Dunn,	Leisey,	Polaski,	Wescott,
Erb,	Leonard, L.,	Polen,	Westrick,
Ewing,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leven,	Price, R. A.,	Wheeler,
Ferster,	Light,	Readinger,	White,
Filip,	Limper,	Reagan,	Williams,
Filo,	Loftus,	Reese,	Wilt,
Firmstone,	Lopresti,	Reilly, J. M.,	Wood,
Flack,	Lovett,	Rigby,	Yeakel,
Frost,	Lutty,	Riley, R. L.,	Yester,
Gaffney,	Lyons,	Robertson,	Yetzer,
Geer,	Madden,	Rose,	Young,
Gibson,	Madigan,	Rosen,	Ziegler,
Gleason,	Markley,	Rovansek,	Sorg,

Speaker.

## NAYS—0

## NOT VOTING—3

Goodling,	Lafore,	Reidenbach,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1606, entitled:

An Act to further amend the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2681) entitled "An act relating to and regulating the manufacture storing and possession of explosives requiring permits for magazines and prescribing permit fees and providing penalties" by regulating the transportation of explosives requiring permits for blasting including prosecution by the Pennsylvania State Police and otherwise extending the regulation of explosives and increasing fees

On the question,

Will the House agree to the bill on third reading?

The SPEAKER. The Chair understands that the gentleman from Lawrence, Mr. White, has amendments to offer at this time.

Mr. ANDREWS. Mr. Speaker, I was going to move to recommit.

The SPEAKER. The Chair must rule that the motion of the gentleman from Cambria, Mr. Andrews, to recommit takes precedence.

## MOTION TO RECOMMIT

Mr. ANDREWS. Mr. Speaker, in view of the apparent necessity of reconciling various provisions of this bill which would seem to be in conflict, I move that the bill be recommitted to Committee on Labor Relations for the purposes of clarification.

On the question,

Will the House agree to the motion?

Mr. WHITE. Mr. Speaker, in view of the fact that this bill has been instigated by the Department of Mines and Mining and they feel there is great need for this bill, I would like to ask, if there are any objections, that the bill be passed over rather than be recommitted.

I do not believe that the inconsistencies are such that it requires a prolonged debate in one of our Committees. Since it has gone through that procedure, and in light of the fact that all objections that have been voiced to me and to my co-sponsor have been answered to the best of our ability, and that seemingly opposition to the bill has quieted down, I feel that that procedure can be handled without sending the bill back where it will be buried and never come out again.

Mr. ANDREWS. Mr. Speaker, it will require prolonged discussion on the floor of the House to resolve the matters at issue, whereas in committee the matters could be resolved in a very short time.

The matter at issue is a clarification of the provisions relating to the exemptions of agriculture, the farmer. There is one section the says "everybody" who employs explosives must do so and so—must get this one dollar license. Then another provision says there is an exemption for agriculture; you have another provision saying that anybody who wants to blast a stump must get a one dollar license from the Department. The two sections are in conflict, and the way to resolve it is to send it back to committee and get a bill that has internal integrity. We have no intention of sending the bill back to die.

Mr. WHITE. Mr. Speaker, I do not believe that there is inconsistency that cannot be cleared up by just holding the bill over. The first section proviso that the exemption is an application to the agricultural people is very clear in its control; and the other section applies to all people who are not covered by the bill. I think that can be made clear by holding the bill over and letting it out on the floor of the House until another day without any need for further debate on the floor of the House on that point.

## MOTION TO RECOMMIT WITHDRAWN

Mr. ANDREWS. Mr. Speaker, if the gentleman will between now and tomorrow make the bill clear—take steps to make it clear—so far as I am concerned, I will



withdraw my motion to recommit. I still think it is the easiest way to solve the matter. We have had more debate now than would have been necessary if it had gone back to committee and put in proper form. I will withdraw my motion and if the bill is not clear we will kill it on the floor of the House.

#### BILLS PASSED OVER

There being no objection

House Bill No. 1606, Printer's No. 893 and

House Bill No. 1607, Printer's No. 888,

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1626, entitled:

An Act to further amend the act approved the thirteenth day of May one thousand nine hundred twenty-five (P. L. 644) entitled "An act relating to and regulating the solicitation of moneys and property for charitable religious benevolent humane and patriotic purposes" by extending its provisions to additional activities agencies and purposes requiring accounting limiting administration costs and use of moneys collected and further regulating solicitation and exemptions.

On the question,

Will the House agree to the bill on third reading?

Mr. RAY L. RILEY. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Section 3, Page 6, line 8, by inserting after the figures "474)" the following: "and the act approved the twenty-eighth day of June, one thousand nine hundred fifty-one (P. L. —), Act No. 174."

Amend Section 3, (Sec. 7), Page 7, line 3, by striking out the word "Welfare" and inserting in lieu thereof "Public Instruction."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1640, as follows:

An Act to amend subsection (b) of Section 1403 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by further providing for the composition of the return board

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (b) of Section 1403 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" is hereby amended to read as follows

Section 1403 Place of Meeting for Computation of Votes Notice Papers to Be Prepared Assistants to Be Sworn

\* \* \* \* \*

(b) If any member of the county board of any county shall be a candidate for any nomination or election to public office he shall not act as a member of said board for the computation and canvassing of returns but the other members if qualified shall act and in case in any county there are not at least a majority of the members of said board so qualified two (2) or more judges of the court of common pleas shall be designated by said court to act as a return board provided that neither of them is a candidate for any nomination or election to public office and if there shall be only one judge of such court in such county or if less than two (2) judges are qualified and able to act in such county any judge who is qualified may act alone and if there be none qualified the prothonotary of such county shall act as the return board and if the prothonotary shall be a candidate for any nomination or election to any public office then the sheriff of the county shall act as the return board and if the sheriff shall be a candidate for any nomination or election to any public office then the president judge of the court of common pleas in such county shall make a written request to the Chief Justice of the Supreme Court for the assignment of a judge from another judicial district who shall act as the return board

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—204

Amarando,	Good,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarra,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermit,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenschild,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Breisch,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendening,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,



Coyle,	Kent,	Olsen,	Varner,
Dalrymple,	Kline,	Penglase,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
DuBois,	Kubacki,	Pichney,	Weldner,
Duffy,	Lederer,	Pitzer,	Welsh,
Dunn,	Lelsey,	Polaski,	Wescott,
Erb,	Leonard, L.,	Polen,	Westrick,
Ewing,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leven,	Price, R. A.,	Wheeler,
Ferster,	Light,	Readinger,	White,
Fillip,	Limper,	Reagan,	Williams,
Filo,	Loftus,	Reese,	Wilt,
Firmstone,	Lopresti,	Reilly, J. M.,	Wood,
Flack,	Lovett,	Rigby,	Yeakel,
Frost,	Lutty,	Riley, R. L.,	Yester,
Gaffney,	Lyons,	Robertson,	Yetzer,
Geer,	Madden,	Rose,	Young,
Gibson,	Madigan,	Rosen,	Ziegler,
Gleason,	Markley,	Rovansek,	Sorg,

Speaker

NAYS—0

NOT VOTING—3

Goodling, Lafore, Reidenbach.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1641, as follows:

An Act to add Section 599-A to Article V subdivision (j) of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by authorizing the appointment of special school police and defining their powers and duties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Article V subsection (j) of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" as reenacted and amended by the act approved the tenth day of July one thousand nine hundred forty-seven (P. L. 1481) is hereby amended by adding after Section 599 thereof a new section to read as follows

Section 599-A Special School Police The board of township supervisors by resolution may appoint special school police who shall have the duty of controlling and directing traffic at or near schools and shall be empowered to make arrests in connection with the performance of their duties Such police shall serve at the pleasure of the board of township supervisors and shall not come within the civil service provisions of this act

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Amarando,	Graybill,	Maxwell,	Rubin,
Andrews,	Greenwood,	Mazza,	Sarraf,
Banker,	Greer,	McCormack,	Sax,

Barkdoll,	Guarnieri,	McCullough,	Scanlon,
Baumunk,	Gutendorf,	McDermitt,	Schmidt,
Bea,	Guthrie,	McGee,	Schuster,
Beaver,	Hagerty,	McInroy,	Scott,
Beech,	Hall,	McKinney,	Seyler,
Berkstresser,	Hamilton, R. K.,	McMillen,	Shoemaker,
Blair,	Hamilton, W. H.,	McNally,	Shotwell,
Bloom,	Harney,	Metz,	Smith,
Boles,	Haudenshield,	Mihm,	Snider,
Bolton,	Headlee,	Mikula,	Sollenberger,
Bomberger,	Helm,	Miller, H. G.,	Spencer,
Boorse,	Hersch,	Miller, J. C.,	Stank,
Bower,	Hewitt,	Mills,	Stimmel,
Brelschi,	Hocker,	Mintess,	Stoner,
Breth,	Hoggard,	Monroe,	Swartz,
Brown,	Hunter,	Moore, C. E.,	Swope,
Bucchin,	Jenkins,	Moore, H. A.,	Tahl,
Byrne,	Johnson,	Moran,	Taylor,
Cella,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clapper,	Jones, J. M.,	Munley,	Thompson, R. L.,
Clendenfug,	Jones, P. F.,	Murray,	Toll,
Cochran,	Jones, T. H. W.,	Musto,	Tompkins,
Conway,	Jump,	Najaka,	Toomey,
Cooper,	Kamyk,	Naugle,	VanSant,
Corr,	Keller,	Needham,	Varallo,
Costa,	Kent,	Olsen,	Varner,
Coyle,	Kline,	Penglase,	Verona,
Dalrymple,	Kohl,	Peta,	Wachhaus,
Davis,	Kolankiewicz,	Petrosky,	Wargo,
Dennison,	Kornick,	Pettigrew,	Waterhouse,
Dougherty,	Kratz,	Pfaff,	Watkins,
Dowling,	Kubacki,	Pichney,	Weldner,
Duffy,	Lederer,	Pitzer,	Welsh,
Dunn,	Lederer,	Polaski,	Wescott,
Erb,	Lelsey,	Polen,	Westrick,
Ewing,	Leonard, L.,	Price, R. A.,	Whalley,
Fenrich,	Leonard, W. C.,	Price, H. W. Jr.,	Wheeler,
Ferster,	Leven,	Readinger,	White,
Fillip,	Light,	Reagan,	Williams,
Filo,	Limper,	Reese,	Wilt,
Firmstone,	Loftus,	Reilly, J. M.,	Wood,
Flack,	Lopresti,	Rigby,	Yeakel,
Frost,	Lovett,	Riley, R. L.,	Yester,
Gaffney,	Lutty,	Robertson,	Yetzer,
Geer,	Lyons,	Rose,	Young,
Gibson,	Madden,	Rosen,	Ziegler,
Gleason,	Madigan,	Rovansek,	Sorg,
Good,	Markley,	McConnell,	Royer,

Speaker

NAYS—1

NOT VOTING—3

DuBois, Goodling, Lafore, Reidenbach.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1643, as follows:

An Act fixing the fees and mileage of the coroner in counties of the sixth class

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The fees to be received by the coroner of each county of the sixth class shall be as follows

For viewing a dead body ten dollars summoning and qualifying inquest drawing and returning inquisition five dollars summoning and qualifying each witness sixty-five cents to be paid out of the goods chattels lands or tenements of the slayer (in cases of murder or manslaughter) if any he has if otherwise by the county with mileage at the rate of fifteen cents for each mile circular traveled from the courthouse to the place of viewing the body executing any process or writs of any kind the same fees as are allowed to the sheriff and the same mileage

Section 2 Section XIX of the act approved the twenty-eighth day of March one thousand eight hundred four-



teen (P. L. 352) entitled "An act establishing a fee bill" as amended by the act approved the seventh day of April one thousand nine hundred twenty-seven (P. L. 168) is hereby repealed as to counties of the sixth class

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—203

Amarando,	Graybill,	Mazza,	Rubin,
Andrews,	Greenwood,	McConnell,	Sarra,
Banker,	Greer,	McCormack,	Sax,
Barkdoll,	Guarnieri,	McCullough,	Scanlon,
Baumunk,	Gutendorf,	McDermitt,	Schmidt,
Bea,	Guthrie,	McGee,	Schuster,
Beaver,	Hagerty,	McInroy,	Scott,
Beech,	Hall,	McKinney,	Seyler,
Berkstresser,	Hamilton, R. K.,	McMillen,	Shoemaker,
Blair,	Hamilton, W. H.,	McNally,	Shotwell,
Bloom,	Harney,	Metz,	Smith,
Boles,	Haudenschild,	Mihm,	Snider,
Bolton,	Headlee,	Mikula,	Sollenberger,
Bomberger,	Helm,	Miller, H. G.,	Spencer,
Boorse,	Hersch,	Miller, J. C.,	Stank,
Bower,	Hewitt,	Mills,	Stimmel,
Breisch,	Hocker,	Mintess,	Stoner,
Breth,	Hoggard,	Monroe,	Swartz,
Brown,	Hunter,	Moore, C. E.,	Swope,
Bucchin,	Jenkins,	Moore, H. A.,	Tahl,
Byrne,	Johnson,	Moran,	Taylor,
Cella,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clapper,	Jones, J. M.,	Munley,	Thompson, R. L.,
Clendening,	Jones, P. F.,	Murray,	Toll,
Cochran,	Jones, T. H. W.,	Musto,	Tompkins,
Conway,	Jump,	Najaka,	Toomey,
Cooper,	Kamyk,	Naugle,	VanSant,
Corr,	Keller,	Needham,	Varallo,
Costa,	Kent,	Olsen,	Varnier,
Coyle,	Kline,	Penglase,	Verona,
Dalrymple,	Kohl,	Peta,	Wachhaus,
Davis,	Kolankiewicz,	Petrosky,	Wargo,
Dennison,	Kornick,	Pettigrew,	Waterhouse,
Dougherty,	Kratz,	Pfaff,	Watkins,
Dowling,	Kubacki,	Pichney,	Weidner,
Duffy,	Lederer,	Pitzer,	Welsh,
Dunn,	Leisey,	Polaski,	Wescott,
Erb,	Leonard, L.,	Poleh,	Westrick,
Ewing,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leven,	Price, R. A.,	Wheeler,
Ferster,	Light,	Readinger,	White,
Filip,	Limper,	Reagan,	Williams,
Filo,	Loftus,	Reese,	Wilt,
Flack,	Lopresti,	Reilly, J. M.,	Wood,
Firmstone,	Lovett,	Rigby,	Yeakel,
Frost,	Lutty,	Riley, R. L.,	Yester,
Gaffney,	Lyons,	Robertson,	Yetzer,
Geer,	Madden,	Rose,	Young,
Gibson,	Madigan,	Rosen,	Ziegler,
Gleason,	Markley,	Rovanssek,	Sorg,
Good,	Maxwell,	Royer,	Speaker

## NAYS—1

## NOT VOTING—3

DuBois,

Goodling,

Lafore,

Reidenbach,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1648, as follows:

An Act to further amend the act approved the third day of June one thousand nine hundred thirty-seven (P. L.

1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by further regulating the date of the primary election The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 603 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" is hereby amended to read as follows

Section 603 [Spring] General Primary Candidates to Be Nominated and Party Officers to Be Elected There shall be a [Spring] General primary preceding each general election which shall be held on the third Tuesday of May in all even-numbered years except in the year of the nomination of a President of the United States in which year the [Spring] General primary shall be held on the fourth Tuesday of April Candidates for all offices to be filled at the ensuing general election shall be nominated at the [Spring] General primary Delegates and alternate delegates to National party conventions members of State committees and such other party committeemen and officers including members of the National committee eas may be required by the rules of the several political parties to be elected by a vote of the party electors shall be elected at the [Spring] General primary The vote for candidates for the office of President of the United States as provided for by this act shall be cast at the [Spring] General primary

Section 2 Section 604 904 and 906 of said act as last amended by the act approved the sixth day of March one thousand nine hundred fifty-one (P. L. 3) are hereby further amended to read as follows

Section 604 [Summer] Municipal Primary Officers to be Nominated There shall be a [Summer] Municipal primary preceding each municipal election which shall be held on the [fourth] third Tuesday of [July] May in all odd-numbered years Candidates for all offices to be filled at the ensuing municipal election shall be nominated at the [Summer] Municipal primary

Section 904 Municipal Clerks and Party Chairmen to Furnish Information as to Offices to be Filled To assist the respective county boards in ascertaining the offices to be filled it shall be the duty of the clerks or secretaries of the various cities boroughs towns townships school districts and poor districts with the advice of their respective solicitors on or before the twelfth Tuesday preceding the [Summer] Municipal primary to send to the county boards of their respective counties a written notice setting forth all city borough town township school district and poor district offices to be filled in their respective subdivisions at the ensuing municipal election and for which candidates are to be nominated at the ensuing primary It shall also be the duty of the chairman of the State committee of each political party to forward to the Secretary of the Commonwealth and to the respective county boards on or before the twelfth Tuesday preceding the [Spring] General primary a written notice setting forth the number of delegates and alternate delegates to the National convention of such party who are to be elected in the State at large at the ensuing primary and the number of such delegates and alternate delegates who



are to be elected at said primary in such county or in any district within such county or of which it forms a part The said notice shall also set forth the number of members of the National committee if any who under the National party rules are to be elected at the said primary in the State at large and the number of members of the State committee to be elected at the said primary in such county or in any district or part of a district within such county It shall also be the duty of the chairman of the county committee and in cases where a city is coextensive with a county the chairman of the city committee of each party on or before the twelfth Tuesday preceding the [Spring] General primary to send to the county board of such county a written notice setting forth all party offices to be filled in the county at the ensuing primary

Section 906 Publication of Notice of Officers to be Nominated and Elected Beginning not earlier than eleven weeks nor later than ten weeks before any regular [Spring or Summer] General or Municipal primary the county board of each county shall publish in newspapers as provided by Section 106 of this act a notice setting forth the number of delegates and alternate delegates to the National convention of each party who are to be elected in the State at large at the ensuing primary and the number of delegates and alternate delegates who are to be elected at the said primary in said county or in any district of which said county or part thereof forms a part an dalso setting forth the names of all public offices for which nominations are to be made and the names of all party offices including that of members of the National committee if any and State committee for which candidates are to be elected at said primary in said county or in any district of which such county or part thereof forms a part or in the State at large Said notice shall contain the date of the primary and shall be published once each week for two successive weeks in counties of the first and second class and once in all other counties

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—204

Amarando,	Good,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarraf,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Stankid,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenshield,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Breisch,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendenning,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musio,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varnier,
Dalrymple,	Kline,	Penglase,	Verona,

Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
Duffy,	Kubacki,	Pichney,	Weldner,
DuBois,	Lederer,	Pitzer,	Welsh,
Dunn,	Lelsey,	Polaski,	Wescott,
Erb,	Leonard, L.,	Polen,	Westrick,
Ewing,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leven,	Price, R. A.,	Wheeler,
Fenster,	Light,	Readinger,	White,
Filip,	Limper,	Reagan,	Williams,
Filo,	Loftus,	Reese,	Wilt,
Firmstone,	Lopresti,	Railly, J. M.,	Wood,
Flack,	Lovett,	Rigby,	Yeakel,
Frost,	Lutty,	Riley, R. L.,	Yester,
Gaffney,	Lyons,	Robertson,	Yetzer,
Geer,	Madden,	Rose,	Young,
Gibson,	Madigan,	Rosen,	Ziegler,
Gleason,	Markley,	Rovansek,	Sorg,

Speaker

## NAYS—0

## NOT VOTING—3

Goodling,	Lafore,	Reidenbach,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1660, as follows:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by requiring that logs carried on certain vehicles and trailers be securely fastened

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that



records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" is hereby further amended by adding after Section 829 a new section to read as follows

Section 830 Vehicles and Trailers Loaded with Logs It shall be unlawful to operate on any highway or street in this Commonwealth any motor vehicle commercial motor vehicle or track tractor or any motor vehicle commercial motor vehicle or track tractor in combination with a trailer or semi-trailer and loaded with logs of any size unless the logs are securely fastened with at least three binders chains or straps

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of twenty-five dollars (\$25.00) and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than ten days

Section 2 The provisions of this act shall become effective thirty days after its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—204

Amarando,	Graybill,	Mazza,	Rubin,
Andrews,	Greenwood,	McConnell,	Sarraf,
Banker,	Greer,	McCullough,	Sax,
Barkdoll,	Guarnieri,	McCormack,	Scanlon,
Baumunk,	Gutendorf,	McDermitt,	Schmidt,
Bear,	Guthrie,	McGee,	Schuster,
Beaver,	Hagerty,	McInroy,	Scott,
Beech,	Hall,	McKinney,	Seyler,
Berkstresser,	Hamilton, R. K.,	McMillen,	Shoemaker,
Blair,	Hamilton, W. H.,	McNally,	Shotwell,
Bloom,	Harney,	Metz,	Smith,
Boies,	Haudenschild,	Mihm,	Snider,
Bolton,	Headlee,	Mikula,	Sollenberger,
Bomberger,	Helm,	Miller, H. G.,	Spencer,
Boorse,	Hersch,	Miller, J. C.,	Stank,
Bower,	Hewitt,	Mills,	Stimmel,
Breisch,	Hocker,	Mintess,	Stoner,
Breth,	Hoggard,	Monroe,	Swartz,
Brown,	Hunter,	Moore, C. E.,	Swope,
Bucchin,	Jenkins,	Moore, H. A.,	Tahl,
Byrne,	Johnson,	Moran,	Taylor,
Cella,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clapper,	Jones, J. M.,	Munley,	Thompson, R. L.,
Clendenning,	Jones, P. F.,	Murray,	Toll,
Cochran,	Jones, T. H. W.,	Musto,	Tompkins,
Conway,	Jump,	Najaka,	Toomey,
Cooper,	Kamyk,	Naugle,	VanSant,
Corr,	Keller,	Needham,	Varallo,
Costa,	Kent,	Olsen,	Varnier,
Coyle,	Kline,	Penglase,	Verona,
Dalrymple,	Kohl,	Peta,	Wachhaus,
Davis,	Kolankiewicz,	Petrosky,	Wargo,
Dennison,	Kornick,	Pettigrew,	Waterhouse,
Dougherty,	Kratz,	Pfaff,	Watkins,
Dowling,	Kubacki,	Pichney,	Weidner,
DuBois,	Lederer,	Pitzer,	Welsh,
Duffy,	Leisey,	Polaski,	Wescott,
Dunin,	Leonard, L.,	Polen,	Westrick,
Erb,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley,
Ewing,	Leven,	Price, R. A.,	Wheeler,
Fenrich,	Light,	Readinger,	White,
Ferster,	Limper,	Reagan,	Williams,
Filip,	Loftus,	Reese,	Wilt,
Filo,	Lopresti,	Relly, J. M.,	Wood,
Firmstone,	Lovett,	Rigby,	Yeakel,
Flack,	Lutty,	Riley, R. L.,	Yester,
Frost,	Lyons,	Robertson,	Yetzer,
Gaffney,	Madden,	Rose,	Young,
Geer,	Madigan,	Rosen,	Ziegler,

Gibson,  
Gleason,  
Good,

Markley,  
Maxwell,

Rovansek,  
Royer,

Sorg,  
Speaker

NAYS—0

NOT VOTING—3

Goodling,

Lafore,

Reldenbach,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1680, as follows:

An Act to amend the act approved the fifth day of May one thousand nine hundred eleven (P. L. 198) entitled "An act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" by conferring exclusive jurisdiction on the county court of Allegheny County in cases of appeals from decisions of the collector of mercantile taxes imposed by political subdivisions within the territorial limits of its jurisdiction

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (1) of Section 6 of the act approved the fifth day of May one thousand nine hundred eleven (P. L. 198) entitled "An act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" as amended by the act approved the sixth day of July one thousand nine hundred fifty-one (Act No. 205) is hereby amended to read as follows

Section 6 The court hereby created shall have jurisdiction

\* \* \* \* \*

(1) In all cases of appeal from decisions of the receiver of school taxes or school treasurer in the administration and enforcement of the act of Assembly imposing a mercantile license tax for school purposes in school districts of the first class a and in all cases of appeal from decisions of collectors of mercantile taxes authorized by any act of Assembly and imposed by any political subdivision within the territorial limits of the jurisdiction of the court

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—204

Amarando,	Good,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Scanlon,
Barkdoll,	Greer,	McCormack,	Sarraf,
Baumunk,	Guarnieri,	McCullough,	Sax,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boies,	Harney,	Metz,	Smith,
Bolton,	Haudenschild,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,



Brelsch,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendening,	Jones, J. M.,	Munley,	Thompson, R. L.,
Conway,	Jones, P. F.,	Murray,	Toll,
Cochran,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varnier,
Dalrymple,	Kline,	Penglase,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
DuBois,	Kubacki,	Pichney,	Weidner,
Duffy,	Lederer,	Pitzer,	Welsh,
Dunn,	Leisey,	Polaski,	Wescott,
Erb,	Leonard, L.,	Polen,	Westrick,
Ewing,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leven,	Price, R. A.,	Wheeler,
Ferster,	Light,	Readinger,	White,
Fillip,	Limper,	Reagan,	Williams,
Filo,	Loftus,	Reese,	Wilt,
Firmstone,	Lopresti,	Reilly, J. M.,	Wood,
Flack,	Lovett,	Rigby,	Yeakel,
Frost,	Lutty,	Riley, R. L.,	Yester,
Gaffney,	Lyons,	Robertson,	Yetzer,
Geer,	Madden,	Rose,	Young,
Gibson,	Madigan,	Rosen,	Ziegler,
Gleason,	Markley,	Rovansek,	Sorg,

Speaker

## NAYS—0

## NOT VOTING—3

Goodling, Lafore, Reidenbach.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

## BILL PASSED OVER

There being no objection

Senate Bill No. 41, Printer's No. 285 was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 653, entitled:

An Act to further amend the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 571) entitled "An act relating to assessment for taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects property and persons subject to and exempt from taxation for county borough town townships school except in cities and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for the assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of ward borough town and township assessors abolishing the office of assistant triennial assessor in townships of the first class providing for the appointment of a chief assessor assistant assessors and other employe providing for their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the recorder of deeds and eliminating the triennial assessment" by providing for a permanent record system uniform throughout the Commonwealth among boards for the assessment and revision of taxes providing for a committee to prepare such system and conferring powers and imposing duties upon the

boards for the assessment and revision of taxes the chairman of the Local Government Commission and chief assessors.

On the question,

Will the House agree to the bill on third reading?

Mr. ROBERTSON. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk read the amendment as follows:

Amend Sec. 2, (Sec. 307), page 7, line 7, by striking out the words "one of whom shall be."

The SPEAKER. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 654, entitled:

An Act to further amend the act approved the seventh day of July one thousand nine hundred forty-seven (P. L. 1368) entitled "An act amending revising and consolidating the laws relating to delinquent county city except of the first and second class and second class A borough town township school district except of the first class and school districts within cities of the second class A and institution district taxes providing when how and upon what property and to what extent liens shall be allowed for such taxes the return and entering of claims therefor the collection and adjudication of such claims sales of real property including seated and unseated lands subject to the lien of such tax claims the disposition of the proceeds thereof including State taxes and municipal claims recovered and the redemption of property providing for the discharge and divestiture by certain tax sales of all estates in property and of mortgages and liens on such property and the proceedings therefor creating a Tax Claim Bureau in each county except a county of the first class to act as agent for taxing districts defining its powers and duties including sales of property the management of property taken in sequestration and the manafement sales and disposition of property heretofore sold to the county commissioners taxing districts and trustees at tax sales providing a method for the service of process and notices imposing duties on taxing districts and their officers and on tax collectors and certain expenses on counties and for their reimbursement by providing for the collection and distribution of said taxes by the bureau further regulating the sale of properties turned over the bureau by county commissioners and taxing districts and of properties purchased at tax sales by county commissioners under the provisions of said act imposing certain costs upon the taxing districts and further providing for the execution of deeds.

On the question,

Will the House agree to the bill on third reading?

Mr. ROBERTSON. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:



Amend Sec. 5 (Sec. 612.1), page 12, lines 5, 6, 7, by striking out the words "at either private or" in line 5, all of line 6, and the part word "ing" in line 7, and inserting in lieu thereof: "upon petition to the court of common pleas which shall fix a day not more than thirty (30) days thereafter for a hearing and sale."

Amend Sec. 5 (Sec. 612.1), page 12, line 7, by striking out the word and figures "thirty (30)" and inserting in lieu thereof: "five (5)."

Amend Sec. 5 (Sec. 612.1), page 12, line 7, by inserting after the word "such" the following: "hearing and."

Amend Sec. 5, (Sec. 612.1), page 12, line 9, by striking out the words "if to be sold at public sale."

Amend Sec. 5 (Sec. 612.1), page 12, line 15, by inserting after the word "any" the following: "and the lowest amount which the county is prepared to accept for the sale of the property."

"If after such hearing the court is satisfied that the proposed sale is proper and to the advantage of the county and the other taxing districts interested it shall allow any person to offer more than the minimum price fixed by the county or other price as the court may find proper and enter a decree approving such sale and directing a conveyance of such property to the person or persons purchasing the same upon the payment of the purchase price and all costs of the proceeding."

Amend Sec. 5 (Sec. 612.1), page 13, lines 4 to 10, by striking out the word "the" in line 4, all of lines 5 to 9, both inclusive, and the words "conveyance in fee simple" in line 10.

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 655, entitled:

An Act to amend the title and act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 571) entitled "An act relating to assessment for taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects property and persons subject to and exempt from taxation for county borough town township school except in cities and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of ward borough town and township assessors abolishing the office of assistant triennial assessor in townships of the first class providing for the appointment of a chief assessor assistant assessors and other employees providing for their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the recorder of deeds and eliminating the triennial assessment" by further regulating the assessment and valuation of real property for local taxation purposes further defining the duties of assessors and chief assessors changing the time for the preparation and inspection of the assessment roll and duplicate assessment roll notice of appeal and hearings on appeals prescribing duties of and fees to be collected by municipal officers who issue building permits imposing duties on taxables making improvements on land and

prescribing penalties and changing procedure on appeals to court.

On the question,

Will the House agree to the bill on third reading?

Mr. ROBERTSON. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Title, page 2, 7th line from bottom of Title, by striking out the word "and" where it appears the first time.

Amend Title, page 2, 7th line from bottom of Title, by inserting after the word "inspection" the following "and revision."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

## PUPILS OF BRECHT SCHOOL WELCOMED

The SPEAKER. The Chair is pleased to welcome to the House the sixth grade pupils of Brecht School, Lancaster County. They are here today as the guests of the gentleman from Lancaster, Mr. Murray.

## BILLS ON THIRD READING

### BILLS PASSED OVER

There being no objection

Senate Bill No. 656, Printer's No. 405

Senate Bill No. 675, Printer's No. 489

Senate Bill No. 676, Printer's No. 535

Senate Bill No. 677, Printer's No. 491

Senate Bill No. 678, Printer's No. 492

Senate Bill No. 679, Printer's No. 478

Senate Bill No. 680, Printer's No. 516

Senate Bill No. 681, Printer's No. 545 and

Senate Bill No. 682, Printer's No. 397

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 688, as follows:

An Act to further amend Section 303 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of



them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" by directing that an allowance be paid to certain county controllers for the expenses pertaining to the institution district for a temporary period

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 303 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" as amended by the act approved the fourteenth day of May one thousand nine hundred forty-nine (P. L. 1359) and the act approved the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1709) is hereby further amended to read as follows

Section 303 Salaries and Expenses of Officers For services as an officer of an institution district each commissioner of a seventh class county shall receive an additional annual salary of eight hundred dollars (\$800) and each commissioner of an eighth class county shall receive an additional annual salary of three hundred dollars (\$300) [In addition every county commissioner shall receive an allowance for expenses incurred in connection with the institution district as follows (1) In second class counties two thousand dollars (\$2000) per annum (2) In third class counties eighteen hundred dollars (\$1800) per annum (3) In fourth class counties fifteen hundred dollars (\$1500) per annum (4) In fifth class counties twelve hundred dollars (\$1200) per annum (5) In sixth class counties one thousand dollars (\$1000) per annum (6) In seventh class counties five hundred dollars (\$500) per annum and (7) In eighth class counties three hundred dollars (\$300) per annum In every county the treasurer shall receive no additional compensation for services to the institution district but he shall be allowed his necessary expenses incurred in services for the institution district In every county the commissioner and in every county the treasurer shall receive no additional compensation for services to the institution district In every county the commissioners and treasurer shall be allowed their necessary expenses incurred in services for the institution district Every county controller in office on the effective date of this amending act shall receive during the remainder of his current term an allowance for expenses incurred in connection with the institution district as follows (1) In second class counties two thousand dollars (\$2000) per annum (2) In third class counties eighteen hundred dollars (\$1800) per annum (3) In fourth class counties fifteen hundred dollars (\$1500) per annum (4) In fifth class counties twelve hundred dollars (\$1200) per annum (5) In sixth class counties one thousand dollars (\$1000) per annum (6) In seventh class counties five hundred dollars (\$500) per annum and (7) In eighth class counties seven hundred dollars (\$700) per annum]

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—203

Amarando,	Goodling,	Mazza,	Rubin,
Andrews,	Greenwood,	McConnell,	Sarrafi,
Banker,	Greer,	McCormack,	Sax,
Barkdoll,	Guarnieri,	McCullough,	Scanlon,
Baumunk,	Gutendorf,	McDermitt,	Schmidt,
Bear,	Guthrie,	McGee,	Schuster,
Beaver,	Hagerty,	McInroy,	Scott,
Beech,	Hall,	McKinney,	Seyler,
Berkstresser,	Hamilton, R. K.,	McMillen,	Shoemaker,
Blair,	Hamilton, W. H.,	McNally,	Shotwell,
Bloom,	Harney,	Metz,	Smith,
Boles,	Haudenshield,	Mihm,	Snider,
Bolton,	Headlee,	Mikula,	Sollenberger,
Bomberger,	Helm,	Miller, H. G.,	Spencer,
Boorse,	Hersch,	Miller, J. C.,	Stank,
Bower,	Hewitt,	Mills,	Stimmel,
Breisch,	Hocker,	Mintess,	Stoner,
Breth,	Hoggard,	Monroe,	Swartz,
Brown,	Hunter,	Moore, C. E.,	Swope,
Bucchin,	Jenkins,	Moore, H. A.,	Tahl,
Byrne,	Johnson,	Moran,	Taylor,
Cella,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clapper,	Jones, J. M.,	Munley,	Thompson, R. L.,
Clendening,	Jones, P. F.,	Murray,	Toil,
Cochran,	Jones, T. H. W.,	Musto,	Tompkins,
Conway,	Jump,	Najaka,	Toomey,
Cooper,	Kamyk,	Naugle,	VanSant,
Corr,	Keller,	Needham,	Varallo,
Costa,	Kent,	Olsen,	Varnier,
Coyle,	Kline,	Pengilase,	Verona,
Dalrymple,	Kohl,	Peta,	Wachhaus,
Davis,	Kolankiewicz,	Petrosky,	Wargo,
Dennison,	Kornick,	Pettigrew,	Waterhouse,
Dougherty,	Kratz,	Pfaff,	Watkins,
Dowling,	Kubacki,	Pichney,	Weidner,
Duffy,	Lederer,	Pitzer,	Welsh,
Dunn,	Leisey,	Polaski,	Wescott,
Erb,	Leonard, L.,	Polen,	Westrick,
Ewing,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leven,	Price, R. A.,	Wheeler,
Ferster,	Light,	Readinger,	White,
Fillo,	Limper,	Reagan,	Williams,
Filo,	Loftus,	Reese,	Wilt,
Firmstone,	Lopresti,	Reilly, J. M.,	Wood,
Flack,	Lovett,	Rigby,	Yeakel,
Frost,	Lutty,	Riley, R. L.,	Yester,
Gaffney,	Lyons,	Robertson,	Yetzer,
Geer,	Madden,	Rose,	Young,
Gibson,	Madigan,	Rosen,	Ziegler,
Gleason,	Markley,	Rovansek,	Sorg,
Good,	Maxwell,	Royer,	Speaker

#### NAYS—1

DuBois,

#### NOT VOTING—3

Graybill,

Lafore,

Reidenbach.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

#### BILL PASSED OVER

There being no objection

Senate Bill No. 708, Printer's No. 338 was passed over at the request of the SPEAKER.

Agreeably to order,



The House proceeded to the third reading and consideration of Senate Bill No. 738, as follows:

An Act to further amend subsection (g) of Section 1110 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by eliminating requirement that the form and arrangement of ballot labels on voting machines be approved by the Secretary of the Commonwealth

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (g) of Section 1110 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" as amended by the act approved the twenty-fourth day of April one thousand nine hundred forty-seven (P. L. 68) is hereby further amended to read as follows

#### Section 1110 Form of Ballot Labels on Voting Machines

(g) The form and arrangement of ballot labels shall be prepared by the county election board [and submitted by said board to the Secretary of the Commonwealth for approval. If the Secretary of the Commonwealth shall approve the form and arrangement submitted the county election board shall procure such further copies of the same as may be necessary at the cost of the county. If the Secretary of the Commonwealth shall disapprove the form and arrangement of ballot labels submitted he shall indicate the changes to be made and the county election board after having made the changes indicated by the Secretary of the Commonwealth shall procure further copies of the same as may be necessary at the cost of the county]

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—204

Amarando,	Good,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarra,
Barkdoll,	Greer,	McCullough,	Sax,
Baumunk,	Guarnieri,	McCormack,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Haudenschild,	Metz,	Smith,
Bolton,	Harney,	Mihm,	Snider,
Bomberger,	Headlee,	Mikuja,	Sollenberger,

Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Breisch,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendenning,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varnier,
Dalrymple,	Kline,	Penglease,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
DuBois,	Kubacki,	Pichney,	Weldner,
Duffy,	Lederer,	Pitzer,	Welsh,
Dunn,	Leisey,	Polaski,	Wescott,
Erb,	Leonard, L.,	Polen,	Westrick,
Ewing,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leven,	Price, R. A.,	Wheeler,
Ferster,	Light,	Readinger,	White,
Filip,	Limper,	Reagan,	Williams,
Filo,	Loftus,	Reese,	Wilt,
Firmstone,	Lopresti,	Reilly, J. M.,	Wood,
Flack,	Lovett,	Rigby,	Yeakel,
Frost,	Lutty,	Riley, R. L.,	Yester,
Gaffney,	Lyons,	Robertson,	Yetzer,
Geer,	Madden,	Rose,	Young,
Gibson,	Madigan,	Rosen,	Ziegler,
Gleason,	Markley,	Rovansek,	Sorg,

Speaker

#### NAYS—0

#### NOT VOTING—3

Goodling, Lafore, Reidenbach.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

#### BILL PASSED OVER

There being no objection

Senate Bill No. 742, Printer's No. 461 was passed over at the request of the SPEAKER.

#### PERMISSION GRANTED COMMITTEES TO MEET DURING SESSION

Mr. ROYER asked and obtained permission for the Committee on Highways to meet during the session of the House.

Mr. RAY L. RILEY asked and obtained permission for the Committee on Law and Order to meet during the session of the House.

#### BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

#### HOUSE BILL No. 361.

An Act to further amend section 6 of the act approved the nineteenth day of June one thousand nine hundred eleven (P. L. 1055) entitled "An act authorizing the release on probation of certain convicts instead of imposing sentences the appointment of probation and parole officers and the payment of their salaries and expenses regulating



the manner of sentencing convicts in certain cases and providing for their release on parole their conviction of crime during parole and their rearrest and reconviction for breach of parole and extending the powers and duties of boards of prison inspectors of penitentiaries" by further regulating the manner of sentencing of convicts in certain cases

#### HOUSE BILL No. 976.

An Act to amend Section 1 of the act approved the twentieth day of May one thousand nine hundred forty-nine (P. L. 1489) entitled "An act providing for a two-platoon system for firemen employed and paid by cities of the second class A and fixing the maximum hours of service in any one day or week for such platoons with certain exceptions" by further prescribing the maximum hours of service for such employes in any one week

#### HOUSE BILL No. 1269.

An Act to amend Section 15 of the act approved the twenty-second day of April one thousand eight hundred fifty (P. L. 538) entitled "An act to secure the cities of Pittsburgh and Allegheny and the neighborhood thereof from damage by gun-powder to incorporate an association for the establishment of a house of refuge for western Pennsylvania and relative to the Pennsylvania State Lunatic hospital" by changing the maximum age for the commitment of delinquents to the Pennsylvania Training School at Morgantown and changing admission requirements relative thereto

#### HOUSE BILL No. 1270.

An Act providing for the commitment and transfer of certain female juvenile delinquencies to the Pennsylvania Training School for Girls or to certain other institutions and imposing duties on the courts of this Commonwealth and the Department of Welfare relative thereto

#### HOUSE BILL No. 1513.

An Act to amend Section 412 of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1252) entitled "An act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto" by defining the estate of substitute rights of way for public service companies and requiring conveyance thereof

#### HOUSE BILL No. 1562.

An Act to amend sections one and two of the act approved the twenty-third day of May one thousand nine hundred forty-five (P. L. 926) entitled "An act for the protection of the public health by regulating the conduct and operation of public eating and drinking places within this Commonwealth requiring their licensing imposing certain duties on the Department of Health of this Commonwealth and on the local health authorities and providing penalties" by providing for the licensing of public eating or drinking places by county departments of health or joint-county departments of health in certain political subdivisions

#### HOUSE BILL No. 1577.

An Act fixing the salary of the Director of the Legislative Reference Bureau

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

### PUPILS OF JOHN HARRIS HIGH SCHOOL WELCOMED

The SPEAKER. The Chair is pleased to welcome to the

Hall of the House one hundred seventy students of the John Harris High School, Harrisburg, accompanied by their teacher, Mr. John H. Lynch. They are the guests of the gentlemen from Dauphin, Messrs. Ziegler and Dowling.

### BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1416, entitled:

An Act to amend the act approved the eighteenth day of April one thousand nine hundred forty-nine (P. L. 512) entitled "An act relating to the administration and distribution of decedents' estates trust estates minors' estates and absentees' estates both as to real and personal property and the procedure relating thereto including the disposition of such estates or portions thereof and the determination of title thereto without the appointment of a fiduciary in certain cases the appointment bond removal and discharge of fiduciaries of such estates their powers duties and liabilities the rights of persons dealing with such fiduciaries and the rights of persons claiming an interest in such estates or in property distributed therefrom whether as claimants or distributees and containing provisions concerning guardians of the person of minors the powers duties and liabilities of sureties and of foreign fiduciaries the abatement survival and control of actions and rights of action and the presumption of death and also generally dealing with the jurisdiction powers and procedure of the orphans' court and of the register of wills in all matters relating to fiduciaries" by providing for the examination of safe deposit boxes rented in the names of decedents by an appraiser appointed by the Secretary of Revenue

The first section was read.

On the question,

Will the House agree to the section?

Mr. ANDREWS. Mr. Speaker, this is the day and this is the hour when by agreement with the Majority Leader we will discuss the broad outlines of the tax program which the House is about to consider on second reading.

It is I believe, understood that Members of the House, if there are matters that they do not understand, will be privileged to interrogate the Majority Leader, not for the purpose of controversy today, not for the purpose of debate, but simply for the purpose of obtaining information concerning any feature of any particular measure concerning which they may be in doubt.

And so the Minority awaits with interest the advent of the Majority Leader with his message concerning this latest attempt to resolve an increasingly difficult fiscal and political situation.

Mr. SMITH. Mr. Speaker, first of all I must thank the Minority Leader for the very gracious fanfare I just had. I hope I will be able to answer the Members' questions that are asked me.

Not being a lawyer, I had prepared by the Attorney General's office a brief on all of these bills. I hope they are on all the Members' desks at this time—is that right?

In that brief you have a legal interpretation from the Attorney General's office. I will try to break down some of our committees' thinking, as far as a practical layman's interpretation is concerned, in the order the bills are on the calendar.

I would first like to say that tax programs are not things that someone comes up and slaps you on the back and congratulates you for.



The committee that worked on this program in the House sincerely and honestly put forth the best substitute tax program that we know of. We tried to make it just as painless as possible. We tried to clear up a lot of unfairness that is in the present law today, and one of the things we tried to do was to eliminate exclusions which are in the present laws of today.

There are some laws that have loop-holes in them. We tried to close those loop-holes because we did not think it was fair for one group to be paying a tax and another group, because of good legal advice or because of a law being loosely written, be eliminated from paying the same tax on the same subject.

Now to get \$138 million, which we say we need, and present a tax package that really has only one new tax in it, is doing something, and I do not say this as complimentary to myself as Chairman because I happen to be Chairman of the committee only because of my position as Majority Leader, nor because of any special ability or any other reason, I think this committee has come up with just about the fairest and best tax program that I have ever seen in this House.

Under the exclusions of loop-holes, bill No. 1 which has a different number than the package because it was in prior to the package, is Bill 1416.

If you will refer to the list on your desk you will see that it is bill No. 1. That is a legal interpretation on the brief in front of you. I will try to tell you as much as I am able to tell you as to what the present law is and how we have changed it.

Under the present law, all valuables are part of the gross estate and are appraised as part of that estate. The present law does not seal safe deposit boxes.

Some of the things that can happen under the law today are these. A dishonest executor—and we have them—can rob the state of taxes. That is important. But it is not nearly as important as the fact that a dishonest executor can also rob the heirs and creditors of that estate. Nobody is there to watch that executor open the safe deposit box. If that man is dishonest, he today, can open that box and as far as the state is concerned, he can pass on to the heirs taxable property without paying taxes. If no one is there to watch him and no one knows what is in that box, he can steal from that box and put in his pocket those things that rightfully belong to the heirs of that estate.

Under this bill, this is what we do. We do not change the law; we do not create any new taxation. We are only asking for what is rightfully ours under the present law by the sealing of a safe deposit box at death. At that time an appraiser from the Revenue Department must be present at the opening of the box. That is protection to us in being interested in getting the taxes that are due us; it is protection to the heirs and creditors of an estate.

I do not believe anyone could honestly say that that is not good legislation. Sealing safe deposit boxes is protecting the state, getting what is due it, and protecting the heirs and creditors of an estate. The sealing of a safe deposit box would take care of those things.

Bill 1692 which is the first bill of the package in numerical order is a little bit complicated. It applies to the corporate net income of corporations. We have given it the term of an acceleration clause.

This bill is divided into two parts. The bill affects the

acceleration of the corporate net income tax payable to the state. We speeded it up. It also affects exemptions of dividends by which some companies today profit.

I am not a tax lawyer, and in all of these decisions I will talk about these bills on a broad lay basis. This is strictly a tax lawyers' job, but I know, thank God, that there are more laymen in this House than lawyers, and I am going to try to make it just as understandable for them as I can to the best of my ability.

Under the present law, a corporation on a calendar year basis files a tax return three and a half months after the end of the year. An example of that would be a corporation operating on a calendar year, files on the 15th of April of the following year one half of the tax due under corporate net income to the State of Pennsylvania.

Under the present law, the balance of that tax is paid May 15th. These features remain the same.

As an example, the 1950 tax that is paid to the State of Pennsylvania is paid this year, in 1951, on that basis. The 1951 tax is paid in 1952, on exactly the same basis. The 1952 tax is paid exactly that same way in 1953.

But now here is where the modification comes in. In 1953 we will collect part of the 1953 taxes. 1953 would be the schedule under this act to work on.

The 1953 schedule would be this way: April 15th, of 1953, one half of 1952 taxes would be paid. That is exactly the same as it is today. This is the new part—April 30th, of 1953, one half of the estimated tax for 1953 would be paid. May 15th, the balance of the 1952 tax would be paid.

Now, as you can see, what we have done on this acceleration is to put in an additional payment on April 30th.

This estimation for the additional payment is based on two things—it is based really on one, the Federal government report. They have the choice of basing it on the last report filed with the Federal government, or on the earnings of the first three months of that year. In other words, a corporation can say we made so much money in 1952. We assume we will make that much money in 1953 so we will estimate our tax on that basis.

If a corporation would be on a fiscal year and not have its complete return from 1952, they would then have the choice of saying during January, February and March, or the first three months, we made so much money. We assume we are going to make that much money the rest of this year. They pay their tax on that basis.

Now this is very important. This does not cost any corporation any additional tax money. All this does is credit payment for 1953 taxes.

There has been misinformation passed around evidently by people who do not understand this tax and they make use of the statement of "robbing Peter to pay Paul." That is not true. The person who makes that statement does not understand what he is saying. This does not "Rob Peter to pay Paul," because this bill, if it were re-enacted by the next legislature would not take one cent of tax money from the 1953-1954 biennium. It would give the corporations the privilege of doing the same thing we are asking them to do now—moving tax payments up a six-month period. It is exactly the same thing, in a little bit more common language, as going into a hotel on a Monday and paying your bill on a Friday when you leave. That is what we are doing in Pennsylvania today.

This is saying, you go into the hotel on Monday, but



pay your bill on Monday, before you leave Friday you take credit for what you paid Monday. It does not cost the corporation one penny more to do that in tax money.

I would like to carry it just a little but further by saying that you and I as individuals pay to our Federal Government on exactly that same basis. A man who is working for a salary pays on a withholding basis on the estimated money that will be earned by him that year. At the end of the year when filing his tax return, if he earns less money he gets a credit from the Government. If he earns more money, at the end of the year he catches up and makes that payment and a little bit larger payment to catch up.

A businessman who is in an unincorporated business, such as I, and I may have to refer sometimes to myself because it is an example that I can state, I am part of the partnership, I pay my taxes to the Federal government for the following year on an estimated basis. We ordinarily estimate our taxes on what we made the preceding year. We pay our taxes on that basis.

In other words if we think we are going to make a few extra dollars, we add a few extra dollars in tax; if we think we are not going to make as much, we deduct it. But we pay it on an estimated basis and we are paying, I am paying, and everyone in this House, if he is working for a salary, is paying on a cash-as-you-go basis. There is no reason why corporations cannot do the same thing. It is not costing them any more than it is costing you and I.

The second part of Bill 1692 considers removal of exemptions of dividends. Again I want to quote the present law. The present law exempts from the Pennsylvania Corporate Net Income Tax all dividends received by corporations. But Pennsylvania is unique in this, and is one of the very few states in this nation that has this law. Today if a corporation pays a dividend to another corporation that dividend is not included in income in computing corporate net income tax that is paid to the state.

This bill that we are proposing makes all dividends paid from corporations not subject to the Pennsylvania Corporate Net Income Tax taxable. It is a fair bill for the corporation that pays a corporate net income tax in Pennsylvania. If that same corporation pays a dividend to another corporation, that dividend is not taxable by the other corporation under the Corporate Net Income Tax. There is no double taxation here.

Again let me go back to the individual so that we know what we are talking about. I as an individual today receive a dividend from a corporation. That corporation pays an income tax to the Federal government. I received a dividend, I include it in my income and I pay tax to the Federal government on the same dividend. This is double taxation.

Again we are putting the corporation of nearly the same basis as you and I. Any dividend that we receive from any corporation, from any company, is included in our computation of our federal income tax. Again we are plugging loopholes. We are not making new taxes.

Bill 1693 comes under the elimination of exclusions. Today under the present law there is an eight mill tax on Transportation Companies. This applies only to companies using public highways. It does not apply to trolley car companies or to railroads. I have seen some statements in the papers or heard some statements whereby if

we impose this tax, it is going to make all trolley fares go up. This does not apply to trolley cars or railroads. Another mistake that has been called to our attention by the papers. This applies only to transportation companies using public highways.

Under the present law license fees, and excise taxes paid to cities or municipalities for use of roads are deducted from the tax payable to the State. Now, what that means is this. A transportation company today, and that would be a company that is a common carrier, it does not affect a private carrier that does not work for hire, it does not affect any one that the present law does not affect. Under the law today a company figures its gross receipts tax, and if that figure is a thousand dollars, for example, they immediately deduct from that thousand dollars, which is the amount on which tax should be paid to the State of Pennsylvania, they immediately deduct from that all excise taxes paid to any municipality for highway purposes. They deduct that—say \$200—and they bring that thousand dollars down to eight hundred dollars. From that eight hundred dollars they then deduct all license and registration fees on the vehicles they own. As we all know, any big group deducts a tremendous amount of money in license fees. So instead of a thousand, or eight hundred dollars, from which license fees and excise taxes are deducted, they owe us probably two dollars and eighty-nine cents which we get. And that is all we do get.

Again we are not making a new tax law. This Bill, 1693, does only one thing. It removes those exclusions and does not allow transportation companies hauling for public hire to deduct from their gross receipts tax any license fees or any excise taxes paid to municipalities.

Incidentally this is an eight mill tax under the present law. It remains an eight mill tax under this change. And eight mills amounts to eight dollars on a thousand.

Bill 1694 which is the next one is for the removal of exemptions from the gross premium taxes of insurance companies. Again this comes under the heading of elimination of exclusions.

Under the present law it exempts life insurance companies and domestic mutuals from premium taxes. This bill that we are submitting today provides for the removal of those companies from that exemption. Other insurance companies pay it. But certain types of companies do not pay it. What this does is to put these companies on a comparative, and an equitable basis with other types of insurance companies, who now pay state taxes and who operate in our state.

Under this law domestics, mutuals and foreign companies would pay a two percent net premium tax. Companies operating today, similar companies selling the same product, because of having a different title, a "mutual" title, are exempted from taxes. This is not a new tax. Again we are plugging loopholes and putting the business on a more equitable basis.

The next bill is 1695 which is a similar bill, if you remember Bill 1303. In fact it includes all of H. B. 1303. That bill is exactly the same as the bill on the calendar today, 1692. This bill actually reenacts House Bill 1303 which passed during this session, if you will remember. This Bill changes the payment of dividends, and puts in the acceleration clause for those companies that did come under the recently decided Specter case, which was a



legal device of getting out of paying corporate net income taxes. It does nothing more than that. It is exactly the same as our 1692, and puts corporations that have been, in plain words, ducking paying the tax, under the same tax basis. It applies to foreign corporations outside of our state which have sales offices in our state. We have already passed 1303; this reenacts it with the acceleration clause and the dividend exemption removed.

House Bill 1696 is the next bill. This comes under the plugging of loopholes again. The present law today places the valuation of a stock on the market value of the stock. It classes it at two cents per hundred dollars of value. This bill changes only two words. It changes the words "market value" to "face value."

Prior to 1945 the words "face value" were used in the act. In 1945 somebody slipped it through and changed the words back to "market value."

I may not be exact on these figures, but I am near enough to cite an example. Prior to the words being "face value" we collected in this state almost a million dollars on stock transfers. After the introduction of those words it was cut down to \$250,000. We are putting it back to the 1945 law by changing those two words. It is not a new law; we are just changing the wording and putting it in the original form, the way it was in 1945.

The next bill is 1697 which again is exactly the same law except that we are making an increase here in the amount of taxes collected by the percentage being increased. Bill 1697 raises the collateral inheritance tax from ten percent to twenty percent. Now, I am perfectly willing to admit that, not being a lawyer, I had to look around and see what collateral meant. I did not admit it in the committee but I did look around.

This change from 10 percent to 20 percent does not affect widows, does not affect children, does not affect grandchildren, or surviving heirs.

I am going to read to you who this does not affect. The increase of this tax will have no effect whatsoever on a father, a mother, a husband, a wife, children, lineal descendants born in lawful wedlock, legally adopted children, children of a former husband or wife, or the mother of an illegitimate child; it does not affect any of those individuals. It affects brothers and sisters, if affects John Jones, or John Doe, if he is given money.

One of the things it could affect—and I am perfectly willing to admit it—is charity. I personally cannot see why charity should be affected; but nevertheless our laws today have to be written that way, and that is the way they are. But when we look at it in another light, if a charity or I receives money as an inheritance other than as a lineal descendant, we receive it really as a gift; it almost could be included as booty—it is being given to you and you did not expect to get it. We are only increasing that 10 percent.

House Bill 1698 is a new tax. It is a new tax which was given to us by the Senate in their package. It is the only tax we have in this package which is a new tax.

What this does is this: it puts a one percent transfer tax on real estate sales, paid by the seller and collected by a documentary stamp by agents of the Department of Revenue or the Recorder of Deeds. This tax, if it were passed, would only be a temporary tax. It would only last until our fiscal year ends in 1953. If the next Legisla-

ture saw fit to remove it prior to 1953 they would have the right to do so.

There is one more. Bill 1699 which is the freezing of bank accounts at death. One thing that I would like to make very very clear here is that this does not affect any joint bank account held by husband and wife. It affects only bank accounts held by persons other than husband and wife. The bank account that would be frozen could be released almost immediately by a Tax Waiver which could be secured from the Secretary of Revenue. Again this is the plugging of a loophole. Today there is evasion of taxes only because accounts are not frozen, and by the time the state gets to them the money is spent. There is not much we can do when the money is gone.

That about gives you a layman's opinion on these bills. I, as I said before, tried to get a lawyer's opinion into your hands. I tried to give you my personal opinion, my honest viewpoint on the bills. Maybe I am wrong in the interpretation, but I tried to get the best interpretations from everyone concerned. I hope, Mr. Andrews, that I have made it clear to not only the Members on your side but also the Members on this side of the House what our tax package is.

I think it is painless. I think it is a tax package that could get us out of a lot of trouble. When we consider that most of the departments are set up to collect taxes it will not cause any increased collection cost. I think it is a tax package that if we pass it, we can go home and say to the people who voted for us, who put us up here, that we passed the appropriation bills; we gave you all the money you asked for and we had the guts to pass a tax package to get that money. I wish we could say that about some other groups.

Mr. ANDREWS. Mr. Speaker, I wish to thank the Majority Leader for his able presentation of the tax program which has been submitted to the House.

I would suggest, since undoubtedly he has the information there available, that he just lists the amounts to be raised from the various taxes so the Members who have the mimeographed sheets can put down the amounts that he expects will be raised from the various taxes.

Mr. SMITH. I do have those available, Mr. Speaker, if the gentleman would like them now.

Mr. ANDREWS. Mr. Speaker, I think the Members of the House would like to note on their mimeographed sheets the various amounts which would be obtained from the various taxes.

Mr. SMITH. Mr. Speaker, I will be only too glad, Mr. Andrews, if you want them at this moment.

Mr. ANDREWS. Yes, if you please.

Mr. SMITH. Mr. Speaker, 1692 will bring in approximately \$61,000,000.

1693, the removal of exemptions from the gross receipts tax on transportation, will bring in approximately \$19,000,000.

1694, the removal of exemptions from the gross premium tax on insurance companies, will bring in approximately \$5,000,000.

Now—do not put this figure down—Bill 1303 which we passed in the middle of the session, several months ago—we assumed would bring in approximately \$5,000,000 on a conservative estimate. Senator Dent in the Senate went as high as \$40,000,000. Some people go as low as \$2,-



000,000. We took \$5,000,000 as a fair and honest estimate, because the Revenue Department told us they assumed that is what it would bring.

That bill would really be bill 1695 on your list.

The sealing of safe deposit boxes, which is Bill 1416, the Department of Revenue estimates would bring in approximately \$1,500,000.

Bill 1699 is the bill freezing bank accounts in the name of several persons not husband and wife, would bring in approximately \$1,000,000.

The removal of exemptions on the Corporate Net Income on dividends received from corporations, which is in Bill 1692 would bring in an additional \$1,500,000. That should be added really to the \$61,000,000.

The removal of the word "market value" and the stock transfer tax in Bill 1696 would bring in \$250,000.

The increase in the collateral inheritance tax from 10 percent to 20 percent would bring in approximately \$20,000,000.

The real estate tax of one percent would bring in approximately \$24,000,000.

I might mention at this time, Mr. Andrews, that these figures are not our figures in the drawing of these taxes. We consulted with the Revenue Department and with the Budget Office, although I will say we consulted more with the Revenue Department because they have practically set up departments for almost all of these taxes, and those figures are the figures that were given to us by that Department at that time. Some of them, particularly the corporate net income, would be on a biannual basis; some we have figured from a November 1st deadline. Anything that could be made retroactive that was collectible we made it that way because we needed the money.

Mr. ANDREWS. Mr. Speaker, I thank the gentleman.

Mr. LOVETT. Mr. Speaker, may I ask the gentleman a question?

The SPEAKER. Will the gentleman from Philadelphia, Mr. Smith, permit himself to be interrogated?

Mr. SMITH. I hope I can answer the gentleman's questions, Mr. Speaker.

Mr. LOVETT. Mr. Speaker, will the gentleman give us the names of the men on the Committee that set up this tax program.

Mr. SMITH. Mr. Speaker, I have no reason not to tell the gentleman the names. I hope I can remember them all. I was Chairman of the committee. The Speaker was on the committee. Mr. Johnson, the Whip; Mr. Helm; Mr. Bower; Mr. Yeakel; the Chairman of the Ways and Means Committee, Mr. Hall; and the Chairman of the Appropriations Committee, Mr. Wood. I do not believe I have missed any.

Mr. LOVETT. Mr. Speaker, that committee was appointed by whom?

Mr. SMITH. Mr. Speaker, that committee was appointed by the Republican Caucus to make a study for them to submit a tax program to this House.

Mr. LOVETT. Mr. Speaker, may I further ask the gentleman if there was any consideration given to having a committee in the Senate meet at the same time on a tax program?

Mr. SMITH. Mr. Speaker, I can answer that in this way. The Committee of the Senate submitted to us a tax program several weeks ago, and I am going to answer

that question with a broad statement, by saying this, and I mean it very, very sincerely—this committee did what they thought the House wanted them to do. We went in there and honestly, sincerely worked long hours into the night. We did not ask any vested interest, we did not ask any corporation, we did not ask any company or individuals what their opinion of any particular tax was, nor did we ask the Senate. We did not ask any individual as individuals or members of the committee, nor did the committee call any groups in before it—we have seen enough of that happen in the past. We went in there trying to do an honest-to-God, sincere job so that the House could say the committee did a job.

I think the House has been doing a job all session and we wanted to keep that 100 percent record so that we could come back here and say, "Members, this is the program you asked us to get. It is the best we can get for you and it is the most honest and sincere of which we know."

I hope that answers the gentleman's question. It was a little lengthy, but I had to answer it that way, Mr. Lovett.

Mr. LOVETT. I thank the gentleman, Mr. Speaker.

Mr. READINGER. Mr. Speaker, I desire to make an inquiry of the Majority Floor Leader.

The SPEAKER. Will the Majority Leader permit himself to be interrogated?

Mr. SMITH. I shall, Mr. Speaker.

Mr. READINGER. Mr. Speaker, will the gentleman procure from the Department of Revenue for tomorrow's session some information concerning the total amount of charitable gifts made by wills during the past several years on which the rate is about to be changed from ten to twenty percent under House Bill 1697? I would like that information available tomorrow.

Mr. SMITH. I will try, Mr. Speaker. It is available I will have it for the gentleman.

Mr. ANDREWS. Mr. Speaker, since we have interrupted the regular procedure for explanation of the tax program and the inquiries, I was wondering whether or not it might be well to inquire concerning the probable program that the House faces this week. Are we likely to be here tomorrow, or the next day? Is it possible for the leadership in the House to arrive at any decision as to how much time Members must arrange to devote to the consideration of the public business here in the Hall of the House?

Mr. SMITH. Mr. Speaker, I would like to say in answer to the gentleman that we have in front of us today a tax program, and I hope it is the last tax program of this session. It will probably come up tomorrow for third reading.

We in the House, not only on this side, but on both sides, I think have been very, very lenient with some of the happenings that have been going on in this Capitol. We are honestly and sincerely shooting to close this session just as soon as we can close it. We have been here too long, we admit it. It is not through any fault of our own. This House, I honestly feel and I want to take the Minority in too, has done a job for the people of Pennsylvania. We have put up with a lot of tomfoolery, as we might call it, we have put up with a few individuals depriving the people of this Commonwealth of the needs



of their hospitals, their colleges, their welfare institutions.

We can go back to our people as a House and say that we have passed, as I said before, every appropriation bill that we have thought honest and sincere. We have given the teachers of Pennsylvania the things they have asked for, we have given them a good education program. We have given them a program that we can be proud of. There is no use in giving them a program if you do not give them the money to pay for it. Let us not try to kid ourselves and let us not try to kid them. We are doing everything, Mr. Andrews, to close this session and to bring it to a successful close. If it means that we will have to stay even into Thursday or Friday of this week to do it, and next week we will have to stay five or six days to do it, we are going to make a sincere effort to close the session successfully for the people of Pennsylvania, and we are going to do everything in our power to bring it to a close as soon as we possibly can do it.

Mr. ANDREWS. Mr. Speaker, I was not inquiring concerning the excellence of the performance, I was more concerned about the duration. The gentleman unfortunately informed me no farther than that he considers a remarkable job has been done. He did not say whether we will be in session three days this week, four days this week or five days.

I have no way of anticipating what this House will do tomorrow so far as this tax program is concerned, but what I am interested in learning, if possible, is in the event we sent the tax program to the Senate, are we then at liberty to go about our proper business until such a time as there has been some action upon the part of the other Chamber that will indicate whether it is digging in for Christmas or whether there is some likelihood that it is reaching a decision? Will we return when the Senate has made up its mind—if any?

Mr. SMITH. Mr. Speaker, I like the way the gentleman ended, when he said when the Senate can make up its mind—if any—I like that.

I would say this, Mr. Speaker, that I have just been informed that there is a deficiency appropriation bill coming over from the Senate for public assistance, and that it will probably be necessary to stay Wednesday and Thursday of this week.

In answer to the attitude of the Senate on our tax program, the House's program, I cannot answer the gentleman. But I can answer the gentleman by saying we are giving them the best program that I know of and there will not be any need for us to stay at least much longer.

#### PERMISSION TO ADDRESS HOUSE

Mr. LOVETT asked and obtained unanimous consent to address the House.

Mr. Speaker, as you recall when the original tax program came on the floor of this House I delayed the passage of that tax program somewhat. I feel the same about this tax program as I did about that one.

We are dealing with the people of Pennsylvania. There are many things in this particular tax program that we do not know how they will affect different people throughout the state of Pennsylvania. I have always been of the opinion that we should not rush legislation; the people of Pennsylvania should have an opportunity to know what this tax program is. They should be heard,

and although we have stayed here many months, that is no reason why we in one week's time should pass a tax program in Pennsylvania without the people of Pennsylvania having had an opportunity to be heard.

I, therefore, do not agree with passing this entire tax program this week.

Mr. PETROSKY. Mr. Speaker, fully realizing that one of the biggest hitches in the delay of sine die adjournment of this session was the controversy and the difference of opinion by certain groups on the budget as proposed by the Governor, I would like to know from the gentleman from Philadelphia as to whether there is today agreement by those certain groups that did not agree with the budget that \$138 million is necessary in order to balance the budget?

Mr. SMITH. Mr. Speaker, let me answer again—and I do not mean to take a vindictive attitude, but I can not answer that question day from day. One minute we are informed by those very same individuals that they will support the program which they sent us saying that we need \$138 millions; they are all agree on that. That was two weeks ago.

The other day in the paper I saw where a certain Senator said "This is rhubarb."

That very same Senator was one of the Senators that agreed that we needed the \$138 million two weeks prior. So I can only say that as of last report they agreed on the \$138 million, and because they sent us the \$138 million program we accepted their figure.

Mr. PETROSKY. Mr. Speaker, there have been other groups that have disagreed with the budget and had differences of opinion with the various requests that the department heads have made. Now in the event that we pass another tax program through this House, assuming \$138 million is needed, can we have public scrutiny of the budget? By that I mean not the bills we have passed for additional aid to education or the health and welfare programs, but the various requests of the department heads, to see whether the budget could not be pruned in the various departments where there is a possibility of pruning their budget. Are we going to pass this program without considering the necessity for the amount that is called for in this tax program, or are we going to get a public viewing of the budget?

Mr. SMITH. Mr. Speaker, we have been around here, I believe now pretty close to nine months. Certainly there has been enough time and I do not like the word "public viewing," it sort of sends shivers up my spine. I think there has been enough time for the public to have completely audited the budget in any way they saw fit.

I think, Mr. Speaker, there has been almost unanimous agreement in the House here that \$138 million including the money we passed in appropriations is probably the amount of money we need.

#### PERMISSION TO ADDRESS HOUSE

Mr. PETROSKY asked and obtained unanimous consent to address the House.

Mr. Speaker, very briefly, I do not agree with the gentleman that there is a unanimous opinion in the House of Representatives that \$138 million is necessary. Of course if the debate on this tax program that will be shown, and in the event that we cannot hold hearings and question the department heads on their requests, we



will have to revert to our original position on the amount of money necessary for the various departments in the budget.

### PERMISSION TO ADDRESS HOUSE

Mr. SMITH asked and obtained unanimous consent to address the House.

I would like to answer that, Mr. Speaker, by a very short statement. Our Appropriations Committee—and again I want to say that I have complete faith in it—has representation from the majority and the minority sides of the House. I have been assured, and I know that they have called in the department heads. I know that they have examined the budget, and I know that everything that they have been asked for that the committee felt was unfair or unneeded was not given to us to vote upon.

The heads of the schools and colleges were brought in and questioned. In many, many cases their requests were turned down. I know that because many of them have been to see me to “up” those requests. I have had very poor success with that committee in doing that, believe me.

It is a good committee; they have reviewed all of these things and I think the bills they have given us to vote on are honest, good bills, and the money is needed by all of the departments, by all of the colleges up to the amounts that have been presented to us on this floor.

On the question recurring,

Will the House agree to the section?

It was agreed to.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

### 28th WARD DEMOCRATIC EXECUTIVE COMMITTEE WELCOMED

The SPEAKER. The Chair is pleased to welcome to the House thirty members of the 28th Ward Democratic Executive Committee of Pennsylvania. They are here as the guests of the gentleman from Philadelphia, Mr. Hagerty.

### FORMER MEMBER WELCOMED

The SPEAKER. The Chair is also pleased to welcome a former Member from Philadelphia, Honorable Benjamin Boory.

### BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1624, entitled:

An Act to further amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051) entitled “An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emer-

gency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers assistance pensions for the blind old age assistance and the State Emergency Relief Board” by further prescribing the powers and duties of the Department of Public Assistance and the local boards further defining “Assistance” and those persons eligible for assistance further prescribing residence requirements with respect to assistance changing the terms of county board members clarifying the provisions with respect to the payment to the United States of its share of moneys received by way of restitution prescribing additional penalties and repealing a certain act.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1639, entitled:

An Act defining and providing for the licensing and regulation of private driver education or training schools conferring powers and imposing duties on the Department of Public Instruction and imposing penalties.

The first section was read and agreed to.

The second section was read.

On the question,

Will the House agree to the section?

Mrs. MARKLEY offered the following amendment.

Amend Sec. 2, page 3, line 7, by striking out “State Council of Education” and inserting in lieu thereof: “Department of Public Instruction.”

It was agreed to.

The section was agreed to as amended.

The third section was read and agreed to.

The fourth section was read.

On the question,

Will the House agree to the section?

Mrs. MARKLEY offered the following amendments:

Amend Sec. 4, page 4, line 7, by striking out “Driver Education” and inserting in lieu thereof: “in driver education.”

Amend Sec. 4, page 6, line 16, by striking out “Driver Education at a teaching” and inserting in lieu thereof: “driver education at a teachers training”.

Amend Sec. 4, page 6, line 17, by striking out “State Council of Education” and inserting in lieu thereof: “Department of Public Instruction”.

Amend Sec. 4, page 6, line 19, by inserting after the word “state” the following: “Provided, however, That anyone presently engaged in teaching driver education who does not possess the qualifications herein required, may be given a temporary certificate by the Department of Public Instruction, and shall within the period of one year from the date of such temporary certificate present the necessary qualifications. Application for such temporary certificate must be made within ninety days from the effective date of this act.”

Amend Sec. 4, page 7, line 4, by striking out “Driver Education” and inserting in lieu thereof: “driver education”.

Amend Sec. 4, page 7, line 5, by striking out “3.1” and inserting in lieu thereof: “4”.

Amend Sec. 4, page 7, line 9, by striking out “3.1” and inserting in lieu thereof: “4”.

Amend Sec. 4, page 8, line 13, by striking out the word “a” and inserting in lieu thereof: “(a)”.

Amend Sec. 4, page 9, line 1, by striking out “Driver Education” and inserting in lieu thereof: “driver education”.



Amend Sec. 4, page 6, line 6, by striking out "and gadgets".

Amend Sec. 4, page 9, line 7, by striking out "Driver Education" and inserting in lieu thereof: "driver education".

Amend Sec. 4, page 10, line 14, by striking out "specified" and inserting in lieu thereof: "specific".

Amend Sec. 4, page 12, line 5, by inserting after the word "of" the following: "alcoholic liquors".

They were agreed to.

The section was agreed to as amended.

The fifth section was read.

On the question,

Will the House agree to the section?

Mrs. MARKLEY offered the following amendment:

Amend Sec. 5, page 14, line 2, by inserting after the word "such" the following: "school has been approved by the department and unless such".

It was agreed to.

The section was agreed to as amended.

The sixth to twelfth sections inclusive were separately read and agreed to.

The thirteenth section was read.

On the question,

Will the House agree to the section?

Mrs. MARKLEY offered the following amendment:

Amend Sec. 13, page 19, line 7, by inserting after the word "of" the following: "alcoholic liquors".

It was agreed to.

The section was agreed to as amended.

The fourteenth to sixteenth sections inclusive and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1658, entitled:

A Joint Resolution proposing an amendment to article eight section eighteen of the Constitution of the Commonwealth of Pennsylvania by further providing for absentee voting by qualified war veterans

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1664, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns town-

ships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by further fixing fees for annual registration and chassis and maximum gross weights of certain commercial vehicles

The first section was read.

On the question,

Will the House agree to the section?

Mr. WEIDNER offered the following amendments:

Amend Sec. 1 (Sec. 703), page 5, line 11, by striking out "double tandem)" and inserting in lieu thereof: "in pairs)".

Amend Sec. 1, (Sec. 703), page 5, line 15, by striking out the figure "98.00" and inserting in lieu thereof: "106.00".

Amend Sec. 1 (Sec. 703), page 5, line 16; by striking out the figure "168.00" and inserting in lieu thereof: "186.00".

Amend Sec. 1, (Sec. 703), page 5, line 17, by striking out the figure "186.00" and inserting in lieu thereof: "203.00".

Amend Sec. 1, (Sec. 703), page 5, line 18, by striking out the figure "215.00" and inserting in lieu thereof: "239.00".

Amend Sec. 1 (Sec. 703), page 5, line 19, by striking out the figure "250.00" and inserting in lieu thereof: "294.00".

Amend Sec. 1 (Sec. 703), page 5, line 20, by striking out the figure "300.00" and inserting in lieu thereof: "350.00".

They were agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the House agree to the section?

Mr. WEIDNER offered the following amendments:

Amend Sec. 2 (Sec. 903), page 7, line 11, by striking out "double tandem)" and inserting in lieu thereof: "in pairs)".

Amend Sec. 2, (Sec. 903), page 7, line 15, by striking out the figure "24000" and inserting in lieu thereof: "26000".

Amend Sec. 2 (Sec. 903), page 7, line 16, by striking out the figure "28000" and inserting in lieu thereof: "31000".

Amend Sec. 2 (Sec. 903), page 7, line 17, by striking out the figure "32000" and inserting in lieu thereof: "35000".

Amend Sec. 2 (Sec. 903), page 7, line 18, by striking out the figure "36000" and inserting in lieu thereof: "40000".

Amend Sec. 2 (Sec. 903), page 7, line 19, by striking out the figure "40000" and inserting in lieu thereof: "47000".

Amend Sec. 2 (Sec. 903), page 7, line 20, by striking out the figure "45000" and inserting in lieu thereof: "60000".

Amend Sec. 2 (Sec. 903), page 8, line 2, by inserting a bracket before the word "six" nad after the word "wheeled" and inserting immediately thereafter: "three axle".

Amend Sec. 2 (Sec. 903), page 8, line 3, by striking out the words "axled-double tandem)" and inserting in lieu thereof: "axles in pairs)".

Amend Sec. 2 (Sec. 903), page 8, line 4, by inserting a bracket before and after the word "gross".

Amend Sec. 2 (Sec. 903), page 8, line 4, by inserting a bracket before the word "forty".

Amend Sec. 2 (Sec. 903), page 8, lines 6 and 7, by striking out "when the front axle mechanism does not consist of tandem axles".

Amend Sec. 2 (Sec. 903), page 8, line 8, by striking out "when tandem axles are used in the rear".

Amend Sec. 2 (Sec. 903), page 8, line 8, by inserting a bracket after the word "or" and inserting immediately thereafter the following: "twenty thousand (20,000) pounds upon any one axle or in excess of thirty-six thousand (36,000) pounds on a pair of axles less than seventy-



two (72) inches apart. No vehicles shall be operated upon any highway with weight".

Amend Sec. 2 (Sec. 903), page 8, line 10, by inserting a bracket before the word "and".

Amend Sec. 2 (Sec. 903), page 8, line 11, by inserting a bracket after the word "apart".

They were agreed to.

The section was agreed to as amended.

The third section was read.

On the question,

Will the House agree to the section?

Mr. WEIDNER offered the following amendments:

Amend Sec. 3 (Sec. 903), page 8, line 19, by striking out "forty thousand (40,000)" and inserting in lieu thereof: "forty-seven thousand (47,000)".

Amend Sec. 3 (Sec. 903), page 9, lines 1 and 2, by striking out "the rear axle or twelve thousand (12,000) pounds on any one of the front axles" and inserting in lieu thereof: "any axle".

Amend Sec. 3 (Sec. 903), page 9, lines 6 and 7, by striking out "tandem front and tandem rear axles" and inserting in lieu thereof: "a pair of front axles" and inserting in lieu thereof: "a pair of front axles and a pair of rear axles".

Amend Sec. 3 (Sec. 903), page 9, line 8, by striking out the word "highways" and inserting in lieu thereof: "highway".

Amend Sec. 3 (Sec. 903), page 9, lines 8, 9 and 10, by striking out "forty-five thousand" in line 8, all of line 9 and "either set of tandem axles" in line 10, and inserting in lieu thereof the following: "sixty thousand (60,000) pounds or in excess of thirty-six thousand (36,000) pounds on a pair of axles less than seventy-two (72) inches apart".

The fourth section and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1669, entitled:

An Act to amend section one thousand three hundred ten point one of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" by providing for the sale of escheatable property by the Secretary of Revenue.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1692, entitled:

An Act to reenact the title and to reenact and further amend the act approved the sixteenth day of May one thousand nine hundred thirty-five (P. L. 208) entitled as amended "An act to provide revenue for State purposes by imposing an excise tax for a limited period of time on the net incomes of certain corporations joint-stock associations and limited partnerships providing for the assessment collection settlement and resettlement of taxes and reviews and appeal therefrom conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties" by further defining net income changing the due date of certain payments requiring additional reports and extending the provisions of the act for a further limited period of time.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1693, entitled:

An Act to further amend section three of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 694) entitled "An act imposing a tax on gross receipts as an excise on the use of the public highways by certain owners or operators of motor vehicles transporting passengers and property for hire" by eliminating certain deductions

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1694, entitled:

An Act to further amend section twenty-four of the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" by retroactively removing exemptions of life insurance companies and companies doing business upon the mutual plan and certain purely mutual beneficial associations from the State tax on gross premiums premium deposits and assessments received from insurance business transacted within this Commonwealth

The first section was read.

On the question,

Will the House agree to the section?

Mr. JOHNSON offered the following amendment:

Amend Section 24, page 3, line 14, by striking out after the word "of" and before the word "upon" the following: "eight mills on the dollar" and inserting in lieu thereof the following: "two per centum".

It was agreed to.

The section was agreed to as amended.

The second section was read.

On the question,



Will the House agree to the section?

Mr. JOHNSON offered the following amendments:

Amend Section 2, page 4, line 13, by striking out after the word "shall" and before the word "effective" the following: "be" and inserting in lieu thereof the following: "become".

Amend Section 2, page 4, line 13, by striking out at the end of the line after the word "effective" the following: "as to the tax upon".

Amend Section 2, page 4, by striking out lines 14 to 16, inclusive, and inserting in lieu thereof the following: "the first day of November one thousand nine hundred fifty-one".

They were agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the House agree to the title?

Mr. JOHNSON offered the following amendments:

Amend page 1, line 6 of the title, by striking out after the word "by" and before the word "removing" the following: "retroactively".

Amend page 2, line 3 of the title, by inserting at the end of the line after the portion of word "monwealth" the following: "and changing the rate of tax".

They were agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1695, entitled:

An Act to reenact the title and to reenact and amend the act approved the twenty-fourth day of August one thousand nine hundred fifty-one (Act No. 345) entitled "An act to provide revenue for State purposes by imposing a property tax for a limited period of time on the net incomes derived from sources within the Commonwealth of certain corporations joint-stock associations and limited partnerships excluding certain income providing for the assessment collection settlement and resettlement of taxes and reviews and appeal therefrom conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties" by further defining net income changing the due date of certain payments requiring additional reports and extending the provisions of the act for a further limited period of time

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1696, entitled:

An Act to further amend section one of the act approved the fourth day of June one thousand nine hundred fifteen (P. L. 828) entitled "An act to provide revenue by imposing a State tax upon sales or agreements to sell or memoranda of sales of stock and upon deliveries or transfers of shares or certificates of stock in domestic and foreign corporations co-partnership associations and joint-stock associations providing the manner of collecting such tax and prescribing penalties" by further regulating the imposition of the tax

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1697, entitled:

An Act to further amend section two of the act approved the twentieth day of June one thousand nine hundred nineteen (P. L. 521) entitled as amended "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death defining and taxing transfers made in contemplation of death defining as a transfer and taxing the right of survivorship in property as to which such right exists and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal" by increasing the rate of tax in certain instances from ten per centum to twenty per centum

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1698, entitled:

An Act to provide revenue by imposing a State tax upon certain documents prescribing and regulating the method and manner of evidencing the payment of such tax conferring powers and imposing duties upon certain persons partnerships associations and corporations recorders of deeds and the Department of Revenue saving certain local taxes and authorizing amendments extensions and supplements to the ordinances and resolutions relating thereto and providing penalties

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1699, entitled:

An Act to further amend the title and the act approved the twentieth day of June one thousand nine hundred nineteen (P. L. 521) entitled as amended "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death defining and taxing transfer made in contemplation of death defining as a transfer and taxing the right of survivorship in property as to which such right exists and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal" by imposing duties on surviving parties and banks or other institutions or depositories of joint accounts or accounts in trust and by adding a new section pertaining to the opening and examining of safe deposit boxes of decedents and providing penalties



And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 104, entitled:

An Act providing for the sentencing of persons convicted of certain crimes to an indeterminate sentence having a minimum of one day and a maximum of life in certain cases authorizing the criminal courts to impose such a sentence and certain temporary sentences in connection therewith requiring psychiatric examinations of such persons before the imposition of such a sentence conferring powers and imposing duties upon the Department of Welfare and the Pennsylvania Board of Parole and providing for the parole conditional parole or absolute discharge of persons so sentenced and the procedure relating thereto

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

#### BILL PASSED OVER

There being no objection

Senate Bill No. 188, Printer's No. 534

was passed over at the request of Mr. SMITH.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 319, entitled:

An Act to further amend Section 1 of the act approved the seventeenth day of June one thousand nine hundred thirteen (P. L. 507) entitled "An act to provide revenue for State and County purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" by providing for the method of valuation of taxable shares of stock in any regulated investment company.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 494, entitled:

An Act to amend the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidate primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by providing a system for the nomination of candidates to fill certain vacancies in public offices occurring under conditions for which said election code does not prescribe machinery

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 500, entitled:

An Act to further amend the title of and the act approved the eighteenth day of July one thousand nine hundred thirty-five (P. L. 1286) entitled as amended "An act empowering counties of the second class cities boroughs incorporated towns and townships to charge and collect from owners of and water users in property served thereby annual rentals rates or charges for the use of certain sewers sewerage systems and sewage treatment works including charges for operation inspection maintenance repair depreciation and the amortization of indebtedness and interest thereon empowering counties of the second class cities boroughs incorporated towns and townships to contract with authorities organized by counties of the second class for sewer sewerage and sewage treatment services to grant convey lease transfer encumber mortgage and pledge to such authorities their sewers sewerage systems and sewage treatment works to assign and pledge to such authorities rentals rates and charges charged and collected by them for the use thereof and to assign to such authorities their power to charge and collect the same and validating all such contracts grants conveyances leases transfers assignments encumbrances mortgages and pledges heretofore made" by extending to authorities organized by cities of the third class the provisions affecting authorities organized by counties of the second class

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 502, entitled:

An Act to amend the title and Section 1 and 5 of the act approved the fourteenth day of April one thousand nine hundred forty-nine (P. L. 482) entitled "An act authorizing and requiring cities boroughs townships municipal authorities and public utility companies engaged in the supplying of water to shut off the supply of water for non-payment of sewer sewerage or sewage treatment rentals rates or charges imposed by municipal authorities organized by counties of the second class authorizing and requiring them to supply to such authorities lists of metered water readings and flat-rate water bills and other data authorizing them to act as milling and collecting agents for such authorities and conferring certain powers upon the Pennsylvania Public Utility Commission in connection therewith" by requiring certain political subdivisions to shut off water supply for nonpayments to municipal authorities organized by cities of the third class and exempting public utilities from the obligations imposed in said act

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 503, entitled:

An Act to amend the title and Sections 1 and 5 of the act approved the fourteenth day of April one thousand nine hundred forty-nine (P. L. 482) entitled "An act authorizing and requiring cities boroughs townships municipal authorities and public utility companies engaged in the supplying of water to shut off the supply of water for non-payment of sewer sewerage or sewage treatment rentals rates or charges imposed by municipal authorities organized by counties of the second class authorizing and requiring them to supply to such authorities lists of metered water readings and flat-rate water bills and



other data authorizing them to act as milling and collecting agents for such authorities and conferring certain powers upon the Pennsylvania Public Utility Commission in connection therewith" by extending to any municipal authority organized by any city of the third class the powers granted therein and exempting public utilities from the obligations imposed therein

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 504, entitled:

An Act to further amend the title and Section 2.1 of the act approved the eighteenth day of July one thousand nine hundred thirty-five (P. L. 1286) entitled as amended "An act empowering counties of the second class cities boroughs incorporated towns townships to charge and collect from owners of and water users in property served thereby annual rentals rates or charges for the use of certain sewers sewerage systems and sewage treatment works including charges for operation inspection maintenance repair depreciation and the amortization of indebtedness and interest thereon empowering counties of the second class cities boroughs incorporated towns and townships to contract with authorities organized by counties of the second class for sewer sewerage and sewage treatment service to grant convey lease transfer encumber mortgage and pledge to such authorities their sewers sewerage systems and sewage treatment works to assign and pledge to such authorities rentals rates and charges charged and collected by them for the use thereof and to assign to such authorities their power to charge and collect the same and validating all such contracts grants conveyances leases transfers assignments encumbrances mortgages and pledges heretofore made" by authorizing political subdivisions to contract with the authorities organized by cities of the third class for sewer sewerage and sewage treatment services

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 658, entitled:

An Act authorizing council of cities of the second class to fix the salaries of the mayor and the council members of such cities and to provide for the assessment and retention of fines for absence of councilmen from meetings.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

#### BILL PASSED OVER

There being no objection,

Senate Bill No. 668, Printer's No. 357, was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 729, entitled:

An Act to repeal Sections 2 and 3 of the act approved the eleventh day of April one thousand eight hundred sixty-six (P. L. 635) entitled "A further supplement to the act consolidating the city of Philadelphia for the purpose of introducing a sufficient supply of fresh and pure water for the use of the citizens of said city" by eliminating the right of the City of Philadelphia to enter upon or take certain

land in adjoining counties by eminent domain proceedings for water supply purposes and the manner of ascertaining damages for such taking.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

#### BILL PASSED OVER

There being no objection,

Senate Bill No. 788, Printer's No. 464, was passed over at the request of Mr. SMITH.

#### BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1567, as follows:

An Act to amend Subsection (b) of Section 672 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing financially handicapped or distressed school districts to levy additional taxes with certain limitations

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (b) of Section 672 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" as amended by the act approved the ninth day of May one thousand nine hundred forty-nine (P. L. 1017)

#### Section 672 Tax Levy Limitations \* \* \* \* \*

(b) Boards of school directors of school districts of the second third and fourth classes are hereby authorized and directed to levy annually a tax on each dollar of the total assessment of all property assessed and certified for taxation therein (1) to pay the minimum salaries and increments of the teaching and supervisory staff provided for herein and (2) to pay rentals due the State Public School Building Authority Neither of said taxes shall be invalidated or affected by reason of the fact that it may increase the total annual school tax levy of any school district beyond the millage fixed or limited by this section Provided That is districts of the fourth class the tax herein authorized to pay minimum salaries and increments together with all other school taxes except taxes to pay rentals due the State Public School Building Authority levied in the district shall not exceed thirty-five (35) mills on each dollar of the assessed valuation thereof and the tax to pay rentals due the State Public School Building Authority together with the maximum rate permitted by this section for purposes other than to pay minimum salaries and increments shall not exceed thirty-five (35) mills on each dollar of the assessed valuation thereof and in cases of emergency with the approval of the superintendent of Public Instruction An additional five (5) mills to provide for obligations due the State Public School Building Authority under a contract previously entered into

In financially handicapped and distressed school districts boards of school directors of such districts are authorized to levy an additional tax of ten (10) mills on each dollar of the total assessment of all property assessed and certified for taxation provided however that the following conditions and provisions are complied with the Department of Public Instruction shall determine (1) by investigation that the district is financially handicapped and distressed (2) that all taxable property in the district has been levied upon (3) that all other taxes available to the district and deemed advisable by the Superintendent



of Public Instruction have been utilized (4) that the district has complied with economical standards set forth by the Department of Public Instruction as determined prior to January 1 1952 including (a) that the ratio of teachers to pupils shall not exceed one to twenty-five (b) that the cost of administration and operation shall not exceed the average of districts of the same class within the same county and shall be in compliance with good business practices

On the question,  
Shall the bill pass finally?  
Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Amarando,	Good,	Markley,	Royer,
Andrews,	Graybill,	Maxwell,	Rubin,
Banker,	Greenwood,	Mazza,	Sarraff,
Barkdoll,	Greer,	McConnell,	Sax,
Baumunk,	Guarnieri,	McCormack,	Scanlon,
Bear,	Gutendorf,	McCullough,	Schmidt,
Beaver,	Guthrie,	McDermitt,	Schuster,
Beech,	Hagerty,	McGee,	Scott,
Berkstresser,	Hall,	McInroy,	Seyler,
Blair,	Hamilton, R. K.,	McKinney,	Shoemaker,
Bloom,	Hamilton, W. H.,	McMillen,	Shotwell,
Boles,	Harney,	McNally,	Smith,
Bolton,	Haudenshield,	Metz,	Snider,
Bomberger,	Headlee,	Mihm,	Sollenberger,
Boorse,	Helm,	Mikula,	Spencer,
Bower,	Hersch,	Miller, H. G.,	Stank,
Breisch,	Hewitt,	Miller, J. C.,	Stimmel,
Breth,	Hocker,	Mills,	Stoner,
Brown,	Hoggard,	Mintess,	Swartz,
Bucchin,	Hunter,	Monroe,	Swope,
Byrne,	Jenkins,	Moore, C. E.,	Tahl,
Cella,	Johnson,	Moore, H. A.,	Taylor,
Clapper,	Jones, G. E.,	Moran,	Thompson, E. F.,
Clendening,	Jones, J. M.,	Muldowney,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Munley,	Toll,
Conway,	Jones, T. H. W.,	Murray,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varner,
Dalrymple,	Kline,	Penglase,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Waterhouse,
Dougherty,	Kornick,	Pettigrew,	Watkins,
Dowling,	Kratz,	Pfaff,	Weidner,
DuBois,	Kubacki,	Pichney,	Welsh,
Duffy,	Lederer,	Pitzer,	Westcott,
Erb,	Lelsey,	Polaski,	Westrick,
Ewing,	Leonard, L.,	Polen,	Whalley,
Fehrlich,	Leonard, W. C.,	Price, H. W. Jr.,	Wheeler,
Ferster,	Leven,	Price, R. A.,	White,
Filip,	Light,	Readinger,	Williams,
Filo,	Limper,	Reagan,	Wilt,
Firmstone,	Loftus,	Reese,	Wood,
Flack,	Lopresti,	Relly, J. M.,	Yeakel,
Frost,	Lovett,	Rigby,	Yester,
Gaffney,	Lutty,	Riley, R. L.,	Yetzer,
Geer,	Lyons,	Robertson,	Young,
Gibson,	Madden,	Rose,	Ziegler,
Gleason,	Madigan,	Rosen,	Sorg,
		Rovansek,	Speaker

NAYS—3

Dunn,	Musto,	Wargo.
NOT VOTING—3		
Goodling,	Lafore,	Reidenbach.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.  
Ordered, That the Clerk present the same to the Senate for concurrence.

BILL ON THIRD READING

Mr. WOOD asked and obtained unanimous consent to

call up out of order on page 18 of today's calendar, House Bill No. 1566.

Agreeably to order,  
The House proceeded to the third reading and consideration of House Bill No. 1566, as follows:

An Act to further amend subsection C of Section 1 of the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 1145) entitled "An act empowering cities of the second class cities of the second class A cities of the third class boroughs towns townships of the first class school districts of the second class school districts of the third class and school districts of the fourth class to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes and permitting penalties to be imposed and enforced providing an appeal from the ordinance or resolution levy such taxes to the court of quarter sessions and to the Supreme Court and Superior Court" by authorizing financially handicapped and distressed school districts to levy additional taxes with certain limitations

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection C of Section 1 of the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 1145) entitled "An act empowering cities of the second class cities of the second class A cities of the third class boroughs towns townships of the first class school districts of the second class school districts of the third class and school districts of the fourth class to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes and permitting penalties to be imposed and enforced providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court" as amended by the act approved the ninth day of May one thousand nine hundred forty-nine (P. L. 898) is hereby further amended to read as follows

Section 1 \* \* \* \* \*  
C Over-all Limit of Tax Revenues The aggregate amount of taxes imposed by enactment of an ordinance or resolution by any political subdivision under this section and in effect during any fiscal year shall not exceed an amount equal to the product obtained by multiplying the total assessed valuation of real estate in such political subdivision at the time of the said enactment by ten (10) mills in cases of cities of the second class cities of the second class A cities of the third class boroughs towns and townships of the first class and by fifteen (15) mills in cases of school districts of the second class third class and fourth class Provided That the aggregate amount of taxes imposed by any financially handicapped or distressed school district under this section and in effect during any fiscal year shall not exceed an amount equal to the product obtained by multiplying fifteen (15) mills by the latest total market valuation of real estate in such school district as certified by the State Tax Equalization Board

Section 2 The provision of this act shall become effective immediately upon final enactment

On the question,  
Will the House agree to the bill on third reading?  
It was agreed to.  
On the question,  
Shall the bill pass finally?  
Mr. LOVETT. Mr. Speaker, as I understnad this particular bill it allows an additional levy of taxes for school



purposes in distressed school districts. I do not think that this is good legislation. There was a bill passed this morning which I was recorded as voting for, that had I not been entertained by some one else at the time I would have spoken against, because that allowed an increase of taxation for school purposes.

Taxation on real estate in this state has always been too high. It is too high today, and you are now allowing the school districts to increase taxes in some districts and especially in distressed school districts.

I think the Members of this House should give consideration before they vote for an increase of taxation for school purposes. I just wanted to call the attention of the House to the bill that they are now voting on.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—190

Amarando,	Graybill,	McConnell,	Rubin,
Andrews,	Greenwood,	McCormack,	Sarraff,
Banker,	Greer,	McCullough,	Sax,
Barkdoll,	Guarnieri,	McDermitt,	Scanlon,
Baumunk,	Gutendorf,	McGee,	Schmidt,
Bear,	Guthrie,	McInroy,	Schuster,
Beech,	Hagerty,	McKinney,	Scott,
Blair,	Hall,	McMillen,	Shoemaker,
Bloom,	Hamilton, R. K.,	McNally,	Shotwell,
Boles,	Hamilton, W. H.,	Metz,	Smith,
Bolton,	Harney,	Mihm,	Sollenberger,
Bomberger,	Haudenschild,	Mikula,	Spencer,
Boorse,	Helm,	Miller, H. G.,	Stank,
Bower,	Hersch,	Miller, J. C.,	Stimmel,
Breisch,	Hewitt,	Mills,	Stoner,
Breth,	Hocker,	Mintess,	Swartz,
Brown,	Hoggard,	Monroe,	Swope,
Byrne,	Hunter,	Moore, C. E.,	Tahl,
Cella,	Jenkins,	Moore, H. A.,	Taylor,
Clapper,	Johnson,	Moran,	Thompson, E. F.,
Clendenning,	Jones, G. E.,	Muldowney,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Munley,	Toll,
Conway,	Jones, T. H. W.,	Murray,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Keller,	Naugle,	VanSant,
Costa,	Kent,	Needham,	Varallo,
Coyle,	Kline,	Olsen,	Varnier,
Dalrymple,	Kohl,	Penglase,	Verona,
Davis,	Kolankiewicz,	Peta,	Wachhaus,
Dennison,	Kornick,	Pettigrew,	Waterhouse,
Dougherty,	Kratz,	Pfaff,	Watkins,
Dowling,	Kubacki,	Pichney,	Weidner,
DuBois,	Lederer,	Pitzer,	Welsh,
Duffy,	Leisey,	Polaski,	Wescott,
Erb,	Leonard, L.,	Polen,	Westrick,
Ewing,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leven,	Price, R. A.,	Wheeler,
Ferster,	Light,	Readinger,	White,
Filip,	Limper,	Reagan,	Williams,
Filo,	Loftus,	Reese,	Wilt,
Firmstone,	Lopresti,	Reilly, J. M.,	Wood,
Flack,	Lutty,	Rigby,	Yeakel,
Frost,	Lyons,	Riley, R. L.,	Yetzer,
Gaffney,	Madden,	Robertson,	Young,
Geer,	Madigan,	Rose,	Ziegler,
Gibson,	Markley,	Rosen,	Sorg,
Gleason,	Maxwell,	Rovansek,	
Good,	Mazza,	Royer,	Speaker

## NAYS—14

Beaver,	Headlee,	Musto,
Berkstresser,	Jones, J. M.,	Petrosky,
Bucchin,	Kamyk,	Seyler,
Dunn,	Lovett,	

## NOT VOTING—3

Goodling,	Lafore,	Reidenbach,
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The majority required by the Constitution having voted

in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

### PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. WATKINS asked and obtained permission for the Committee on State Government to meet during the session of the House.

### COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

### APPROVAL OF HOUSE CONCURRENT RESOLUTION RECALLING HOUSE BILL 1348

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, August 24, 1951.  
To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 1348, Printer's No. 511, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

JOHN S. FINE

### RECONSIDERATION OF VOTE

Mr. KENT. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

Mr. WATERHOUSE. Mr. Speaker, I second the motion. The SPEAKER. How did the gentleman from Crawford, Mr. KENT vote on the final passage of this bill?

Mr. KENT. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Erie, Mr. WATERHOUSE vote on the final passage of this bill?

Mr. WATERHOUSE. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. KENT. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question,

Will the House agree to the bill on third reading?

Mr. KENT. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk read the amendment as follows:

Amend Section 1, page 2, lines 1 and 12 by inserting after the word "corporation" at the end of line 11 and before the word "which" on line 12, the following: "which do not have any capital stock and".

The SPEAKER. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,



Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

### BILL INTRODUCED AND REFERRED

By Mr. JOHNSON. HOUSE BILL No. 1711.

An Act providing for a referendum to determine the will of the electorate regarding a constitutional convention providing for the nomination and election of delegates and making an appropriation.

Referred to the Committee on Appropriations.

By Mr. KENT. HOUSE BILL No. 1712.

An Act providing for refunds of license fees paid by schools and classes exempted from the provisions of the act approved the twenty-fifth day of June, one thousand nine hundred forty-seven (P. L. 951), entitled as amended "An act defining and providing for the licensing and regulation of private academic schools, conferring powers and imposing duties on the State Board of Private Academic Schools, and imposing penalties;" and making an appropriation therefor.

Referred to the Committee on Appropriations.

By Messrs. SCANLAN and WATERHOUSE.  
HOUSE BILL No. 1713.

An Act to amend the act approved the twenty-fifth day of April, one thousand nine hundred fifty-one (P. L. 90), entitled "An act relating to alcoholic liquors, alcohol and malt and brewed beverages; amending, revising, consolidating and changing the laws relating thereto; regulating and restricting the manufacture, purchase, sale, possession, consumption, importation, transportation, furnishing, holding in bond, holding in storage, traffic in and use of alcoholic liquors, alcohol and malt and brewed beverages and the persons engaged or employed therein; defining the powers and duties of the Pennsylvania Liquor Control Board; providing for the establishment and operation of State liquor stores, for the payment of certain license fees to the respective municipalities and townships, for the abatement of certain nuisances and, in certain cases, for search and seizure without warrant; prescribing penalties and forfeitures; providing for local option, and repealing existing laws," by permitting the sale and possession of wine in packages not bearing the official seal of the board.

Referred to the Committee on Liquor Control.

By Mr. STIMMEL (by request). HOUSE BILL No. 1714.

An Act to repeal section five hundred nineteen of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," as amended.

Referred to the Committee on Education.

By Mr. WOOD. HOUSE BILL No. 1715.

An Act making an appropriation to The Brandywine Battlefield Park Commission for the payment of necessary expenses.

Referred to the Committee on Appropriations.

By Mr. BOWER. HOUSE BILL No. 1716.

An Act to further amend Section 25 of the act, ap-

proved the twenty-first day of January, one thousand nine hundred forty-seven (P. L. 3), entitled "An act relating of officers and employes of the General Assembly; fixing the number, qualifications, compensation, mileage and duties of the officers and employes of the Senate and of the House of Representatives; providing for their election or appointment, term of office, or of service, removal, and manner of filling vacancies; and making appropriations to the Senate, House of Representatives and Legislative Reference Bureau," by changing the compensation of the messenger of the majority leader of the House of Representatives.

Referred to the Committee on Appropriations.

By Mr. KUBACKI. HOUSE BILL No. 1717.

An Act to further amend clause (1) of section 14 of the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "An act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by further providing for superannuation retirement.

Referred to the Committee on Education.

By Mr. SCOTT. HOUSE BILL No. 1718.

An Act to amend Section twenty-one of the Act approved the twentieth day of June, one thousand nine hundred nineteen (P. L. 521), entitled, as amended "An Act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal," as amended by modifying the rates of commission which may be retained by registers of wills for their own use, for collection of inheritance taxes as agents of the Commonwealth.

Referred to the Committee on Counties.

### SENATE MESSAGE

#### SENATE BILL FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bill numbered and entitled as follows:

SENATE BILL No. 828.

An Act, to further amend Section 1 of the act approved the eighteenth day of June one thousand nine hundred forty-one (P. L. 136) entitled "An act authorizing certain officers on active duty with the armed forces of the United States to act as notaries public and requiring certification of their authority" by changing the provisions of said act in order to make it conform in certain respects to certain Acts of Congress.

Referred to the Committee on Judiciary.



**RESOLUTION INTRODUCED AND REFERRED**

By Messrs. KOLANKIEWICZ, TAYLOR, LEVEN and SCANLON.

In the House of Representatives, September 18, 1951.

Whereas, Seven years ago a project to build a new needed thoroughfare in the City of Philadelphia came to a standstill at Aramingo Avenue and Ontario Street; and

Whereas, This partially completed project, if finished according to plan, would greatly relieve traffic from Richmond and Thompson Streets in Philadelphia and is vitally necessary; now therefore be it

Resolved (by the House of Representatives), That we hereby urge the local authorities in the City of Philadelphia to do everything in their power to hasten the completion of the thoroughfare which was stopped in 1944 at Ontario Street and Aramingo Avenue by cutting Aramingo Avenue at Torresdale Avenue and Aramingo Avenue; and be it further

Resolved, That copies of this resolution be sent to the Mayor and members of council of the City of Philadelphia.

Referred to the Committee on Rules.

**PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION**

Mr. REAGAN asked and obtained permission for the Committee on Townships to meet during the session of the House.

**RESOLUTIONS**

Mr. TAYLOR offered a resolution which was filed with the Clerk.

**CONDOLENCE**

Mr. DAVIS offered a resolution which was read, considered and adopted as follows:

In the House of Representatives, September 18, 1951.

On August 23, our former fellow member from Forest County, Honorable Ira M. Fox, celebrated his eightieth birthday.

Mr. Fox has been active in the affairs of Endeavor and Forest County for many years. He was first elected to the House in 1918 and reelected in 1920; and he again served with us from 1948-1950. He has served thirty-four years as a school director and has been county treasurer of Forest County for a term.

In addition to his political activities, he has given of his time in church and Sunday School work in Endeavor and in Forest County and is also prominent in fraternal and civic affairs in his community.

In short, Mr. Fox has always lived a full, generous life, giving unstintingly of his time and labors in behalf of his fellow-men; now therefore be it

Resolved (by the House of Representatives), That we hereby congratulate the Honorable Ira M. Fox, one of our illustrious former members, on the occasion of his having celebrated his eightieth birthday in a life devoted to the service of others, and we wish him continued success, health and happiness; and be it further

Resolved, That a copy of this resolution be sent to the Honorable Ira M. Fox, Endeavor, Forest County, Pennsylvania.

**LEAVE OF ABSENCE**

By consent of the House leave of absence was granted as follows:

Mr. Erb for Mr. JOHN C. MILLER for the week because of illness in family.

**PERSONAL PRIVILEGE**

Mr. BOORSE. I rise to a question of personal privilege.

The SPEAKER. The gentleman will state it.

Mr. BOORSE. On August 13th, Mr. Speaker, I am recorded as voting "no" on Senate Bill 636, which is incorrect; I voted "aye". I would like the correction made plainly.

**PERMISSION GRANTED COMMITTEES TO MEET DURING SESSION**

Mr. WOOD asked and obtained permission for the Committee on Appropriations to meet during the session of the House.

Mr. WATERHOUSE asked and obtained permission for the Committee on Workmen's Compensation to meet during the session of the House.

Mr. SOLLENBERGER asked and obtained permission for the Committee on Education to meet during the session of the House.

Mr. FLACK asked and obtained permission for the Committee on Professional Licensure to meet during the session of the House.

**REPORTS FROM COMMITTEES**

Mr. SPENCER, from the Committee on Highways, reported as committed, House Bill No. 1585, entitled:

An Act to amend Section 9 of the act, approved the eighteenth day of April, one thousand nine hundred forty-nine (P. L. 604), entitled "An act to promote the welfare of the people of the Commonwealth; creating a State Highway and Bridge Authority as a body corporate and politic with power to construct, reconstruct, improve, maintain, equip, furnish, and operate highway and bridge projects, and roadside rests, and to lease the same, and to fix and collect fees, rentals, and charges for the use thereof; authorizing and regulating the issuance of bonds by said Authority, and providing for the payment of such bonds, and the rights of holders thereof; and to enter into agreements with the Government of the United States or any Federal agency; and authorizing the Department of Highways to grant, assign, convey, or lease to the Authority lands, easements, or rights of way of the Commonwealth and interests therein, and to acquire lands therefor; authorizing said Authority and the Department of Highways to enter into agreements providing for mutual cooperation in furtherance of the construction of any project hereby authorized; granting the right of eminent domain; empowering said Authority to sell and convey projects and property to the Commonwealth; and providing that no debt of the Commonwealth or any of its political subdivisions shall be incurred in the exercise of any of the powers granted by this act; and making an appropriation," by further providing for examination of the accounts and books of the Authority.

Mr. GLEASON, from the Committee on Law and Order, reported as amended, House Bill No. 1503, entitled:

An Act to amend the title and to further amend sections two four five seven and fifteen of the act approved the twenty-seventh day of April one thousand nine hundred twenty-seven (P. L. 465) entitled "An act to provide for the safety of persons employed housed or assembled in certain buildings and structures not in cities of the first class second class and second class A by requiring certain construction and ways of egress equipment and maintenance providing for the licensing of projectionists requiring the submission of plans for examination and approval providing for the promulgation of rules and regulations for the enforcement of this act providing for the enforcement of this act by the Department of Labor and Industry and in certain cases by the chiefs of fire departments in cities of the third class providing penalties for violations of the provisions of this act and repealing certain acts" by excluding cities of the first class and



second class and including cities of the second class A for the licensing of projectionists covering in Class I buildings not formerly covered and authorizing the increase of ways of egress.

Mr. HALL, from the Committee on Highways, reported as committed, Senate Bill No. 134, entitled:

An Act to amend further Section 5 of the act approved the thirteenth day of June one thousand eight hundred and thirty-six (P. L. 551) entitled "An act relating to roads highways and bridges" as amended by extending the width of a public road in the instance of multiple lane highways to increase the maximum width by the additional footage that shall be necessary in the judgment of the Secretary of Highways for center or dividing strips.

Mr. SAX, from the Committee on Judiciary, reported as amended, Senate Bill No. 736, entitled:

An Act providing for the registration of professional bondsmen in cities of the first class providing for criminal offenses and penalties.

Mr. GUTENDORF, from the Committee on Public Health and Sanitation, reported as amended, Senate Bill No. 796, entitled:

An Act prohibiting the occupation of living quarters over or the depositing of foreign substances in any body of water which is the source of water used for human consumption prescribing penalties and authorizing the courts of common pleas to enjoin violations.

Mr. McMILLEN, from the Committee on Highways, reported as amended, Senate Bill No. 816, entitled:

An Act to facilitate vehicular traffic across the Commonwealth by providing for the construction operation and maintenance of a turnpike from a connection with the Pennsylvania Turnpike System at such point west of the Susquehanna River as the Pennsylvania Turnpike Commission may decide is most feasible and practicable to a point on or near the boundary line between the Commonwealth of Pennsylvania and the State of Maryland in the general vicinity of Gettysburg and conferring powers and imposing duties on the Pennsylvania Turnpike Commission authorizing the issuance of turnpike revenue bonds notes or other obligations of the Commonwealth payable solely from revenues of the Commission including tolls or from such funds as may be available to the Commission for that purpose to pay the cost of such turnpike providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act providing for the collection of tolls for the payment of such notes bonds notes or other obligations and for the cost of maintenance operation and repair of the turnpike making such turnpike bonds notes or other obligations exempt from taxation constituting the same legal investments in certain instances requiring suits against the Commission to be brought in Dauphin County prescribing conditions on which such turnpike shall become free providing for grade separations grade changes relocations restorations and vacation of public roads and State highways affected by the turnpike providing for the purchasing or condemnation of land and procedure for determining damages in condemnation granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the Commission and authorizing the issuance of turnpike revenue refunding bonds.

Mr. KRATZ, from the Committee on Highways, reported as committed, House Bill No. 1118, entitled:

An Act making an appropriation from the Toll Bridge Fund to the Board of Finance and Revenue to meet interest and sinking fund requirements on Toll Bridge Bonds.

Mr. KORNICK, from the Committee on Townships, reported as committed, House Bill No. 1671, entitled:

An Act to amend Section 902 of the act, approved the first day of June, one thousand nine hundred forty-five (P. L. 1242), entitled "An act relating to roads, streets, highways and bridges; amending, revising, consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto," by requiring the supervisors of townships of the second class to furnish the Department of Highways copies of petitions, ordinances, agreements and resolutions laying out or vacating public roads.

### BILLS ON FIRST READING

Pursuant to a resolution adopted by the House on September 17, the following bills were read the first time:

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1585, entitled:

An Act to amend Section 9 of the act, approved the eighteenth day of April, one thousand nine hundred forty-nine (P. L. 604), entitled "An act to promote the welfare of the people of the Commonwealth; creating a State Highway and Bridge Authority as a body corporate and politic with power to construct, reconstruct, improve, maintain, equip, furnish, and operate highway and bridge projects, and roadside rests, and to lease the same, and to fix and collect fees, rentals, and charges for the use thereof; authorizing and regulating the issuance of bonds by said Authority, and providing for the payment of such bonds, and the rights of holders thereof; and to enter into agreements with the Government of the United States or any Federal agency; and authorizing the Department of Highways to grant, assign, convey, or lease to the Authority lands, easements, or rights of way of the Commonwealth and interests therein, and to acquire lands therefor; authorizing said Authority and the Department of Highways to enter into agreements providing for mutual cooperation in furtherance of the construction of any project hereby authorized; granting the right of eminent domain; empowering said Authority to sell and convey projects and property to the Commonwealth; and providing that no debt of the Commonwealth or any of its political subdivisions shall be incurred in the exercise of any of the powers granted by this act; and making an appropriation," by further providing for examination of the accounts and books of the Authority.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1118, entitled:

An Act making an appropriation from the Toll Bridge Fund to the Board of Finance and Revenue to meet interest and sinking fund requirements on Toll Bridge Bonds.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1671, entitled:

An Act to amend Section 902 of the act, approved the first day of June, one thousand nine hundred forty-five (P. L. 1242), entitled "An act relating to roads, streets, highways and bridges; amending, revising, consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto," by requiring the supervisors of townships of the



second class to furnish the Department of Highways copies of petitions, ordinances, agreements and resolutions laying out or vacating public roads.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

### RESOLUTION

#### RECALLING HOUSE BILL 984 FROM GOVERNOR

Mr. HARRY W. PRICE, Jr., offered a resolution which was read, considered and adopted as follows:

In the House of Representatives, September 18, 1951.

Resolved (if the Senate concur), That House Bill No. 984, Printer's No. 853, entitled "An act to amend the act approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled 'An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto,' by further providing for exceptions to compulsory attendance," be recalled from the Governor for the purpose of amendment.

Ordered, That present the same to the Senate for concurrence.

### REPORTS FROM COMMITTEES

Mr. BAUMUNK from the Committee on Workmen's Compensation, reported as committed, House Bill No. 1285, entitled:

An Act to further amend section four hundred forty-one of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employees in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments, boards, and commissions shall be determined," by increasing the number of Workmen's Compensation Board members and the quorum thereof.

Mr. ROBERT K. HAMILTON from the Committee on State Government, reported as committed, House Bill No. 1414, entitled:

An Act providing that the Department of Highways shall notify the Department of Forests and Waters when it proposes to relocate or establish a highway which will provide a scenic view or vista; providing for the establishment and maintenance of parks by the Department of Forests and Waters at, adjacent to, or to preserve, such views or vistas under certain terms and conditions; providing for the acquisition of the land for the establishment of such parks by gift, devise, agreement or condemnation and providing for the payment of damages.

Mr. TOOMEY from the Committee on Public Health and Sanitation, reported as committed, House Bill No. 1495, entitled:

An Act to further amend the act approved the twenty-second day of June, one thousand nine hundred thirty-seven (P. L. 1937), entitled as amended "An act to preserve and improve the purity of the waters of the Commonwealth for the protection of public health, animal and aquatic life, and for industrial consumption, and recreation; empowering and directing the creation of indebtedness or the issuing of non-debt revenue bonds by political subdivisions to provide works to abate pollution; providing protection of water supply; providing for the jurisdiction of courts in the enforcement thereof; requiring the approval of the Attorney General for prosecutions thereunder; providing additional remedies for abating pollution of waters; imposing certain penalties; and repealing certain acts; authorizing the acquisition by purchase or condemnation, or otherwise, of easements and right of ways; the acquisition or construction of pipes, conduits, drains or tunnels by the Sanitary Water Board; and providing for payment of the costs thereof by the Commonwealth; authorizing the Sanitary Water Board to establish standards of purity and to determine the time for compliance with certain provisions of the act in certain cases and making it unlawful to open, reopen or continue operation of any coal mine, or to change any approved drainage or disposal plan without prior approval by the Sanitary Water Board," by increasing maximum time after notice for discontinuance of discharge or treatment of sewage.

Mr. JOHN M. REILLY from the Committee on State Government, reported as committed, House Bill No. 1587, entitled:

An Act to amend section 8 of the act, approved the thirty-first day of March, one thousand nine hundred forty-nine (P. L. 372), entitled "An act to promote the welfare of the people of the Commonwealth; creating The General State Authority as a body corporate and politic with power to construct, improve, equip, furnish and operate projects, and to lease the same, and to fix fees, rentals, and charges for the use thereof; authorizing and regulating the issuance of bonds for said Authority, and providing for the payment of such bonds, and the rights of the holders thereof; and to enter into agreements with the Government of the United States or any Federal agency; and authorizing the Department of Property and Supplies to grant, assign, convey, or lease to the Authority lands of the Commonwealth and interests therein, and to acquire lands therefor; granting the right of eminent domain; empowering The General State Authority to sell and convey projects and property to the Commonwealth; and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act," by further providing for examination of the accounts and books of the Authority.

Mr. GRANVILLE E. JONES from the Committee on State Government, reported as committed, House Bill No. 1662, entitled:

An Act authorizing the issue and sale of bonds by the Commonwealth in order to purchase and cancel all, or any part of, the obligations of The General State Authority, and the State Highway and Bridge Authority, or either of them in certain cases.

Mr. STIMMEL from the Committee on State Government, reported as committed, House Bill No. 1679, entitled:

An Act to further amend the last paragraph of subsection (c) of Section 507 of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; de-



fining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employees in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments, boards and commissions shall be determined," by authorizing departments, boards and commissions to contract for utility services furnished by political subdivisions and authorities.

Mr. LEDERER from the Committee on State Government, re-reported as amended, House Bill No. 1116, entitled:

An Act to further amend Sections 1 and 2 of the act approved the twenty-fourth day of July one thousand nine hundred thirteen (P. L. 965) entitled "An act defining commodities regulating the sale thereof and providing penalties for violation hereof" by defining further words and terms and regulating the sale of certain additional commodities

Mr. WATKINS from the Committee on State Government, re-reported as amended, Senate Bill No. 27, entitled:

An Act relating to the loyalty to the United States and the Commonwealth of Pennsylvania of public officers and employees including teachers and other employees of the public school system and officers and employees of state-aided institutions of learning requiring statements and oaths or affirmations by applicants for public office or employment and by present appointed officers and employees prohibiting appointment or employment and requiring discharges after hearing in certain cases imposing conditions on the payment of appropriations to state-aided institutions of learning requiring statements under oath or affirmation of candidates for elective public offices and imposing duties on state and local appointing authorities and certain other state officers.

\* Mr. ROYER from the Committee on State Government, reported as committed, Senate Bill No. 399, entitled:

An Act to amend Section 11.1 of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employees serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by extending the time for the retention of membership in the State Employees' Retirement Association by any contributor who ceases to be a State employee and a member of the Public School Employees' Retirement Association.

Mr. SCHMIDT from the Committee on State Government, reported as committed, Senate Bill No. 759, entitled:

An Act to promote the uniform development of Allegheny County creating the Metropolitan Study Commission of Allegheny County defining its powers and duties conferring powers and imposing duties upon the Governor and the governing bodies of political subdivisions.

Mr. JOHN M. REILLY from the Committee on State Government, reported as committed, Senate Bill No. 798, entitled:

An Act to further amend the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the head of departments in which State employees serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by extending the time within which State mental hospital employees may become "original members" and permitting additional persons to change from the one one-hundred-sixtieth (1-160) to the one one-hundredth (1-100) class and providing for obtaining full benefits by contributors heretofore or hereafter making such change.

Mr. STIMMEL from the Committee on State Government, reported as committed, Senate Bill No. 800, entitled:

An Act to further amend the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the head of departments in which State employees serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by providing for minimum retirement allowances in certain cases and appropriations for payment of the costs thereof.

Mr. SOLLENBERGER from the Committee on Appropriations, reported as amended, House Bill No. 1397, entitled:

An Act making an appropriation for the payment of expenses incurred by the State Council of Civil Defense.

Mr. RAY L. RILEY from the Committee on Appropriations, reported as amended, House Bill No. 1579, entitled:

An Act making an appropriation to the Department of Public Instruction for the purpose of providing temporary emergency aid under certain conditions to school districts of the third and fourth classes in which housing projects are erected.

Mr. WOOD from the Committee on State Government, reported as committed, Senate Bill No. 400, entitled:

An Act to amend Section 12.1 of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by extending the time for the retention of membership in the Public School Employees' Retirement Association by any contributor who ceases to be a public school employee and becomes a State employee and a member of the State Employees' Retirement Association.

Mr. HERSCH from the Committee on State Government, reported as committed, Senate Bill No. 441, entitled:



An Act to add Sections 602.1 and 705.1 to further amend Section 802 to add Sections 804.1 and 901.1 to the act approved the fifth day of August one thousand nine hundred forty-one (P. L. 752) entitled "An act regulating and improving the civil service of certain departments and agencies of the Commonwealth vesting in the State Civil Service Commission and a Personnel Director certain powers and duties providing for classification of positions adoption of compensation schedules and certification of payrolls imposing duties upon certain officers and employees of the Commonwealth authorizing service to other State departments or agencies and political subdivisions of the Commonwealth in matters relating to civil service defining certain crimes and misdemeanors imposing penalties making certain appropriations and repealing certain acts and parts thereof" by providing that substitutes may hold positions only until employees on military leave return relating to rights of transferred reassigned or promoted employees during probationary periods and probationary periods and providing for employee audits from time to time.

Mrs. VARALLO from the Committee on Appropriations, reported as committed, Senate Bill No. 544, entitled:

An Act making an appropriation from the Motor License Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Motor License Fund.

Mrs. VARALLO from the Committee on Appropriations, reported as committed, Senate Bill No. 545, entitled:

An Act making an appropriation from the Game Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Game Fund.

Mrs. VARALLO from the Committee on Appropriations, reported as committed, Senate Bill No. 550, entitled:

An Act making an appropriation of moneys in the Motor License Fund to the Board of Finance and Revenue for the payment of the Loan and Transfer Agent of the Commonwealth.

Mrs. VARALLO from the Committee on Appropriations, reported as committed Senate Bill No. 564, entitled:

An Act making an appropriation from the State Stores Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the State Stores Fund.

Mrs. VARALLO from the Committee on Appropriations, reported as committed, Senate Bill No. 565, entitled:

An Act making an appropriation from the State Workmen's Insurance Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the State Workmen's Insurance Fund.

Mrs. VARALLO from the Committee on Appropriations, reported as committed, Senate Bill No. 567, entitled:

An Act making an appropriation from the Fish Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Fish Fund.

Mrs. VARALLO from the Committee on Appropriations, reported as committed, Senate Bill No. 573, entitled:

An Act making an appropriation from the Banking Department Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Banking Department Fund.

Mrs. VARALLO from the Committee on Appropriations, reported as committed, Senate Bill No. 575, entitled:

An Act making an appropriation from the Manufacturing Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Manufacturing Fund.

Mrs. VARALLO from the Committee on Appropriations, reported as committed, Senate Bill No. 576, entitled:

An Act making an appropriation from the Public Building Construction Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Public Building Construction Fund.

Mrs. VARALLO from the Committee on Education, reported as committed, Senate Bill No. 701, entitled:

An Act to amend paragraph five of section one of the act approved the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1669) entitled as amended "An act to provide revenue for school districts of the first class by imposing a tax on persons engaging in certain business professions occupations trades vocations and commercial activities therein providing for its levy and collection conferring and imposing powers and duties on the Board of Public Education receiver of school taxes and school treasurer in such districts and prescribing penalties" by further defining "receipts."

Mr. BYRNE from the Committee on State Government, reported as amended, Senate Bill No. 789, entitled:

An Act to further amend clause (b) of Section 507 and clause (c) of Section 2403 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" by making special provision for the purchase of fuel for use in any State hospital or any other State institution.

Mr. SEYLER from the Committee on Education, reported as committed, Senate Bill No. 799, entitled:

An Act to further amend Section 14 of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth



and contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by further providing for minimum retirement allowances.

Mr. LEISEY from the Committee on Appropriations, reported as amended, House Bill No. 1331, entitled:

An Act authorizing the Department of Highways to erect and maintain toll bridges over the Susquehanna River at certain points and to provide the necessary approaches and connections with State highways empowering counties to pay certain damages providing for the collection of tolls and making an appropriation.

Mr. McKINNEY from the Committee on Judiciary, reported as committed, House Bill No. 1573, entitled:

An Act providing a preference of ten points in State Bar Examinations for all honorably discharged veterans of World War II.

Mr. McKINNEY from the Committee on State Government, reported as amended, House Bill No. 1678, entitled:

An Act to further amend the act, approved the twenty-first day of January, one thousand nine hundred forty-seven (P. L. 3), entitled "An act relating to officers and employees of the General Assembly; fixing the number, qualifications, compensation, mileage and duties of the officers and employees of the Senate and of the House of Representatives; providing for their election or appointment, term of office, or of service, removal, and manner of filling vacancies; and making appropriations to the Senate, House of Representatives and Legislative Reference Bureau," by providing for compensation on a daily basis for certain employees of the General Assembly when a regular biennial session of the General Assembly remains in session beyond the fifteenth day of June; making appropriations.

Mr. STANK from the Committee on Appropriations, reported as committed, House Bill No. 1681, entitled:

An Act to amend Section 1 of the act approved the twenty-sixth day of May, one thousand nine hundred forty-nine (P. L. 1846) entitled, "An act fixing the salaries of State Mine Inspectors under the jurisdiction of the Department of Mines and the expenses incident to their office," by increasing the salary of Mine Inspectors.

Mr. STANK from the Committee on Appropriations, reported as committed, House Bill No. 1682, entitled:

An Act to further amend section four of the act approved the twenty-ninth day of May, one thousand nine hundred forty-five (P. L. 1132), entitled, "An act to provide for the health and safety of persons employed in and about the coal mines in the Commonwealth of Pennsylvania; the protection and preservation of property connected therewith; the appointment of first aid and mine rescue instructors by the Secretary of Mines, with the approval of the Governor; fixing their salaries and qualifications; providing for the purchase of trucks and necessary equipment to carry on the work and making an appropriation therefore," by further increasing the salary of the first aid and mine rescue instructors.

Mr. STANK from the Committee on Appropriations, reported as committed, House Bill No. 1683, entitled:

An Act to further amend Section 2 of the act approved the twenty-fifth day of April, one thousand nine hundred forty-five (P. L. 238) entitled "An act providing for the health and safety of persons employed in and about the

coal mines of the Commonwealth of Pennsylvania; the protection and preservation of property connected therewith; the appointment of electrical inspectors by the Secretary of Mines with the consent and approval of the Governor; the fixing of their salaries and necessary expenses incurred in the performance of their duties; and the fixing of the qualifications which shall be possessed by persons appointed to the position of electrical inspector," by increasing the salary of electrical inspectors.

Mr. McKINNEY from the Committee on Appropriations, reported as committed, House Bill No. 1705, entitled:

An Act appropriating certain surplus funds to the Department of Public Assistance upon the exhaustion of its appropriation.

Mr. BOWER from the Committee on Appropriations, reported as committed, House Bill No. 1711, entitled:

An Act providing for a referendum to determine the will of the electorate regarding a constitutional convention providing for the nomination and election of delegates and making an appropriation.

Mr. LEISEY from the Committee on Appropriations, reported as committed, House Bill No. 1716, entitled:

An Act to further amend Section 25 of the act, approved the twenty-first day of January, one thousand nine hundred forty-seven (P. L. 3), entitled "An act relating to officers and employees of the General Assembly; fixing the number, qualifications, compensation, mileage and duties of the officers and employees of the Senate and of the House of Representatives; providing for their election or appointment, term of office, or of service, removal, and manner of filling vacancies; and making appropriations to the Senate, House of Representatives and Legislative Reference Bureau," by changing the compensation of the messenger of the majority leader of the House of Representatives.

Mr. YESTER from the Committee on Professional Licensure, reported as committed, House Bill No. 1139, entitled:

An Act to further amend the first paragraph of section 13 of the act, approved the nineteenth day of March, one thousand nine hundred nine, (P. L. 46), entitled "An act to regulate the practice of osteopathy in the State of Pennsylvania; to provide for the establishment of a State Board of Osteopathic Examiners; to define the powers and duties of said Board of Osteopathic Examiners; to provide for the examining and licensing of osteopaths in this State; and to provide penalties for the violation of this act," by changing the time and increasing the fee for annual registration of osteopaths.

Mr. HAROLD G. MILLER from the Committee on Professional Licensure, reported as committed, House Bill No. 1428, entitled:

An Act to further amend the act, approved the seventeenth day of May, one thousand nine hundred seventeen (P. L. 208), entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs, and providing penalties for the violation thereof; defining the words "drugs" and "poison"; and providing for the appointment of a board which shall have in charge the enforcement of said law, and the power to make rules and regulations for the enforcement of said law; and providing for the purchase of samples of drugs for determining their quality, strength and purity," by defining "prescription," further providing for meetings of the board and examination of pharmacists by the board, further regulating experience requirements of applicants for examination and registration as pharmacists; exempting physicians from certain requirements of the act.

Mr. GRANVILLE E. JONES from the Committee on Pro-



fessional Licensure, reported as committed, House Bill No. 1429, entitled:

An Act to amend Section 1 of the act, approved the twenty-seventh day of April, one thousand nine hundred twenty-five (P. L. 299), entitled "A supplement to an act approved the seventeenth day of May, one thousand nine hundred seventeen (P. L. 208), entitled 'An act to regulate the practice of pharmacy and sale of poisons and drugs, and providing penalties for the violation thereof; defining the words "drugs" and "poison," and providing for the appointment of a board which shall have in charge the enforcement of said law, and the power to make rules and regulations for the enforcement of said law, and providing for the purchase of samples of drugs for determining their quality, strength, and purity,' providing for the registration of apprentices in pharmacy, requiring employers of such apprentices to see that they are registered, and imposing penalties," by requiring persons entering reputable and properly chartered colleges of pharmacy to apply to the State Board of Pharmacy for registration and certification as registered apprentices.

Mr. TAHL from the Committee on State Government, reported as committed, House Bill No. 1625, entitled:

An Act to add sections 14.1 and 14.2 to the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employees' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employees, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employees serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by changing the provisions thereof as to contributors who are qualified for retirement but who die before retirement; and making such changes retroactive in certain cases.

Mr. FLACK from the Committee on Appropriations, reported as committed, House Bill No. 1706, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor and the Board of Trustees of Hazelton State Hospital, to acquire three tracts of land for the use of the Hazelton State Hospital; and making an appropriation therefor.

Mr. FLACK from the Committee on Appropriations, reported as committed, House Bill No. 1715, entitled:

An Act making an appropriation to The Brandywine Battlefield Park Commission for the payment of necessary expenses.

Mr. YESTER from the Committee on Appropriations, reported as committed, Senate Bill No. 563, entitled:

An Act making an appropriation to the Treasury Department out of various funds to pay replacement checks issued in lieu of outstanding checks when presented and to adjust errors

### BILLS ON FIRST READING

Pursuant to a resolution adopted by the House on September 17, the following bills were read the first time:

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1139, entitled:

An Act to further amend the first paragraph of section

13 of the act, approved the nineteenth day of March, one thousand nine hundred nine, (P. L. 46), entitled "An act to regulate the practice of osteopathy in the State of Pennsylvania; to provide for the establishment of a State Board of Osteopathic Examiners; to define the powers and duties of said Board of Osteopathic Examiners; to provide for the examining and licensing of osteopaths in this State; and to provide penalties for the violation of this act," by changing the time and increasing the fee for annual registration of osteopaths.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1285, entitled:

An Act to further amend section four hundred forty-one of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions, defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers, and of all deputies and other assistants and employees in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments, boards, and commissions shall be determined," by increasing the number of Workmen's Compensation Board members and the quorum thereof.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1414, entitled:

An Act providing that the Department of Highways shall notify the Department of Forests and Waters when it proposes to relocate or establish a highway which will provide a scenic view or vista; providing for the establishment and maintenance of parkes by the Department of Forests and Waters at, adjacent to or to preserve such views or vistas under certain terms and conditions; providing for the acquisition of the land for the establishment of such parks by gift, devise, agreement or condemnation and providing for the payment of damages.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1428, entitled:

An Act to further amend the act, approved the seventeenth day of May, one thousand nine hundred seventeen (P. L. 208), entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs, and providing penalties for the violation thereof; defining the words "drug" and "Poison"; and providing for the appointment of a board which shall have in charge the enforcement of said law, and the power to make rules and regulations for the enforcement of said law; and providing for the purchase of samples of drugs for determining their quality, strength



and purity," by defining "prescription," further providing for meetings of the board and examination of pharmacists by the board, further regulating experience requirements of applicants for examination and registration as pharmacists; exempting physicians from certain requirements of the act.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1429, entitled:

An Act to amend Section 1 of the act, approved the twenty-seventh day of April, one thousand nine hundred twenty-five (P. L. 299), entitled "A supplement to an act, approved the seventeenth day of May, one thousand nine hundred seventeen (P. L. 208), entitled 'An act to regulate the practice of pharmacy and sale of poisons and drugs, and providing penalties for the violation thereof; defining the words "drug" and "poison," and providing for the appointment of a board which shall have in charge the enforcement of said law, and the power to make rules and regulations for the enforcement of said law, and providing for the purchase of samples of drugs for determining their quality, strength, and purity,' providing for the registration of apprentices in pharmacy, requiring employers of such apprentices to see that they are registered, and imposing penalties," by requiring persons entering reputable and properly chartered colleges of pharmacy to apply to the State Board of Pharmacy for registration and certification as registered apprentices.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1495, entitled:

An Act to further amend the act approved the twenty-second day of June, one thousand nine hundred thirty-seven (P. L. 1987) entitled as amended "An act to preserve and improve the purity of the waters of the Commonwealth for the protection of public health, animal, and aquatic life, and for industrial consumption, and recreation; empowering and directing the creation of indebtedness or the issuing of non-debt revenue bonds by political subdivisions to provide works to abate pollution; providing protection of water supply; providing for the jurisdiction of courts in the enforcement thereof; requiring the approval of the Attorney General for prosecutions thereunder; providing additional remedies for abating pollution of waters; imposing certain penalties; and repealing certain acts; authorizing the acquisition by purchase or condemnation, or otherwise, of easements and right of ways; the acquisition or construction of pipes, conduits, drains or tunnels by the Sanitary Water Board; and providing for payment of the costs thereof by the Commonwealth; authorizing the Sanitary Water Board to establish standards of purity and to determine the time for compliance with certain provisions of the act in certain cases and making it unlawful to open, reopen or continue operation of any coal mine, or to change any approved drainage or disposal plan without prior approval by the Sanitary Water Board," by increasing maximum time after notice for discontinuance of discharge or treatment of sewage.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1573, entitled:

An Act providing a preference of ten points in State

Bar Examinations for all honorably discharged veterans of World War II.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1587, entitled:

An Act to amend section 8 of the act, approved the thirty-first day of March, one thousand nine hundred forty nine (P. L. 372), entitled "An act to promote the welfare of the people of the Commonwealth; creating The General State Authority as a body corporate and politic with power to construct, improve, equip, furnish and operate projects, and to lease the same, and to fix fees, rentals, and charges for the use thereof; authorizing and regulating the issuance of bonds for said Authority, and providing for the payment of such bonds, and the rights of the holders thereof; and to enter into agreements with the Government of the United States or any Federal agency; and authorizing the Department of Property and Supplies to grant, assign, convey, or lease to the Authority lands of the Commonwealth and interests therein, and to acquire lands therefor; granting the right of eminent domain; empowering The General State Authority to sell and convey projects and property to the Commonwealth and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act," by further providing for examination of the accounts and books of the Authority.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1625, entitled:

An Act to add section 14.1 and 14.2 to the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employees' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employees, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employees serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by changing the provisions thereof as to contributors who are qualified for retirement but who die before retirement; and making such changes retroactive in certain cases.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1662, entitled:

An Act authorizing the issue and sale of bonds by the Commonwealth in order to purchase and cancel all, or any part of, the obligations the General State Authority, and the State Highway and Bridge Authority, or either of them in certain cases.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1679, entitled:



An Act to further amend the last paragraph of subsection (c) of Section 507 of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions, defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers, and of all deputies and other assistants and employees in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments, boards, and commissions shall be determined," by authorizing departments, boards and commissions to contract for utility services furnished by political subdivision and authorities.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1681, entitled:

An Act to amend Section 1 of the act approved the twenty-sixth day of May, one thousand nine hundred forty-nine (P. L. 1846) entitled, "An act fixing the salaries of State Mine Inspectors under the jurisdiction of the Department of Mines and the expenses incident to their office," by increasing the salary of Mine Inspectors.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1682, entitled:

An Act to further amend section four of the act approved the twenty-ninth day of May, one thousand nine hundred forty-five (P. L. 1132), entitled, "An act to provide for the health and safety of persons employed in and about the coal mines in the Commonwealth of Pennsylvania; the protection and preservation of property connected therewith; the appointment of first aid and mine rescue instructors by the Secretary of Mines, with the approval of the Governor; fixing their salaries and qualifications; providing for the purchase of trucks and necessary equipment to carry on the work and making and appropriation therefor," by further increasing the salary of the first aid and mine rescue instructors.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1683, entitled:

An Act to further amend Section 2 of the act approved the twenty-fifth day of April, one thousand nine hundred forty-five (P. L. 289) entitled "An act providing for the health and safety of persons employed in and about the coal mines of the Commonwealth of Pennsylvania; the protection and preservation of property connected therewith; the appointment of electrical inspectors by the Secretary of Mines with the consent and approval of the Gov-

ernor; the fixing of their salaries and necessary expenses incurred in the performance of their duties; and the fixing of the qualifications which shall be possessed by persons appointed to the position of electrical inspector," by increasing the salary of electrical inspectors.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1705, entitled:

An Act appropriating certain surplus funds to the Department of Public Assistance upon the exhaustion of its appropriation.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1706, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor and the Board of Trustees of Hazelton State Hospital, to acquire three tracts of land for the use of the Hazelton State Hospital; and making an appropriation therefor.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1711, entitled:

An Act providing for a referendum to determine the will of the electorate regarding a constitutional convention providing for the nomination and election of delegates and making an appropriation.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1715, entitled:

An Act making an appropriation to The Brandywine Battlefield Park Commission for the payment of necessary expenses.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1716, entitled:

An Act to further amend Section 25 of the act, approved the twenty-first day of January, one thousand nine hundred forty-seven (P. L. 3), entitled "An act relating to officers and employees of the General Assembly; fixing the number, qualifications, compensation, mileage and duties of the officers and employees of the Senate and of the House of Representatives; providing for their election or appointment, term of office, or of service, removal, and manner of filling vacancies; and making appropriations to the Senate, House of Representatives and Legislative Reference Bureau," by changing the compensation of the messenger of the majority leader of the House of Representatives.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.



## COMMITTEE MEETINGS

Counties, Mr. Guthrie, Chairman, Room 323, Wednesday, September 19 at 10:00 a. m.

Education, Mr. Sollenberger, Chairman, Room 324, Wednesday, September 19, at 10:30 a. m.

All times are Eastern Standard Time.

## ADJOURNMENT

Mr. HOGGARD. Mr. Speaker, I move that this House do now adjourn until Wednesday, September 19, 1951, at 11:00 a. m. E. S. T.

The motion was agreed to, and at 3:32 p. m. E. S. T., the House adjourned.







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139th of the General Assembly.

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HARRISBURG, PA., WEDNESDAY, SEPTEMBER 19, 1951.

No. 83.

## SENATE

WEDNESDAY, September 19, 1951.

The Senate met at 9:30 o'clock, a.m., Eastern Standard Time.

The PRESIDING OFFICER (Fred P. Hare) in the Chair.

### PRAYER

In the absence of the Chaplain, the prayer was offered by the Senator from Berks, DOCTOR RUTH.

Almighty God, our Father, we come to Thee this morning in the spirit of humility because Thou hast shown Thyself in our life as a dear Friend. We pray that we may have that friendly spirit toward those of our own household and for those of the world. As we go along life's highway, we pray for the spirit of him who said:

Let me live in a house by the side of the road,  
Where the race of men go by;  
The men that are good and the men that are bad,  
As good and as bad as I;  
I would not sit in the scorner's seat,  
Nor hurl the cynic's ban;  
Let me live in a house by the side of the road,  
And be a friend to man.

We ask it in Thy Holy Name. Amen.

### JOURNAL APPROVED

The PRESIDING OFFICER. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when on motion of Mr. WALKER and Mr. SCARLET, further reading was dispensed with, and the Journal was approved.

### NOMINATIONS BY THE GOVERNOR REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations.

### JUSTICES OF THE PEACE

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, Sept. 19, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to

nominate for the advice and consent of the Senate William F. McCrea, 306 Broad Street, Sewickley, Allegheny County, for appointment as Justice of the peace in and for the Borough of Sewickley, Allegheny County, until the first Monday of January 1954, vice Mrs. Margaret M. Morgan, deceased.

JOHN S. FINE.

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, Sept. 19, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Doris H. Park, P. O. New Kensington, Westmoreland County, for appointment as Justice of the Peace in and for the Township of Frazer, Allegheny County, until the first Monday of January 1954, vice James Glowatski, resigned.

JOHN S. FINE.

### REPORTS FROM COMMITTEES

Mr. CROWE, from the Committee on Mines and Mining, reported as committed, Senate Bill No. 845, entitled:

An Act to further amend Rule 12, and to amend Rule 14 of Article XIX of the act, approved the second day of June, one thousand eight hundred ninety-one (P. L. 176), entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith," by authorizing the use of roof bolts and other practical devices in working places.

Mr. STIEFEL, from the Committee on Local Government, re-reported as committed, House Bill No. 811, entitled:

An Act to add section 1501.1 to the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by empowering township supervisors to compel connection with and use of sewer systems constructed by municipal authorities to impose penalties to enforce regulations and orders and to connect properties of owners failing or neglecting to make connection.

He also, from the Committee on Local Government, reported as committed, Senate Bill No. 840, entitled:

An Act to amend the title and Section 1 of the act, approved the tenth day of August, one thousand nine hundred fifty-one (P. L. Act No. 265), entitled "An act regulating the appointment, promotion, suspension, reduction, removal and reinstatement of employees (except superintendents, assistant superintendents, inspectors and chief clerks) in bureaus of police in cities of the second class and defining the powers and duties of civil service



commissions in such cities for such purposes," by excepting therefrom certain women police and school guards.

He also, from the Committee on Local Government, reported as committed, Senate Bill No. 842, entitled:

An Act to amend Section 1673 of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" by further regulating publication of notice of land subdivision ordinances.

He also, from the Committee on Local Government, reported as committed, House Bill No. 1557, entitled:

An Act to amend clause (h) of Section 9 of the act approved the twenty-fourth day of May one thousand nine hundred forty-five (P. L. 991) entitled "An act to promote elimination of blighted areas and supply sanitary housing in areas throughout the Commonwealth by declaring acquisition sound replanning and redevelopment of such areas to be for the promotion of health safety convenience and welfare creating public bodies corporate and politic to be known as Redevelopment Authorizing them to engage in the elimination of blighted areas and to plan and contract with private corporate or governmental redevelopers for their redevelopment providing for the organization of such authorities defining and providing for the exercise of their powers and duties including the acquisition of property by purchase gift or eminent domain the leasing and selling of property including borrowing money issuing bonds and other obligations and giving security therefor restricting the interest of members and employes of authorities providing for notice and hearing supplying certain mandatory provisions to be inserted in contracts with redevelopers prescribing the remedies of obligees of redevelopment authorities conferring certain duties upon local planning commissions the governing bodies of cities and counties and on certain State officers boards and departments" by clarifying the provisions of said section with respect to the power of Redevelopment Authorities to purchase real property.

He also, from the Committee on Local Government, reported as amended, House Bill No. 1283, entitled:

An Act authorizing the Orphans' Court of the several counties upon application therefor to place documents defined as historical documents in the custody of certain associations maintaining facilities for public display of historical writings conferring powers and imposing duties on registers of wills

He also, from the Committee on Local Government, reported as committed, House Bill No. 967, entitled:

An Act to further amend the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by providing for disability leave with salary and hospital and medical expenses for employes of jails and workhouses in counties of the second class temporarily incapacitated in the performance of duties.

He also, from the Committee on Local Government, reported as committed, House Bill No. 28, entitled:

An Act to further amend section 703 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by changing the compensation paid to township commissioners.

He also, from the Committee on Local Government, reported as committed, House Bill No. 274, entitled:

An Act to further amend Section 1001 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by increasing the compensation of the township auditors.

He also, from the Committee on Local Government, reported as amended, House Bill No. 726, entitled:

"An Act to amend the title and further amend Subsections A and C of Section 1 of the act approved the twenty-fifth day of June, one thousand nine hundred forty-seven (P. L. 1145) entitled 'An act empowering cities of the second class cities of the second class A cities of the third class boroughs towns townships of the first class school districts of the second class school districts of the third class and school districts of the fourth class to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes and permitting penalties to be imposed and enforced providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court' by extending the provisions thereof to include townships of the second class as to certain taxes.

#### BILL INTRODUCED AND REFERRED

Mr. LEADER. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Messrs. LEADER, SCARLET and LANE, read in place and presented to the Chair Senate Bill No. 847, entitled:

An Act requiring the Commonwealth of Pennsylvania to appropriate moneys for assistance to political subdivisions and municipal authorities in the acquisition, construction and improvement of airports and other aeronautical facilities.

Which was committed to the Committee on Appropriations.

#### RECESS

Mr. WALKER. Mr. President, I move that the Senate do now take a recess for ten minutes, to permit a meeting of the Committee on Forests and Waters, Game and Fish.

Mr. WOLFE. Mr. President, I second the motion.

The motion was agreed to.

#### AFTER RECESS

The PRESIDING OFFICER. The time of recess having elapsed the Senate will be in order.

#### REPORT FROM COMMITTEE

Mr. STIEFEL. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. STIEFEL, from the Committee on Local Government, reported as committed, House Bill No. 1599, entitled:



An Act providing for an expense allowance for members of the board of inspectors of the Berks County Prison.

### BILL INTRODUCED AND REFERRED

Mr. ROSENFELD. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. ROSENFELD read in place and presented to the Chair Senate Bill No. 848, entitled:

An Act to further amend section two of the act approved the twentieth day of June, one thousand nine hundred nineteen (P. L. 521) entitled as amended "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; defining and taxing transfers made in contemplation of death; defining as a transfer and taxing the right of survivorship in property as to which such right exists; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal," by making brothers and sisters direct heirs.

Which was referred to the Committee on Judiciary General.

### NOMINATIONS BY THE GOVERNOR NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

### CONSIDERATION OF NOTARIES PUBLIC

Mr. WATSON. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on September 19, 1951.

Mr. WATKINS. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, September 19, 1951.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

#### ALLEGHENY COUNTY

S. R. Jones, 1808 Farmers Bank Bldg., Pittsburgh.

Miss Elfreda A. Eisenmanh, 3811 O'Hara St. (13), Pittsburgh.

James D. R. McCloskey, 15 Smithfield St, Pittsburgh.

#### BEAVER COUNTY

John E. Geronimo, Beaver Falls.

John P. Trembath, Aliquippa.

#### BERKS COUNTY

Miss Bety M. Dreibelbis, Hamburg.  
Mrs. Naomi R. Drumheller, Reading.

#### CHESTER COUNTY

William R. Spence, Upper Uwchlan Twp., Uwchland.

#### CLEARFIELD COUNTY

John F. Bellmore, Clearfield.

#### DELAWARE COUNTY

Mrs. Winifred V. Miller, Clifton Heights.  
John S. Templeton, Jr., Lansdowne.

#### LANCASTER COUNTY

Miss Carolyn J. Jacobs, Lancaster.

#### LEBANON COUNTY

Miss Ruth M. Heller, Palmyra.

#### MONTGOMERY COUNTY

Mrs. Ruth H. Fry, Hatfield.  
Stanley E. Settle, Norristown.

#### PHILADELPHIA COUNTY

John Casey Drake, 2416 E. Allegheny Ave.  
Clayton E. Fretz, 230-2-4 S. 7th St.  
Mrs. Jean Kimelheim, 121 S. Broad St.  
Jerome N. Krader, 1648 Ridge Ave.  
Miss Fay M. Scriven, 3960 N. 9th St.  
Mrs. Dorothy B. Wright, 767 N. 43rd St.

#### SOMERSET COUNTY

Dominic L. Angelo, Somerset.

#### WESTMORELAND COUNTY

James H. Carroll, Greensburg.  
E. W. Mohler, Greensburg.

#### WYOMING COUNTY

Mrs. Louise Darling, Nicholson.

JOHN S. FINE.

A motion was made by Mr. WATSON and Mr. WATKINS,

That the Senate do advise and consent to said nomination.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Bane,	Haluska,	Meade,	Stiefel,
Barr,	Holland,	Neff,	Taylor,
Barrett,	Kessler,	Pechan,	Toole,
Berger,	Lane,	Peelor,	Wade,
Blass,	Leader,	Probert,	Wagner,
Byrne,	Letzler,	Robinson,	Walker,
Chapman,	Mahanay,	Rosenfeld,	Watkins,
Crowe,	Mallery,	Ruth,	Watson,
Dent,	McCreesh,	Scarlett,	Wolfe,
Diehm,	McGinnis,	Silvert,	Wood,
DiSilvestro,	McMenamin,	Snowden,	Yosko,
Fleming,	McPherson, Jr.	Stevenson,	Hare,
Freed,			Presiding Officer

#### NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.



## RECESS

Mr. WALKER. Mr. President, I move that the Senate do now take a recess until two o'clock, p. m., Eastern Standard Time.

Mr. ROBINSON. Mr. President, I second the motion. The motion was agreed to.

## AFTER RECESS

The PRESIDING OFFICER. The time of recess having elapsed the Senate will be in order.

## BILL INTRODUCED AND REFERRED

Mr. STEVENSON. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. STEVENSON read in place and presented to the Chair Senate Bill No. 849, entitled:

An Act regulating the drilling of gas wells and providing penalties.

Which was committed to the Committee on Labor and Industry.

## REPORTS FROM COMMITTEES

Mr. WOLFE. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WOLFE, from the Committee on Forests and Waters, Game and Fish, reported as committed, House Bill No. 769, entitled:

An Act to further amend clause (a) of section one thousand eight hundred three and clause (e) of section one thousand eight hundred six of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" by further regulating the leasing and sale of State forest and park lands by the Commonwealth and defining the powers and duties of the Department of Forests and Waters and the rights of lessees with respect to such leased lands

Mr. PROPERT. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. PROPERT, from the Committee on Local Government, reported as committed, House Bill No. 1335, entitled:

An Act to further amend Section 11 of the act approved the twentieth day of May one thousand nine hundred fifteen (P. L. 566) entitled "An act requiring cities of the first class to establish a pension fund for employees of said cities and all county or other public employees if any paid by appropriation of the city councils thereof and out of the treasury of said cities and regulating the administration and the payment of such pensions" by providing for credit for services with a school district of the first class for members of a first class city pension fund in certain cases

REPORT OF COMMITTEE OF CONFERENCE ON  
HOUSE BILL No. 757

Mr. FLEMING. Mr. President, I submit the report of the Committee of Conference on House Bill No. 757, entitled:

An Act to add Article XLVI to the act, approved the seventh day of March, one thousand nine hundred one (P. L. 20), entitled "Second Class City Law," by providing for the establishment of a traffic court in cities of the second class.

The PRESIDING OFFICER. The report will lie over for printing under the rules.

## REPORT FROM COMMITTEE

Mr. WAGNER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WAGNER, from the Committee on Education, reported as amended, House Bill No. 1228, entitled:

An Act establishing The Pennsylvania State School for the Deaf providing for its operation and maintenance by the Department of Public Instruction and for the admission of pupils thereto and the expense of maintaining pupils therein authorizing the acquisition of a site by The General State Authority or the use of land now owned by the Commonwealth the conveying of Commonwealth owned land to The General State Authority and the erection or construction and the furnishing and equipping of buildings and structures by The General State Authority and the leasing thereof by the Commonwealth and conferring powers and imposing duties on district and county superintendents of schools.

## HOUSE MESSAGES

## HOUSE CONCURS IN SENATE RESOLUTION

The Clerk of the House of Representatives being introduced, informed the Senate that the House has concurred in resolution from the Senate as follows:

REQUESTING THE CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES TO FURNISH COMMITTEE ON FINANCE A CERTIFIED COPY OF HOUSE BILL No. 1113, PRINTER'S No. 346

In the Senate, September 18, 1951.

Whereas, House Bill No. 1113, Printer's No. 346, entitled "An act to further amend Section 17 of the act, approved the twenty-first day of May, one thousand nine hundred thirty-one (P. L. 149), entitled, as amended 'Liquid Fuels Tax Law,' by providing for partial reimbursement of taxes paid on liquid fuels consumed in the operation of certain tractors and machinery for agricultural purposes; providing penalties and making appropriations from the Motor License Fund for the payment of such reimbursements and expenses in connection therewith," the official copy of which was referred to the Committee on Finance in the Senate on Wednesday, May 23, 1951, after having



passed the House of Representatives, has been lost; therefore be it

Resolved (if the House of Representatives concur), That the Chief Clerk of the House of Representatives is hereby directed to furnish to the Committee on Finance of the Senate a certified copy of House Bill No. 1113, Printer's No. 346, entitled "An act to further amend Section 17 of the act, approved the twenty-first day of May, one thousand nine hundred thirty-one (P. L. 149), entitled, as amended 'Liquid Fuels Tax Law,' by providing for partial reimbursement of taxes paid on liquid fuels consumed in the operation of certain tractors and machinery for agricultural purposes; providing penalties and making appropriations from the Motor License Fund for the payment of such reimbursements and expenses in connection therewith;" which copy shall be substituted for the original bill.

#### HOUSE NON-CONCURS IN SENATE AMENDMENTS TO HOUSE BILL No. 1056

He also informed the Senate that the House has non-concurred in the amendments made by the Senate to House Bill No. 1056, entitled:

An Act to further amend clause (q) of section seven hundred thirty-one of the act, approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225), entitled "The Game Law," by providing additional penalties.

#### SENATE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE HOUSE TO HOUSE BILL No. 1056

Mr. WALKER. Mr. President, I move that the Senate insists upon its amendments non-concurred in by the House to House Bill No. 1056.

Mr. TAYLOR. Mr. President, I second the motion. The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 745

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 745, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "Administrative Code of 1929," by creating the Pennsylvania Library Council; prescribing its powers and duties; providing for a State librarian and for certification of libraries and librarians and for minimum standards for public library service; and making an appropriation.

#### HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1123

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1123, entitled:

An Act to provide for the registration and protection of trademarks and to secure the rights, property, and interests therein, providing for the assignment, cancellation and revocation thereof, and imposing penalties for violations, conferring powers and imposing duties upon the Secretary of the Commonwealth in the administration thereof, and to repeal all acts inconsistent therewith.

#### HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1205

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1205, entitled:

An Act defining clinicopathologic laboratory; regulating the operation of the same; requiring such laboratories to obtain permits and to be operated under the direct supervision of a duly licensed physician or other qualified persons; imposing certain duties upon the Department of Health, and providing penalties.

#### HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1351

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1351, entitled:

An Act to further amend subsection C of Section 1 of the act, approved the twenty-fifth day of June, one thousand nine hundred forty-seven (P. L. 1145), entitled "An Act empowering cities of the second class, cities of the second class A, cities of the third class, boroughs, towns, townships, of the first class, school districts of the second class, school districts of the third class and school districts of the fourth class to levy, assess and collect or to provide for the levying, assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes; authorizing the establishment of bureaus and the appointment and compensation of officers and employees to assess and collect such taxes; and permitting penalties to be imposed and enforced; providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court," excluding taxes imposed on real property transfers in certain school districts in determining tax limitations.

### HOUSE MESSAGES

#### HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence bills of the House, as follows:

House Bill No. 1401, entitled:

An Act to further amend subsection (a) of Section 722 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "Vehicle Code," by including the Civil Air Patrol among the organizations exempt from payment of fees for vehicles used by such organization.

Which was committed to the Committee on Highways.

House Bill No. 1566, entitled:

An Act to further amend subsection C of Section 1 of the act, approved the twenty-fifth day of June, one thousand nine hundred forty-seven (P. L. 1145), entitled "An Act empowering cities of the second class, cities of the second class A, cities of the third class, boroughs, towns, townships of the first class, school districts of the second class, school districts of the third class and school districts of the fourth class to levy, assess, and collect or to provide for the levying, assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes; authorizing the establishment of bureaus and the appointment and compensation of officers and employees to assess and collect such taxes; and permitting penalties to be imposed and enforced; providing an appeal from the ordinance or resolution levying such



taxes to the court of quarter sessions and to the Supreme Court and Superior Court," by authorizing financially handicapped or distressed school districts to levy additional taxes within certain limitations.

Which was committed to the Committee on Education.

House Bill No. 1567, entitled:

An Act to amend Section 672 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "Public School Code of 1949," by authorizing financially handicapped or distressed school districts to levy additional taxes with certain limitations.

Which was committed to the Committee on Education.

House Bill No. 1588, entitled:

An Act to further amend Section 672 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "Public School Code," by increasing the limitations on tax rates which may be levied and assessed for school purposes in districts of the second, third and fourth class.

Which was committed to the Committee on Education.

House Bill No. 1597, entitled:

An Act to amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "Administrative Code of 1929," by further providing for the execution of the forests powers and duties of the Department of Forest and Waters.

Which was committed to the Committee on Forests and Waters, Game and Fish.

House Bill No. 1640, entitled:

An Act to amend subsection (b) of Section 1403 of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "Pennsylvania Election Code," by further providing for the compensation of the return board.

Which was committed to the Committee on Elections.

House Bill No. 1641, entitled:

An Act to add Section 599-A to Article V, subdivision (j) of the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "The Second Class Township Law," by authorizing the appointment of special school police and defining their powers and duties.

Which was committed to the Committee on Local Government.

House Bill No. 1643, entitled:

An Act fixing the fees and mileage of the coroner in counties of the sixth class.

Which was committed to the Committee on Local Government.

House Bill No. 1648, entitled:

An Act to further amend the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "Pennsylvania Election Code," by further regulating the date of the primary election.

Which was committed to the Committee on Elections.

House Bill No. 1660, entitled:

An Act to further amend the act approved the first day

of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "Vehicle Code," by requiring that logs, carried on certain vehicles and trailers, be securely fastened.

Which was committed to the Committee on Highways.

House Bill No. 1680, entitled:

An Act to further amend the act, approved the fifth day of May, one thousand nine hundred eleven (P. L. 198), entitled "An act to establish a county court for the county of Allegheny and prescribing its powers and duties; regulating the procedure therein, and providing for the expenses thereof," by conferring exclusive jurisdiction on the county court of Allegheny County in cases of appeals from decisions of the collector of mercantile taxes imposed by political subdivisions within the territorial limits of its jurisdiction.

Which was committed to the Committee on Local Government.

#### HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1449

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1449, entitled:

An Act to amend the act, approved the twelfth day of June, one thousand nine hundred fifty-one (Act No. 141), entitled "The Mental Health Act of 1951," by further defining "qualified physician" and "medical examiner."

#### HOUSE BILL No. 1480 CALLED UP

Mr. WALKER. Mr. President, I call up, out of order, from the Third Reading Calendar, House Bill No. 1480 for consideration at this time.

#### BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1480, as follows:

An Act to further amend the act approved the fifth day of December, one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" by defining and re-defining certain terms by further providing for the submission of reports by the department to the Governor concerning the administration and operation of the act by providing for the selection of certain personnel on a civil service basis by providing for the disposition of obsolete files and records and for the admissibility of copies of such records in evidence for reciprocal arrangements with foreign governments for modification of the manner in which contribution rates are determined and redetermined for modification of the manner in which reports are filed and contributions paid for modifications of the provisions with respect to eligibility for benefits and the amount thereof by con-



ferring upon the department the right of appeal by eliminating appeal filing fees and by making further provisions for the prosecution of fraud and for recoupment of benefit payments

The General Assembly of the Commonwealth of Pennsylvania enacts as follows

Section 1 Subsections (u) (w) and (x) of section four of the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" as last amended by the act approved the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1738) and subsection z.5) of said act as added by the act approved the twenty-sixth day of May one thousand nine hundred forty-nine (P. L. 1854) are hereby further amended to read as follows.

Section 4 Definitions The following words and phrases as used in this act shall have the following meanings unless the context clearly requires otherwise

\*\*\*  
(u) ["Unemployment"] "Unemployed" An individual shall be deemed unemployed (I) with respect to any week (i) during which he performs no services for which remuneration is paid or payable to him and (ii) with respect to which no remuneration is paid or payable to him or (II) with respect to any week of less than his full-time work if the remuneration paid or payable to him with respect to such week is less than his weekly benefit rate Provided That for the purposes of this subsection (i) vacation pay and similar payments whether or not legally required to be paid and (ii) wages in lieu of notice separation allowances dismissal wages and similar payments which are legally required to be paid shall be deemed [in accordance with rules and regulations of the department remuneration paid or payable with respect to the week or weeks for which such payments are made] remuneration paid or payable with respect to such period as shall be determined by rules and regulations of the department

\*\*\*  
(w) A Valid Application for Benefits" means an application for benefits on a form prescribed by the department which is filed by an individual as of a day not included in the benefit year previously established by such individual who (1) has been separated from his work or who during the week commencing on such day has worked less than his full time due to lack of work and has earned less than the maximum weekly benefit amount and (2) is qualified under the provisions of section four hundred and one (a) (b) and (d)

(x) "Wages" means all remuneration (including the cash value of mediums of payment other than cash) paid by an employer to an individual with respect to his employment except that the term wages" shall not include

(1) That part of the remuneration which is in excess of the first three thousand dollars (\$3000) paid to an individual by each of his employers during a calendar year Provided That an employer may take credit under this subsection for remuneration which his predecessor in interest has paid to an individual during the same calendar year with respect to employment and Provided also that an employer may take credit under this subsection for remuneration which he or his predecessor has paid to an individual in the same calendar year on which contributions have been required and paid by such employer under an employment compensation law of another state but

no such credit may be taken for remuneration which has been paid by another employer to such individual whether or not contributions have been paid thereon by such other employer under this act or under any state unemployment compensation law Remuneration in excess of three thousand dollars (\$3000) excluded from the definition of wages under the provisions of this subsection may not be considered in determining the compensation rights of any individual under this act and in determining such rights the first three thousand dollars (\$3000) of remuneration on which contributions are payable shall be considered as paid only in the calendar quarter or quarters in which such amount was actually paid Provided That no credit may be taken by an employer for any remuneration paid by his predecessor prior to the first day of January one thousand nine hundred fifty-one

(2) [The amount of any payment made to or on behalf of an employee under a plan or system established by an employer which makes provision for his employees generally or for a class or classes of his employees (including any amount paid by an employer for insurance or annuities or into a fund to provide for any such payment) on account of (A) retirement or (B) sickness or accident disability or (C) medical and hospitalization expenses in connection with sickness or accident disability or (D) death provided the employee (I) has not the option to receive instead of provision for such death benefit any part of such payment or if such death benefit is insured any part of the premiums (or contributions to premiums) paid by his employer and (II) has not the right under the provisions of the plan or system or policy of insurance providing for such death benefit to assign such benefit or to receive a cash consideration in lieu of such benefit either upon his withdrawal from the plan or system providing for such benefit or upon termination of such plan or system or policy of insurance or of his employment with such employer] The amount of any payment made after December thirty-first one thousand nine hundred fifty (including any amount paid by an employing unit for insurance or annuities or into a fund to provide for any such payment) to or on behalf of an individual or any of his dependents under a plan or system established by an employer who makes provision generally for individuals performing service for it (or for such individuals generally and their dependents) or for a class or classes of such individuals (or for a class or classes of such individuals and their dependents) on account of (i) retirement or (ii) sickness or accident disability or (ii) medical or hospitalization expenses in connection with sickness or accident disability or (iv) death

(3) The payment by an employer (without deduction from remuneration of the employee) of the tax imposed upon an employee under section one thousand four hundred (1400) of the Federal Internal Revenue Code

(4) Dismissal payments before the first day of January one thousand nine hundred fifty-two which the employer is not legally required to make

(5) Payments made by an employer to employees while in the military or naval service of the United States and performing no services for the employer

(6) Notwithstanding any other provisions of this subsection wages shall include all remuneration for services with respect to which a tax is required to be paid under any Federal law imposing a tax against which credit may be taken for contributions to be paid into a state unemployment fund

(7) The amount of any payment made after December thirty-first one thousand nine hundred fifty by an employer to or on behalf of an individual performing services for him (including any amount paid by an employer for insurance or annuities or into a fund to provide for any such payment) on account of retirement

(8) The amount of any payment on account of sickness or accident disability or medical or hospitalization expenses in connection with sickness or accident disability made after the thirty-first day of December one thousand nine hundred fifty by an employer to or on behalf of an individual performing services for it after the expiration of six calendar months following the last calendar month



in which the individual performed services for such employer

(9) The amount of any payment made after the thirty-first day of December one thousand nine hundred fifty by an employer to or on behalf of an individual performing services for it or his beneficiary (i) from or to a trust exempt from tax under section 165 (a) of the Federal Internal Revenue Code at the time of such payment unless such payment is made to an individual performing services for the trust as remuneration for such services and not as a beneficiary of the trust or (ii) under or to an annuity plan which at the time of such payments meets the requirements of section 165 (a) (3) (4) (5) and (6) of the Federal Internal Revenue Code

\* \* \* \* \*

(z.5) "Average Annual Payroll" means the average of the last three or five consecutive "annual payrolls" of any employer whichever is the lesser

Section 2 Subsection (a) of section two hundred one of said act as so lettered by the act approved the twentieth day of June one thousand nine hundred forty-seven (P. L. 721) is hereby amended to read as follows

Section 201 General Powers and Duties of Department (a) It shall be the duty of the department to administer and enforce this act through such employment service and public employment offices as have been or may be constituted in accordance with the provisions of this act and existing laws It shall have power and authority to adopt amend and rescind such rules and regulations require such reports from employers employes the board and from any other person deemed by the department to be effected by this act make such investigations and take such other action as it deems necessary or suitable Such rules and regulations shall not be inconsistent with the provisions of this act and shall be effective in the manner the department shall prescribe The department shall submit to the Governor a biennial report covering the administration and operation of this act and shall make such recommendations for amendments to this act as it deems proper The department shall also prepare and present to the Governor on or before the thirty-first day of December of each year an actuarial evaluation of the financial operations of the unemployment compensation program together with its findings and recommendations for developing and improving solvency of the fund and adjusting and regulating income and disbursements in the fields of contributions and benefits Such report shall include the presentation of the current economic trends statistics and analyses on which the evaluation is based

Section 3 Subsection (e) of section two hundred three of said act as last amended by the act approved the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1738) is hereby further amended to read as follows

Section 203 Unemployment Compensation Board of Review

\* \* \* \* \*

(e) The Governor shall appoint and fix the compensation of such referees as may be deemed necessary with power to take testimony in any appeals coming before the board. Such appointment shall be subject to the provisions of the act approved the fifth day of August one thousand nine hundred forty-one (P. L. 752) Provided That any person who on the first day of July one thousand nine hundred fifty-one was employed as a referee and as of said date shall have completed one or more years of satisfactory service in such position may make application to the Civil Service Commission prior to the first day of October one thousand nine hundred fifty-one for appointment as a referee under the regular classified service and notwithstanding any provisions of said act or any other act to the contrary upon finding by said commission that he or she possesses the minimum qualifications therefor shall be so appointed It shall be the duty of a referee under the supervision direction and administrative control of the board to hear and decide disputes in accordance with the provisions of this act and to conduct such other and further hearings in connection with the foregoing as may be required by the board

Section 4 Section two hundred nine of said act as added by the act approved the twenty-third day of April one thousand nine hundred forty-two (P. L. 60) is hereby amended to read as follows

Section 209 Obsolete Files Records etc [The provisions of section five hundred twenty-four of the Administrative Code of 1929 as amended to the contrary notwithstanding the department may with the approval of the Executive Board discard such files of correspondence reports records or other papers compiled or accumulated in the administration of this act as it shall deem to be obsolete Provided That contribution reports of employers shall be retained for a period of two years from date of filing] The department may cause to be made such summaries compilations photographs duplications or reproductions of any records reports or transcripts thereof as it may deem advisable for the effective and economical preservation of the information contained therein and such summaries compilations photographs duplications or reproductions duly authenticated shall be admissible in any proceedings under this act if the original record or records would have been admissible therein

The provisions of section five hundred twenty-four of the Administrative Code of one thousand nine hundred twenty-nine as amended to the contrary notwithstanding the department may provide by regulation for the destruction after reasonable periods of any records reports transcripts other papers in its custody or reproductions thereof the preservation of which is no longer necessary for the establishment of contribution liability or of benefit rights or for any other purpose necessary to the proper administration of this act including any required audit thereof Provided That contribution reports of employers shall be retained for a period of at least two years from the date of filing

Section 5 Said act is hereby amended by adding after section two hundred nine a new section to read as follows

Section 210 Reciprocal Arrangements with Foreign Governments To the extent permissible under the laws and constitution of the United States the department is authorized to enter into or cooperate in arrangements whereby facilities and services provided under this act and facilities and services provided under the unemployment compensation law of any foreign government may be utilized for the taking of claims and the payment of benefits under this law or under a similar law of such government and to enter into arrangements of the character provided in this section with the agency of a foreign government administering an unemployment compensation law

Section 6 Subsections (a) (b) (c) (d) (e) (i) and (j) of section three hundred one of said act as last amended by the act approved the twenty-sixth day of May one thousand nine hundred forty-nine (P. L. 1854) are hereby further amended to read as follows

Section 301 Contributions by Employers Experience Rating

(a) Each employer shall pay contributions with respect to the calendar year one thousand nine hundred [forty-nine] fifty-one and each calendar year thereafter at a rate equal to two and seven-tenths per centum of wages paid by him for employment Provided however That such rate shall be adjusted between a minimum rate of [five-tenths] three-tenths of one per centum and a maximum rate of two and seven-tenths per centum in accordance with the following provisions of this section [if with respect to the adjustment of rate for the year one thousand nine hundred forty-nine the employer has paid contributions under this act for one or more quarters in each of the five calendar years immediately preceding such year and with respect to the adjustment of rates for the year one thousand nine hundred fifty and thereafter] as hereby amended if the employer has paid contributions under this act for one or more quarters in each of the three twelve-month periods ending on the computation date for the year for which the rate is applicable and has also paid contributions under this act for one or more of the first four of the last five calendar quarters immediately preceding such three twelve month periods And



provided further however that no employer's rate of contribution for any calendar year shall be less than two and seven-tenths per centum unless all his contributions due on wages paid to the end of the second calendar quarter of the preceding calendar year together with interest and penalties due thereon have been paid by the thirty-first day of July of such preceding calendar year except that an employer who has timely filed an appeal as provided in subsection (e) of this section and who has been determined ineligible to receive a reduced rate solely on the basis that he has not paid all contributions interest and penalties within the time limits as required in this subsection shall have his rate redetermined and shall not be considered ineligible under this subsection if payment of such delinquent contributions interest and penalties is made within thirty days after the department has notified the employer of the reason for his ineligibility for rate reduction in response to the appeal filed by the employer under subsection (e)

\* \* \* \* \*

(b) Each employer with respect to any period prior to the first day of January one thousand nine hundred [forty-nine] fifty-one shall be liable for contributions in accordance with the provisions of this act applicable to each period in effect prior to such date and for these purposes such provisions shall remain in force and effect

(c) The rate of contribution payable by an employer entitled to an adjustment as herein provided shall be as follows

(a) When as of the computation date there is a credit balance in such employer's reserve account which balance shall include (1) contributions with respect to the period ending on the computation date and paid on or before July thirty-one immediately following such computation date (2) benefits paid on or before computation date and shall also include any voluntary payments made in accordance with subsection (g) of Section 302 of this act his contribution rate shall be as set forth in the following table

[Employer Percentage

(Each Percentage Shown Includes the Fractional Percentages Between Such Percentage and the Immediately Higher Percentage]

State Percentage	9 or More	8	7	6	5	4	Less Than 4
9.1% or more	.5	.7	1.0	1.5	2.0	2.5	2.7
8.9 and less than 9.1	.5	.7	1.2	1.7	2.2	2.7	2.7
8.7 and less than 8.9	.5	.9	1.4	1.9	2.4	2.7	2.7
8.5 and less than 8.7	.6	1.1	1.6	2.1	2.6	2.7	2.7
8.3 and less than 8.5	.8	1.3	1.8	2.3	2.7	2.7	2.7
8.1 and less than 8.3	1.0	1.5	2.0	2.5	2.7	2.7	2.7
7.9 and less than 8.1	1.2	1.7	2.2	2.7	2.7	2.7	2.7
7.7 and less than 7.9	1.4	1.9	2.4	2.7	2.7	2.7	2.7
7.5 and less than 7.7	1.6	2.1	2.6	2.7	2.7	2.7	2.7
7.3 and less than 7.5	1.8	2.3	2.7	2.7	2.7	2.7	2.7
7.1 and less than 7.3	2.0	2.5	2.7	2.7	2.7	2.7	2.7
6.9 and less than 7.1	2.2	2.7	2.7	2.7	2.7	2.7	2.7
6.7 and less than 6.9	2.4	2.7	2.7	2.7	2.7	2.7	2.7
6.5 and less than 6.7	2.6	2.7	2.7	2.7	2.7	2.7	2.7
Less than 6.5	2.7	2.7	2.7	2.7	2.7	2.7	2.7]

Each Employer Percentage Shown Includes the Fractional Percentage Between Such Percentage and the Immediately Higher Percentage

Fund Bal. 10 or ance More	9.5	9	8.5	8	7.5	7	6.5	6	5.5	5	4.5	4	Less Than 4	
(A)	.5	.5	.5	.6	.7	.9	1.0	1.3	1.5	1.8	2.0	2.3	2.5	2.7
(B)	.6	.6	.7	.8	.9	1.1	1.2	1.5	1.7	2.0	2.2	2.5	2.7	2.7
(C)	.7	.8	.9	1.0	1.1	1.3	1.4	1.7	1.9	2.2	2.4	2.7	2.7	2.7

As used in the foregoing table the term "Employer Percentage" means the ratio of the balance in an employer's reserve account to his average annual payroll and the term ["State Percentage"] "Fund Balance" means the

[ratio of the] balance [as of July thirty-first immediately following such compensation date] in the Pennsylvania Unemployment [Trust] Compensation Fund [to the credit of the Commonwealth of Pennsylvania] at the end of any calendar quarter as recorded on the records of the department [to the aggregate average annual payrolls of all employers]

An employer's rate of contribution on wages paid during each calendar quarter shall be the rate specified in the column beneath his "Employer Percentage" which is on the horizontal line opposite

(1) Fund Balance (A) if the balance at the end of the immediately preceding calendar quarter was not less than four hundred twenty million dollars (\$420,000,000) or

(2) Fund Balance (B) if the balance at the end of the immediately preceding calendar quarter was not less than three hundred forty million dollars (\$340,000,000) or

(3) Fund Balance (C) if the balance at the end of the immediately preceding calendar quarter was not less than two hundred fifty million dollars (\$250,000,000)

Provided That if the balance at the end of the immediately preceding calendar quarter was less than two hundred fifty million dollars (\$250,000,000) or one and one-half times the highest amount paid out for compensation less any refunds during any twelve (12) consecutive months within the last one hundred twenty (120) consecutive months whichever amount is greater then all employers' rates of contribution on wages paid during the next calendar quarter shall be two and seven-tenths per centum And provided further That if the balance at the end of the immediately preceding calendar quarter was equal to or in excess of six hundred seventy million dollars (\$670,000,000) then the rate of contribution on wages paid during the next calendar quarter for any employer having an "Employer Percentage" of four per centum or more shall be two-tenths of one per centum less than the rate of contribution specified in the column beneath his "Employer Percentage" which is on the horizontal line opposite Fund Balance (A) in the foregoing table And provided further however That in no case shall the rate of any employer exceed two and seven-tenths per centum or be less than [five-tenths] three-tenths of one per centum

(d) Successor-in-interest Where an employer subsequent to the thirtieth day of June one thousand nine hundred and forty-nine transfers his or its organization trade or business in whole or in part to a successor-in-interest such successor-in-interest may prior to the end of the calendar year subsequent to the calendar year in which the transfer occurred make application for transfer of the whole or appropriate part of the experience record of the preceding employer to the successor-in-interest including credit for the years during which contributions were paid by the preceding employer Provided however Where such transfer involves only a part of such organization trade or business of the preceding employer the department shall transfer the appropriate part of such experience record of the preceding employer only if such preceding employer has joined in such application and has filed with the department such supporting schedules or other information with respect to such experience record as the department may require If the application for such transfer is filed in accordance with the rules and regulations of the department [and within the time limits prescribed therein] the department may allow such transfer only if all contributions interest and penalties owing by the predecessor have been or are paid [it] and the department finds that the employment experience of the preceding employer with respect to the organization trade or business or part thereof as the case may be which has been transferred may be considered indicative of the future employment experience of the successor-in-interest In the event of a part transfer of an employers organization trade or business only such portion of the experience record of the preceding employer as such employer's wages for the last calendar year's annual payroll of the organization trade or business transferred bears to his total annual payroll for such last calendar year shall be transferred and credit shall be given to the successor-in-interest only



for the years during which contributions were paid by the preceding employer with respect to that part of the organization trade or business transferred. A transfer of a reserve account balance in whole or in part having been applied for and approved by the department the preceding employer [hereafter] shall not be entitled to consideration for an adjusted rate for the calendar year following the date of transfer and for subsequent calendar years based upon his reserve account balance which has been thus transferred.

A preceding employer or successor-in-interest who prior to the transfer was an employer during the calendar year in which the transfer occurred shall not have his rate of contribution adjusted under the provisions of this subsection for the remainder of such year. A successor-in-interest who prior to the transfer was not an employer during the calendar year in which the transfer occurred and who has made application for a transfer which has been approved by the department as provided herein and who together with his predecessor has paid contribution for the period required under subsection (a) of section three hundred one with respect to the organization trade or business or part thereof which has been transferred shall be assigned the same rate of contribution as the preceding employer for the remainder of such year after which his rate of contribution shall be determined on the basis of the balance in the reserve account which has been combined with any other reserve account which such successor-in-interest may have acquired.

(e) (1) The department at least once during each calendar quarter shall furnish each employer with a notice showing the amount of compensation paid during the preceding calendar quarter and charged to such employer's account including the names of the claimants the weeks for which compensation was paid and the amount of compensation charged. All questions involving the eligibility of a claimant to receive compensation [shall be] which have been resolved with notice to the employer as provided under section five hundred one of this act shall remain final and such eligibility may not be directly contested by an employer under the provisions of this section. However any determination of eligibility or allowance of benefits as to which the employer was not furnished notice under the provisions of section five hundred one of this act shall become final unless a protest contesting such determination is filed by the employer with the department within one hundred twenty (120) days from the date of the mailing of notice under the provisions of this subsection. Where such protest has been filed the department shall proceed in accordance with the provisions of section five hundred one and furnish the employer with notice of its determination or allowance. The clerical accuracy of the notice provided under the provisions of this subsection may not be contested by an employer in connection with any future appeal by the employer from the rate of contribution assigned to him unless within [sixty] one hundred and twenty days from the date of mailing of such notice the employer files with the department a protest in writing contesting the clerical accuracy of such notice and setting forth in detail the item or items to which exception is taken and the reasons therefor. Such period of [sixty] one hundred and twenty days may be extended with the approval of the department upon written application by the employer filed prior to the expiration of such period.

(2) The department shall promptly notify each employer of his rate of contribution for the calendar year determined as provided in this section. The determination of the department of the employer's rate of contribution shall become conclusive and binding upon the employer unless within [thirty] one hundred and twenty days after the mailing of notice thereof to the employer's last known post office address or prior to the expiration of the calendar year to which the notice relates whichever is the greater period the employer files an application for review and redetermination setting forth his reasons therefor [Provided That subject to the provisions of subsection (j) of this section the department at any time on its own

motion may adjust an employer's contribution rate if it finds that such rate is incorrect].

Provided That if the department finds that because of an error of the department it has notified an employer that his rate of contribution is more than the rate to which he is entitled the department shall subject only to the time limitation prescribed in Section 311 for the allowance of refunds to employers adjust the rate of contribution. The department may if it deems the reasons set forth by the employer insufficient to change the rate of contribution deny the application otherwise it shall grant the employer a fair hearing. The employer shall be promptly notified of the denial of his application or of the department's redetermination both of which shall become final and conclusive within thirty days after the mailing of notice thereof to the employer's last known post office address unless the employer shall appeal by petition from the action of the department to the Court of Common Pleas of Dauphin County within such time.

\* \* \* \* \*

(i) For purposes of determining whether or not an employer has paid contributions in order to be eligible for consideration for an adjusted rate an employer who shall have served in the active military or naval service of the United States at any time after the sixteenth day of September one thousand nine hundred forty and prior to the termination of [the present war] World War II and who shall have been discharged or released from active service under conditions other than dishonorable shall be deemed to have paid contributions under this act during any fiscal year ending on the thirtieth day of June any part of which is included in such period of military or naval service. Provided That he has actually paid contributions under this act for one or more quarters in either the fiscal year ending on the thirtieth day of June in which he entered such military service or in the immediately preceding fiscal year ending on the thirtieth day of June. The provisions of this section shall be operative insofar as applicable with respect to an employer who shall have served in the active military or naval service of the United States at any time after the twenty-fourth day of June one thousand nine hundred and fifty and prior to the termination of the present state of emergency.

(j) If the department finds that it has erroneously notified an employer that his rate of contribution is less than the rate to which he is entitled he shall be notified of the revision of his rate and he shall be required to make payment of additional contributions on the basis of the revised rate. Provided That no such additional contribution shall be required unless the employer is notified of his revised rate not later than [one year from the end] December thirty-first of the calendar year to which the rate is applicable unless the department finds that the employer has directly or indirectly contributed to the error. No interest shall be required to be paid in connection with such additional contributions if they are paid within thirty (30) days from the date that the employer is notified of his revised rate.

Section 7 Subsection (f) of section three hundred two of said act as added by the act approved the twenty-sixth day of May one thousand nine hundred forty-nine (P. L. 1854) is hereby amended to read as follows:

Section 302 Establishment and Maintenance of Employer's Reserve Accounts. The department shall establish and maintain for each employer a separate employer's reserve account in the following manner:

\* \* \* \* \*

(f) Subsequent to June thirtieth one thousand nine hundred forty-nine such account shall be charged with all compensation by even dollars paid to each individual who received from such employer wage credits constituting the base of such compensation in the proportion that such wage credits with such employer bears to the total wage credits received by such individual from all employers. Provided That [no compensation shall be charged to such account under the provisions of this subsection (f) if a charge has been made under any other provision of this section to such account with respect to the wages of



the compensated employe upon which such compensation was based] if the department finds that such individual was separated from his most recent work for such employer due to being discharged for willful misconduct connected with such work or due to his voluntarily leaving such work without good cause attributable to his employment thereafter no compensation paid to such individual with respect to any week of unemployment occurring subsequent to such separation which is based upon wages paid by such employer with respect to employment prior to such separation shall be charged to such employer's account under the provisions of this subsection (f) provided such employer has filed a notice with the department in accordance with its rules and regulations. The findings and determinations of the department under this subsection (f) shall be subject to appeal in the manner provided in this act for appeals from determinations of compensation. The provisions of this subsection (f) as hereby amended shall become effective with respect to charges arising out of any benefit year which commences after the thirtieth day of September one thousand nine hundred fifty-one.

Section 8 Section three hundred three of said act is hereby repealed.

Section 9 Section three hundred nine point one of said act as added by the act approved the twenty-third day of April one thousand nine hundred forty-two (P. L. 60) and as last amended by the act approved the thirtieth day of June one thousand nine hundred forty-seven (P. L. 1186) is hereby further amended to read as follows:

Section 309.1 Compromises Where the department is satisfied (1) that the employer is unable to make payment in full of contributions interest and penalties imposed upon him by the law or that it would be inequitable to require the payment in full of delinquent interest and (2) that the employer has acted in good faith the secretary is hereby authorized to compromise delinquent interest and penalties due on any contribution and in the case of any employer that has been adjudged a bankrupt or for whom a receiver has been appointed or a deceased employer for whom an executor or administrator has been designated to compromise the principal of any delinquent contribution as well as interest and penalties thereon. Provided That any compromise of a total delinquent amount in excess of one thousand dollars shall require the approval of the Attorney General.

Section 10 Section three hundred nine point two of said act as added by the act approved the twenty-second day of April one thousand nine hundred forty-nine (P. L. 727) is hereby amended to read as follows:

Section 309.2 Limitations Upon Enforcement of Payment of Contributions Interest and Penalties Notwithstanding any other provisions of this act to the contrary [contributions interest and penalties shall not be deemed to be due and payable under the provisions of this act more than four years after the end of the calendar year in which the wages were paid with respect to which liability for the payment of such contributions interest or penalties as the case may be was based and] no legal action for the collection [thereof] of contributions interest and penalties shall be instituted after the expiration of [such four year period] four years from the end of the calendar year in which the wages were paid with respect to which liability for the payment of such contributions interest or penalties as the case may be was based unless prior to the expiration of such four-year period and with respect thereto (1) an assessment proceeding shall have been instituted pursuant to the provisions of section three hundred four of this act or (2) an action shall have been instituted pursuant to the provisions of section three hundred nine of this act or (3) a lien shall have been entered pursuant to the provisions of section three hundred eight point one of this act. Provided That the provisions of this section shall not apply where an employer by willful failure or refusal to file a report with the department or to include in any report all wages which he has paid or otherwise has attempted to avoid or reduce liability for the payment of contributions.

Section 11 Section three hundred ten of said act as amended by the act approved the twenty-third day of April one thousand nine hundred forty-two (P. L. 60) is hereby further amended to read as follows:

Section 310 Priorities Under Legal Dissolutions and Distributions In the event of any distribution of an employer's assets pursuant to an order of any court under the laws of this Commonwealth including any receivership assignment for benefit of creditors adjudicated insolvency composition or similar proceeding contributions or installments thereof or interest thereon then or thereafter due shall be paid in full prior to all other claims except taxes claims arising under The Workmen's Compensation Act of one thousand nine hundred fifteen and its amendments and supplements and claims for wages of not more than two hundred and fifty dollars to each claimant earned within six months of the commencement of the proceedings. In the event of an employer's adjudication in bankruptcy judicially confirmed extension proposal or composition under the Federal Bankruptcy Act of one thousand eight hundred ninety-eight as amended contributions and interest then or thereafter due shall be entitled to such priority as are now or may hereafter be granted to taxes due to a state under the said federal bankruptcy act or its amendments.

No sheriff receiver trustee assignee master or other officer shall sell the property or franchises of any corporation or similar entity unincorporated association co-partnership or individual without first filing with the Department of Labor and Industry not less than ten (10) days prior to such sale a statement containing the following information: (a) name or names of the plaintiff or party at whose instance or upon whose account the sale is made (b) the name of the corporation or similar entity unincorporated association co-partnership or individual whose property or franchise is to be sold (c) the time and place of sale and (d) the nature of the property to be sold and the location of the same.

Section 12 Section three hundred eleven of said act as last amended by the act approved the twenty-ninth day of May one thousand nine hundred forty-five (P. L. 1145) is hereby further amended to read as follows:

Section 311 Refunds and Adjustments If any individual or organization shall make application for refund or credit of any amount paid as contribution interest or penalties under this act and the department shall determine that such amount or any portion thereof was erroneously collected the department may at its discretion either allow a credit therefor without interest in connection with subsequent contribution payments or shall refund from the Unemployment Compensation Fund without interest the amount erroneously paid. Provided That an amount equal to any refund or credit of interest and penalties allowed as provided herein shall be transferred from the Special Administration Fund to the Unemployment Compensation Fund irrespective of whether such interest or penalties were paid into the Unemployment Compensation Fund or into the Special Administration Fund. No refund or credit shall be allowed with respect to a payment as contributions interest or penalties unless an application therefor shall be made on or before whichever of the following dates shall be the later: (a) one year from the date on which such payment was made or (b) four years from the [last day] reporting due date of the reporting period with respect to which such payment was made. For a like cause and within the same period a refund may be so made or a credit allowed on the initiative of the department.

An amount paid as contribution interest or penalties shall not be deemed to have been erroneously collected within the meaning of this section if such amount was collected under and pursuant to a notice of contribution rate or a notice of assessment which because of the applicant's failure to file a timely appeal therefrom shall have become binding and final against the applicant under the provisions of this act. Provided That nothing contained herein shall be construed as prohibiting the department from granting within the period prescribed herein a refund of contribution interest or penalties.



erroneously collected due to an error of the department

Section 13 Section four hundred one of said act as last amended by the act approved the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1738) is hereby further amended to read as follows

Section 401 Qualifications Required to Secure Compensation Compensation shall be payable to any employee who is or becomes unemployed and who

(a) Has within his base year been paid wages for employment equal to not less than thirty (30) times his weekly benefit rate

(b) Has registered for work at and thereafter continued to report at an employment office in accordance with such regulations as the secretary may prescribe except that the secretary may by regulation waive or alter either or both of the requirements of this clause as to individuals attached to regular jobs and as to such other types of cases or situations with respect to which he finds that compliance with such requirements would be oppressive or would be inconsistent with the purposes of the act Provided however That no such regulation shall conflict with section four hundred and one (c) of this act

(c) Has made a valid application for benefits with respect to the benefit year for which compensation is claimed and has made a claim for compensation in the proper manner and on the form prescribed by the department

(d) Is able to work and available for suitable work [and]

(e) Has been unemployed for a waiting period of one week No week shall be counted as a week of unemployment for the purposes of this subsection (1) unless it occurs within the benefit year which includes the week with respect to which such employee claims compensation or (2) if compensation has been paid or is payable with respect thereto or (3) unless the employee was eligible for compensation with respect thereto under all other provisions of this section and was not disqualified with respect thereto under Section 402 (a) (b) (c) (d) (e) and (f) and

(f) Has subsequent to his voluntarily leaving work without good cause or to his discharge or suspension from work for willful misconduct connected with his work been paid remuneration for services in an amount equal to or in excess of eight (8) times his weekly benefit rate

Section 15 Subsections (d) (e) and (f) of section four hundred four of said act as last amended by the act approved the fourteenth day of May one thousand nine hundred forty-nine (P. L. 1355) are hereby amended to read as follows

Section 404 Rate and Amount of Compensation Compensation shall be paid to each eligible employee in accordance with the following provisions of this section except that compensation payable with respect to weeks ending in benefit years which begin prior to the first day of [July] October one thousand nine hundred [forty-nine] fifty-one shall be paid on the basis of the provisions of this section in effect at the beginning of such benefit years

\* \* \* \* \*

(d) [Each] Notwithstanding any other provisions of this section each eligible employee who is unemployed with respect to any week ending subsequent to the effective date of this act shall be paid with respect to such week compensation in an amount equal to his weekly benefit rate less (1) that part of the remuneration if any paid or payable to him with respect to such week which is excess of [three dollars (\$3.00)] five dollars (\$5.00) and (2) the amount of any pension or retirement payment paid or payable to him with respect to such week from any fund annuity or insurance which is financed in whole or in part by payments or premiums paid by a base year employer [such] Such compensation if not a multiple of one dollar (\$1.00) shall be computed to the next higher multiple of one dollar (\$1.00) Provided That if at the end of any calendar quarter the balance in the Unemployment Trust Fund to the credit of Pennsylvania is less than one and one-half times the highest amount paid out for compensation less any refunds during any twelve consecutive

months the maximum amount of compensation payable to any employee for a week of unemployment ending during the next calendar quarter shall not be in excess of twenty dollars (\$20.00)

(e) Any otherwise eligible employee shall be entitled during his benefit year to an amount equal to his weekly benefit rate multiplied by the number which appears at the top of a column under "Part C" to be ascertained by locating one the same horizontal line in which his weekly benefit rate appears the [interval which includes] maximum amount which does not exceed the total wages paid to him during his base year Provided That if at the end of any calendar quarter the balance of the Unemployment Trust Fund to the credit of Pennsylvania is less than one and one-half times the highest amount paid out for compensation less any refunds during any twelve consecutive months no employee shall be paid compensation with respect to weeks of unemployment ending during the next calendar quarter in an amount which together with any amounts previously paid with respect to the same benefit year would be in excess of twenty times the employee's weekly benefit rate or four hundred dollars (\$400) whichever is the lesser

(f) For purposes of this section and of section four hundred one (a) wages paid with respect to employment performed under Shipping Articles shall be considered as having been paid in the respective calendar quarters in which the services of the employee were being performed

#### Tables Specified for the Determination of Rate and Amount of Benefits

(Section 404 Pennsylvania Unemployment Compensation Law)

Part A Highest Quar- terly Wages	Part B Weekly Bene- fit Rate	Part C Base Year Wages			
		9	10	11	12
\$60-212	\$8	\$240-265	\$266-293	\$294-321	\$322-349
213-237	9	270-298	299-330	331-361	362-393
238-262	10	300-332	333-367	368-402	403-437
263-287	11	330-365	366-403	404-442	443-480
288-312	12	360-398	399-440	441-482	483-524
313-337	13	390-431	432-476	477-522	523-567
338-362	14	420-464	465-513	514-562	563-611
363-387	15	450-498	499-550	551-603	604-655
388-412	16	480-531	532-587	588-643	644-699
413-437	17	510-564	565-624	625-683	684-743
438-462	18	540-598	599-661	662-724	725-787
463-487	19	570-632	633-698	699-765	766-831
488-512	20	600-665	666-735	736-805	806-875
513-537	21	630-698	699-771	772-845	846-918
538-562	22	660-731	732-808	809-885	886-962
563-587	23	690-764	765-845	846-925	926-1006
588-612	24	720-798	799-882	883-966	967-1050
613 or more	25	750-831	832-918	919-1006	1007-1093]

Part A Highest Quar- terly Wages	Part B Weekly Bene- fit Rate	Part C Base Year Wages			
		13	14	15	16
\$60-212	\$8	\$350-377	\$378-405	\$406-433	\$434-461
213-237	9	394-424	425-456	457-487	488-519
238-262	10	438-472	473-507	508-542	543-577
263-287	11	481-519	520-557	558-596	597-634
288-312	12	525-566	567-608	609-650	651-692
313-337	13	568-613	614-658	659-704	705-749
338-362	14	612-660	661-709	710-758	759-807
363-387	15	656-708	709-760	761-813	814-865
388-412	16	700-755	756-811	812-867	868-923
413-437	17	744-802	803-862	863-921	922-981
438-462	18	788-850	851-913	914-976	977-1039
463-487	19	832-898	899-964	965-1031	1032-1097
488-512	20	876-945	946-1015	1016-1085	1086-1155
513-537	21	919-992	993-1065	1066-1139	1140-1212
538-562	22	963-1039	1040-1116	1117-1193	1194-1270
563-587	23	1007-1086	1087-1167	1168-1247	1248-1328



588-612	24	1051-1134	1135-1218	1219-1302	1303-1386
613 or more	25	1094-1181	1182-1268	1269-1356	1357-1443]

[Part A Highest Quar- terly Wages	Part B Benefit Rate	Part C Base Year Wages			
		17	18	19	20
\$60-212	\$8	\$462-489	\$490-517	\$518-545	\$546-573
213-237	9	520-550	551-582	583-613	614-645
238-262	10	578-612	613-647	648-682	683-717
263-287	11	635-673	674-711	712-750	751-788
288-312	12	693-734	735-776	777-818	819-860
313-337	13	750-795	796-840	841-886	887-931
338-362	14	808-856	857-905	906-954	955-1003
363-387	15	866-918	919-970	971-1023	1024-1075
388-412	16	924-979	980-1035	1036-1091	1092-1147
413-437	17	982-1040	1041-1100	1101-1159	1160-1219
438-462	18	1040-1102	1103-1165	1166-1228	1229-1291
463-487	19	1098-1164	1165-1230	1231-1297	1298-1363
488-512	20	1156-1225	1226-1295	1296-1365	1366-1435
513-537	21	1213-1286	1287-1359	1360-1433	1434-1506
538-562	22	1271-1347	1348-1424	1425-1501	1502-1578
563-587	23	1329-1408	1409-1489	1490-1569	1570-1650
588-612	24	1387-1470	1471-1554	1555-1638	1639-1722
613 or more	25	1444-1531	1532-1618	1619-1706	1707-1793]

[Part A Highest Quar- terly Wages	Part B Benefit Rate	Part C Base Year Wages			
		21	22	23	24
\$60-212	\$8	\$574-601	\$602-629	\$630-567	\$658 or more
213-237	9	646-676	677-708	709-739	740 or more
238-262	10	718-752	753-787	788-822	823 or more
263-287	11	789-827	828-865	866-904	905 or more
288-312	12	861-902	903-944	945-986	987 or more
313-337	13	932-977	978-1022	1023-1068	1069 or more
338-362	14	1004-1052	1053-1101	1102-1150	1151 or more
363-387	15	1076-1128	1129-1180	1181-1233	1234 or more
388-412	16	1148-1203	1204-1259	1260-1315	1316 or more
413-437	17	1220-1278	1279-1338	1339-1397	1398 or more
438-462	18	1292-1354	1355-1417	1418-1480	1481 or more
463-487	19	1364-1430	1431-1496	1497-1563	1564 or more
488-512	20	1436-1505	1506-1575	1576-1645	1646 or more
513-537	21	1507-1580	1581-1653	1654-1727	1728 or more
538-562	22	1579-1655	1656-1732	1733-1809	1810 or more
563-587	23	1651-1730	1731-1811	1812-1891	1892 or more
588-612	24	1723-1806	1807-1890	1891-1974	1975 or more
613 or more	25	1794-1881	1882-1968	1969-2056	2057 or more]

Part A Highest Quar- terly Wages	Part B Benefit Rate	Part C Minimum Base Year Wages						
		13	14	15	16	17	18	19
\$120-262	\$10	300	333	368	403	439	476	514
263-287	11	330	367	404	443	483	524	565
288-312	12	360	400	441	484	527	571	616
313-337	13	390	433	478	524	571	619	668
338-362	14	420	467	515	564	615	667	719
363-387	15	450	500	551	605	659	714	770
388-412	16	480	533	588	645	703	762	822
413-437	17	510	567	625	685	747	810	873
438-462	18	540	600	662	725	791	857	924
463-487	19	570	633	699	766	835	905	976
488-512	20	600	667	735	806	879	952	1027
513-537	21	630	700	772	846	922	1000	1078
538-562	22	660	733	809	887	966	1048	1130
563-587	23	690	767	846	927	1010	1095	1181
588-612	24	720	800	882	967	1054	1143	1232
613-637	25	750	833	919	1008	1098	1190	1284
638-662	26	780	867	956	1048	1142	1238	1335
663-687	27	810	900	993	1088	1186	1286	1386
688-712	28	840	933	1029	1128	1230	1333	1438
713-737	29	870	967	1066	1169	1274	1381	1489
738 or more	30	900	1000	1103	1209	1318	1429	1541

Part A Highest Quar- terly Wages	Part B Benefit Rate	Part C Minimum Base Year Wages							
		20	21	22	23	24	25	26	
\$120-262	\$10	551	588	625	661	696	729	760	
263-287	11	606	647	687	727	765	802	836	
288-312	12	661	706	750	793	835	875	912	
313-337	13	716	765	812	859	904	948	988	
338-362	14	771	824	875	925	974	1020	1064	
363-387	15	826	882	937	991	1043	1093	1140	
388-412	16	882	941	1000	1057	1113	1166	1216	
413-437	17	937	1000	1062	1124	1183	1239	1292	
438-462	18	992	1059	1125	1190	1252	1312	1368	
463-487	19	1047	1118	1187	1256	1322	1385	1444	
488-512	20	1102	1176	1250	1322	1391	1458	1520	
513-537	21	1157	1235	1312	1388	1461	1531	1596	
538-562	22	1212	1294	1375	1454	1530	1603	1673	
563-587	23	1267	1353	1437	1520	1600	1676	1749	
588-612	24	1322	1412	1500	1586	1670	1749	1825	
613-637	25	1377	1471	1562	1652	1739	1822	1901	
638-662	26	1433	1528	1625	1718	1809	1895	1977	
663-687	27	1488	1588	1687	1784	1878	1968	2053	
688-712	28	1543	1647	1750	1851	1948	2041	2129	
713-737	29	1598	1706	1812	1917	2017	2114	2205	
738 or more	30	1653	1765	1875	1983	2087	2187	2281	

Section 15 Section four hundred seven of said act as added by the act approved the twenty-third day of April one thousand nine hundred forty-two (P. L. 60) and as last amended by the act approved the twenty-ninth day of May one thousand nine hundred forty-five (P. L. 1145) is hereby further amended to read as follows

Section 407 Compensation to Members of the Armed Forces An individual who shall have served in the active military or naval service of the United States at any time after the sixteenth day of September one thousand nine hundred and forty and prior to the termination of [the present war] World War II or who shall have served in the active military or naval service of the United States at any time after the twenty-fourth day of June one thousand nine hundred fifty and prior to the termination of the present emergency and who shall have been discharged or released from active service under conditions other than dishonorable after active service of ninety days or more or by reason of an injury or disability incurred in service in line of duty shall be entitled to payment of compensation [as provided in section four hundred four (c) (d) and (e) with respect to an employee who has been paid wages during his base year of one thousand three hundred sixty-six dollars (\$1366) or more and whose highest quarterly wages during such base year have been four hundred eighty-eight dollars (\$488) or more] in the maximum amount and for the maximum duration provided in this act Provided That (a) such individual (i) was employed in employment as defined in section 4 (1) at some time during the one-year period immediately preceding the date on which he entered active military or naval service (ii) makes application for benefits under the provisions of this section in the proper manner and on the form prescribed by the department (iii) makes claim for compensation in the proper manner and on the form prescribed by the department with respect to employees making claim for compensation under the provisions of other sections of this act (iv) is qualified under the provisions of section four hundred one (b) (d) and (e) (v) is not ineligible under the provisions of section four hundred two and (vi) has exhausted all rights to which he may be entitled under [Title V of the Act of Congress known as the "Service-men's Readjustment Act of 1944"] the provisions of any act of Congress which provide for the payment of compensation with respect to unemployment and Provided further That any amount of compensation paid by reason of the provisions of this section shall not be charged against any employer

(b) All claims for compensation filed pursuant to the provisions of this section shall be with respect to weeks ending within the two-year period immediately follow-



ing the date of such individual's discharge or release from active military or naval service

(c) The maximum amount of compensation payable to an individual under the provisions of this section as amended shall be reduced by the amount of compensation if any which has been paid or is payable to such individual under the provisions of this section prior to the effective date of this amendment

(d) No individual who is entitled to compensation under the provisions of this section shall be entitled to compensation under any other provisions of this act with respect to wages paid prior to the date he entered active military or naval service and

(e) [No compensation shall be paid under the provisions of this section with respect to weeks ending on a day more than five years subsequent to the termination of the present year] With respect to claims for compensation based upon active military or naval service subsequent to the sixteenth day of September one thousand nine hundred forty and prior to the termination of World War II no compensation shall be paid under the provisions of this section with respect to weeks ending on the day more than five years subsequent to the termination of World War II With respect to claims for compensation based upon active military or naval service subsequent to the twenty-fourth day of June one thousand nine hundred fifty and prior to the termination of the present state of emergency no compensation shall be paid under the provisions of this section with respect to weeks ending on a day more than five years subsequent to the termination of the present state of emergency

Section 16 Section five hundred two of said act as last amended by the act approved the twenty-sixth day of May one thousand nine hundred forty-nine (P. L. 1854) is hereby further amended to read as follows

Section 502 Decision of Referee Further Appeals and Reviews Where an appeal from the determination or revised determination as the case may be of the department is taken a referee shall after affording the parties and the department reasonable opportunity for a fair hearing affirm modify or reverse such findings of fact and the determination or revised determination as the case may be of the department as to him shall appear just and proper The parties and the department shall be duly notified of the referee's decision and the reasons therefor which shall be deemed the final decision of the board unless within ten days after the date of such decision the board acts on its own motion or upon application permits any of the parties or the department to institute a further appeal before the board A memorandum of testimony of any hearing before any referee shall be made and be preserved for a period of two years [Notwithstanding any other provisions of this act to the contrary with any appeal or further appeal filed by an employer with the board the employer shall be required to pay a filing fee in an amount which under rules and regulations adopted by the board shall be determined to be reasonably representative of the costs incident to such appeal Provided That such fee shall be refunded if the claimant is finally denied benefits or awarded benefits in an amount less than the amount of the award from which the appeal was taken Such fees shall be deposited in the Special Administration Fund and all refunds as provided herein shall be made from such fund]

Section 17 Section five hundred four of said act as amended by the act approved the twenty-third day of April one thousand nine hundred forty-two (P. L. 60) is hereby further amended to read as follows

Section 504 Powers of Board over Claims The board shall have power on its own motion or an appeal to remove transfer or review any claim pending before or decided by a referee and in any such case and in cases where a further appeal is allowed by the board from the decision of a referee may affirm modify or reverse the determination or revised determination as the case may be of the department or referee on the basis of the evidence previously submitted in the case or direct the taking of additional evidence When any claim pending before a referee is removed or transferred to the board the board

shall afford the parties and the department reasonable opportunity for a fair hearing The parties and the department shall be duly notified of the board's final decision and the reasons therefor A complete record shall be kept of each case heard before the board All testimony at any hearing before the board whether on appeal or otherwise shall be taken by a reporter but need not be transcribed unless the disputed claim is further appealed

Section 18 Section five hundred ten of said act is hereby amended to read as follows

Section 510 Appeals to Superior Court An appeal to the Superior Court may be taken by the department or by any party claiming to be aggrieved but only after [he] such appellant has exhausted [his] its remedies before the board In any such appeal the board shall be made the party defendant Every appeal to the Superior Court must be taken within thirty days after the decision of the referee or board becomes final The appeal shall be by petition and shall state the grounds upon which a judicial review is sought A copy of such appeal petition shall be served upon a member or agent of the board and sufficient additional copies shall be left with the board to enable the board to furnish a copy to every party in interest in the proceeding who has not joined in the appeal The board shall file an answer in the Superior Court within thirty days after the petition has been served on it and shall at the same time file with the court certified copies of all documents and papers a record of all testimony taken and all findings of facts and decisions thereon The board may also in its discretion certify to such court questions of law involved in any decision by it

In any appeal to the Superior Court the findings of the board or referee as the case may be as to the facts if supported by the evidence and in the absence of fraud shall be conclusive and in such cases the jurisdiction of the court shall be confined to questions of law and such cases shall be given precedence over all other civil cases except cases arising under the Workmen's Compensation Act of one thousand nine hundred fifteen and its amendments and supplements

Section 19 Sections six hundred one point one and seven hundred two of said act as last amended by the act approved the twenty-sixth day of May one thousand nine hundred forty-nine (P. L. 1854) are hereby further amended to read as follows

Section 601.1 Special Administration Fund There is hereby created a special fund separate and apart from all public moneys or funds of this Commonwealth to be known as the Special Administration Fund Under rules and regulations adopted by the department interest and penalties collected from employers under the provisions of this act [and fees incident to appeals as provided in section five hundred two] may be paid into the Special Administration Fund Such rules and regulations may provide for determining in any manner which payments of interest and penalties are to be paid into the Special Administration Fund and which payments of interest and penalties are to be paid into the Unemployment Compensation Fund There shall also be deposited in the Special Administration Fund moneys as provided in subsection (b) of section two hundred one of this act The moneys in this fund shall be used for the payment of costs of administration which are found not to have been properly and validly chargeable against Federal grants or other funds received for or in the administration fund and also for the purposes authorized in subsection (b) of section two hundred one of this act Said moneys shall not be expended or available for expenditure in any manner which would permit their substitution for or a corresponding reduction in Federal funds which would in the absence of said moneys be available to finance expenditures for the administration of this act Nothing in this section shall prevent said moneys from being used as a revolving fund to cover expenditures necessary and proper under the law for which Federal funds have been duly requested but not yet received subject to the charging of such expenditures against such funds when received The State Treasurer shall make payment of obligations from the Special Administration Fund as herein provided



upon requisition of the secretary and certification by him that no other funds are available or can properly be used to finance such expenditures. The moneys in this fund are hereby specifically made available to replace any moneys received pursuant to section three hundred and two of the Federal Social Security Act as amended which because of any action or contingency have been lost or have been expended for purposes other than or in amounts in excess of those necessary for the proper administration of this act and are available for such replacement whether or not such moneys were expended or the obligations covering such expenditures were incurred prior or subsequent to the enactment of this amendment. The moneys in this fund shall be continuously available for expenditure in accordance with the provisions of this section and shall not lapse at any time or be transferred to any other fund except as herein provided and as provided under [sections] section three hundred eleven and five hundred two wherein an amount equal to any refund or credit of interest or penalties shall be transferred from the Special Administration Fund to the Unemployment Compensation Fund.

**Section 702 Limitation of Fees** No employer or employee shall be charged fees of any kind in any proceeding under this act by the department the board or any of its officers or agents [except as provided in section five hundred two]. Any individual claiming compensation in any proceeding before the department the board or referee may be represented by counsel or other duly authorized agent but no such counsel or agent shall either charge or receive any greater fee for such services than is approved by the board. Any person who violates any provision of this section shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than fifty dollars nor more than five hundred dollars or be imprisoned for not more than six months or both.

**Section 20** Section eight hundred one of said act as last amended by the act approved the thirtieth day of June one thousand nine hundred forty-seven (P. L. 1186) is hereby further amended to read as follows:

**Section 801 False Statements and Representations to Obtain or Increase Compensation** Whoever makes a false statement or representation knowing it to be false or knowingly fails to disclose a material fact to obtain or increase any compensation or other payment under this act or under an employment security law of any other state or of the Federal Government or of a foreign government either for himself or for any other person shall upon conviction thereof in a summary proceeding be sentenced to pay a fine of not less than twenty nor more than fifty dollars or shall be sentenced to imprisonment for not longer than thirty days or both and each such false statement or representation or failure to disclose a material fact shall constitute a separate offense.

**Section 21** Section eight hundred four of said act as last amended by the act approved the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1738) is hereby further amended to read as follows:

**Section 804 Recovery and Recoupment of Compensation** Any person who by reason of his fault has received any sum as compensation under this act to which he was not entitled shall be liable to repay to the Unemployment Compensation Fund to the credit of the Compensation Account a sum equal to the amount so received by him. Such sum shall be collectible (a) in the manner provided in this act for the collection of past due contributions or (b) by deduction from any future compensation payable to the claimant under this act. Provided That no administrative or legal proceedings for the collection of such sum shall be instituted after the expiration of six years following the end of the benefit year with respect to which such sum was paid.

An person who other than by reason of his fault has received with respect to a benefit year any sum as compensation under this act to which he was not entitled shall not be liable to repay such sum but shall be liable to have such sum deducted from any future compensation payable to him with respect to such benefit year or

the one-year period immediately following such benefit year. Provided however That no recoupment from future compensation shall be had if such recoupment would be inequitable and unconscionable.

In determining whether or not recoupment from future compensation would be inequitable or unconscionable the claimant's financial worth shall not be considered.

The claimant and other affected parties shall be notified in writing of the department's determination to deduct any sum from future compensation under this section and such determination shall be subject to appeal in the manner provided in this act for appeals from determinations of compensation.

#### Transition Provisions

**Section 22** After the rate of contribution for each employer has been computed for the calendar year one thousand nine hundred fifty-one under the provisions of section three hundred one of this act as hereby amended an employer whose rate so computed is less than the rate computed for him in accordance with the provisions of this act in effect prior to the effective date of this amendment shall pay contributions with respect to the calendar year one thousand nine hundred fifty-one at the lesser rate.

**Section 23** Notwithstanding any other provision of this act or of the act amended by this act the excess of any contribution paid by any employer with respect to the calendar year one thousand nine hundred fifty-one over the amount determined by the application of his rate of contribution for such year computed under the provisions of section three hundred one of this act as hereby amended shall be deemed to have been erroneously paid and shall be allowed by the department as a credit without interest in connection with subsequent payments of contributions by such employer.

**Section 24** All acts or parts of acts inconsistent herewith are hereby repealed.

**Section 25** This act shall become effective on the first day of October one thousand nine hundred fifty-one and shall apply in the determination of the rates of contributions for the calendar year one thousand nine hundred fifty-one and thereafter.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	Meade,	Stiefel,
Barr,	Holland,	Neff,	Taylor,
Barrett,	Kessler,	Pechan,	Toole,
Berger,	Lane,	Peeler,	Wade,
Blass,	Leader,	Probert,	Wagner,
Byrne,	Letzler,	Robinson,	Walker,
Chapman,	Mahanay,	Rosenfeld,	Watkins,
Crowe,	Mallery,	Ruth,	Watson,
Dent,	McCreesh,	Scarlett,	Wolfe,
Diehm,	McGinnis,	Silvert,	Wood,
DiSilvestro,	McMenamin,	Snowden,	Yosko,
Fleming,	McPherson, Jr.	Stevenson,	Hare,
Freed,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.



## CALENDAR

## BILLS ON CONCURRENCE IN HOUSE AMENDMENTS

## BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 615, on concurrence in House amendments, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways, of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation and providing for refunds;" by increasing annual registration fees for certain commercial motor vehicles, truck tractors, trailers and semitrailers; prescribing additional equipment requirements for certain vehicles; increasing the maximum gross weights and axle loads allowed for certain vehicles; changing the requirements for weighing vehicles and removal of excess loads; and prescribing and changing penalties providing that certain penalties shall be enforced by liens upon vehicles and the sale of such vehicles free of all liens and encumbrances and imposing duties upon operators owners magistrates and sheriffs

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 752, on concurrence in House amendments, entitled:

An Act to further amend the act, approved the twenty-sixth day of June, one thousand nine hundred thirty-one (P. L. 1379), entitled "An act creating in counties of the third class a board for the assessment and revision of taxes; providing for the appointment of the members of such board by the county commissioners; providing for their salaries, payable by the county; abolishing existing boards; defining the powers and duties of such board; regulating the assessment of persons, property, and occupations for county, borough, town, township, school, and poor purposes; authorizing the appointment of subordinate assessors, a solicitor, engineers, and clerks; providing for their compensation, payable by such counties; abolishing the office of ward, borough, and township, assessors, so far as the making of assessments and valuations for taxation is concerned; and providing for the acceptance of this act by cities," by further regulating the assessment and valuation of property for local taxation purposes; further defining the duties of subordinate assessors and the board; changing the time for the preparation and inspection of the assessment roll, and duplicate assessment roll, notice of appeal, and hearings on appeals; prescribing duties of and fees to be collected by municipal officers who issue building permits; imposing duties on taxables; making improvements on land and grantees of land; and prescribing penalties.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

## BILLS ON THIRD READING AND FINAL PASSAGE

## RECALLED FROM THE GOVERNOR

Agreeably to order,

The Senate resumed the third reading and consideration of Senate Bill No. 739, as follows:

An Act providing for the construction by the General State Authority of an addition of a medical and surgical hospital building the the Philadelphia State Hospital on a site heretofore conveyed to it by the Mercy-Douglass Hospital and Authorizing the Department of Property and supplies to sublease said land and building to the Mercy-Douglass Hospital

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 An addition to Philadelphia State Hospital of a Medical and Surgical Hospital Building is hereby authorized to be constructed by The General State Authority on that certain site heretofore conveyed to it by Mercer-Douglass Hospital a corporation organized and existing under the laws of the Commonwealth of Pennsylvania and presently operating as a Medical and Surgical Hospital in the City and County of Philadelphia which site is bounded and described as follows

All that certain tract of land situate in the Fortieth Ward of the City of Philadelphia County of Philadelphia and State of Pennsylvania more fully bounded and described as follows to wit

Beginning at a point being the most southwestern corner of Fiftieth Street and Woodland Avenue thence along the western line of Fiftieth Street south forty degrees thirty-two minutes thirty seconds east two hundred and thirty-six feet to a point thence the following courses and distances south forty-nine degrees twenty-seven minutes thirty seconds west ninety-eight feet north forty degrees thirty-two minutes thirty seconds west one hundred and eleven feet south forty-nine degrees twenty-seven minutes thirty seconds west two hundred and four feet south forty degrees thirty-two minutes thirty seconds east one hundred and eleven feet and south forty-nine degrees twenty-seven minutes thirty seconds west ninety-eight feet to a point along the eastern line of Fifty-first Street as projected thence along the aforesaid line of Fifty-first Street as projected north forty degrees thirty-two minutes thirty seconds west two hundred and thirty-six feet to its intersection with the southern line of Woodland Avenue and thence along Woodland Avenue north forty-nine degrees twenty-seven minutes thirty seconds east four hundred feet to a point the place of beginning

Containing 1.647 acres more or less

Being the same premises which by indenture dated October thirty-first one thousand nine hundred fifty and recorded in the office for recording of deeds in and for the County of Philadelphia in Deed Book CJP No. 2793 Page 37 &c were granted and conveyed by the said Mercy-Douglass Hospital unto The General State Authority absolutely and in fee upon erection construction and completion said hospital building shall be constituted an addition to the Philadelphia State Hospital

Section 2 Upon the erection construction and completion of said hospital building and the leasing thereof by The General State Authority to the Commonwealth of Pennsylvania the Department of Property and Supplies with the approval of the Governor is hereby authorized and directed to sublease for the rental of one dollar (\$1.00) per annum to the Board of Trustees of Mercy-Douglass Hospital said land and hospital building upon such terms and conditions as shall be agreed upon

Section 3 The sublease shall be prepared by the Department of Justice and executed by the Secretary of Property and Supplies with the approval of the Governor



Section 4 During the term of said sublease or any renewal thereof the Mercy-Douglass Hospital shall be subject to the laws of the Commonwealth of Pennsylvania and to the rules and regulations promulgated by any department board or commission of the Commonwealth or any agency governing private non-profit institutions

Section 5 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Bane,	Haluska,	Meade,	Stiefel,
Barr,	Holland,	Neff,	Taylor,
Barrett,	Kessler,	Pechan,	Toole,
Berger,	Lane,	Peelor,	Wade,
Blass,	Leader,	Probert,	Wagner,
Byrne,	Letzler,	Robinson,	Walker,
Chapman,	Mahany,	Rosenfeld,	Watkins,
Crowe,	Mallery,	Ruth,	Watson,
Dent,	McCreesh,	Scarlett,	Wolfe,
Diehm,	McGinnis,	Silvert,	Wood,
DiSilvestro,	McMenamin,	Snowden,	Yosko,
Fleming,	McPherson, Jr.	Stevenson,	Hare,
Freed,			Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate resumed the third reading and consideration of Senate Bill No. 407, as follows:

An Act to further amend the title and section one of the act approved the third day of May one thousand nine hundred and nine (P. L. 424) entitled as amended "An act providing that in all counties of the second third fourth fifth and sixth class advertisements and notices required by law or rules of court to be published in newspapers of general circulation unless dispensed with by special order of court shall be published in the legal newspaper issued at least twice weekly of the proper county designated by rules of court for the publication of court or other legal notices" by extending the provisions of the said act to all counties and further defining publications excepted from its operation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title of the act approved the third day of May one thousand nine hundred and nine (P. L. 424) entitled as amended "An act providing that in all counties of the first second third fourth fifth and sixth class advertisements and notices required by law or rules of court to be published in newspapers of general circulation unless dispensed with by special order of court shall be published in the legal newspaper issued at least weekly of the proper county designated by rules of court for the publication of court or other legal notices" as amended by the act approved the twenty-eighth day of July one thousand nine hundred forty-one (P. L. 521) is hereby further amended to read as follows

#### An Act

Providing that in all counties [of the first second third fourth fifth and sixth class] advertisements and notices required by law or rules of court to be published in newspapers of general circulation unless dispensed with

by special order of court shall be published in the legal newspaper issued at least weekly of the proper county designated by rules of court for the publication of court or other legal notices and providing certain exceptions

Section 2 Section 1 of said act as amended by the act approved the ninth day of April one thousand nine hundred thirty-one (P. L. 20) and as last amended by the act approved the twenty-eighth day of July one thousand nine hundred forty-one (P. L. 521) is hereby further amended to read as follows

Section 1 Be it enacted &c That hereafter in all counties [of the first second third fourth fifth and sixth class] of the Commonwealth ever notice or advertisement required by law or rules of court to be published in one or more newspapers of general circulation unless dispensed with by special order shall also be published in the legal newspaper issued at least weekly in said county designated by rules of court for the publication of court or other legal notices if such newspaper exists Publication in such legal newspaper shall be made as often as required to be made in such newspapers in general circulation and shall be subject to the same stipulations and regulations as those imposed for the like services upon all newspapers Provided That nothing herein contained shall be construed to require the publication in such legal newspapers of municipal ordinances [municipal auditors reports and school district auditors reports or summaries or statements thereof] municipal or county auditors' or controllers' reports school district auditors' or controllers' reports or summaries or statements thereof mercantile appraisers' notice advertising for bids for contracts for public work materials or supplies or lists of delinquent taxpayers and provided further that publication of election notices in legal newspapers shall be governed by the provisions of the Pennsylvania Election Code

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Bane,	Haluska,	Meade,	Stiefel,
Barr,	Holland,	Neff,	Taylor,
Barrett,	Kessler,	Pechan,	Toole,
Berger,	Lane,	Peelor,	Wade,
Blass,	Leader,	Probert,	Wagner,
Byrne,	Letzler,	Robinson,	Walker,
Chapman,	Mahany,	Rosenfeld,	Watkins,
Crowe,	Mallery,	Ruth,	Watson,
Dent,	McMenamin,	Scarlett,	Wolfe,
Diehm,	McPherson, Jr.	Snowden,	Wood,
DiSilvestro,	McCreesh,	Silvert,	Yosko,
Fleming,	McGinnis,	Stevenson,	Hare,
Freed,			Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

### BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 482, as follows:

An Act to amend Section 771 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well



to private and parochial school amending revising consolidating and changing the laws relating thereto" by providing for suitable ceremonies affirming and developing allegiance to the Flag of the United States and our American way of life and organization of government The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 771 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" is hereby amended to read as follows

Section 771 Display of United States Flag Development of Patriotism The board of school directors in each district shall when they are not otherwise provided purchase a United States flag flagstaff and the necessary appliance therefor and shall display said flag upon or near each public school building in clement weather during school hours and at such other times as the board may determine

All boards of school directors all proprietors or principals of private schools and all authorities in control of parochial schools or other educational institutions shall display the United States national flag not less than three feet in length within all school buildings under their control during each day such schools are in session In all public schools the board of school directors shall make all rules and necessary regulations for the care and keeping of such flags The expense thereof shall be paid by the school district

All supervising officers and teachers in charge of public private or parochial schools shall establish and direct the conduct of appropriate daily instruction or ceremonies or in lieu thereof at least one full period per week for the purpose of affirming and developing allegiance to and respect for the Flag of the United States of America and for the promoting of a clear understanding of our American way of life with all of the unparalleled individual opportunities and our republican form of government with its responsiveness to majority decisions and demands Such elements shall be included in this program as instruction in the fundamental principles of our form of government an understanding of the provisions of the Constitution of the Commonwealth of Pennsylvania and the Constitution of the United States of America the values to be found in the freedom of speech of religion and of the press the values to be found in obedience to the laws of the land and the Commonwealth the importance of exercising the right of franchise the obligation of every citizen to stand ready to defend our country at all times from infiltration or aggression by those whose acts and ideologies are contrary to our American philosophy of life

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	Meade,	Stiefel,
Barr,	Holland,	Neff,	Taylor,
Barrett,	Kessler,	Pechan,	Toole,
Berger,	Lane,	Peelor,	Wade,
Blass,	Leader,	Propert,	Wagner,
Byrne,	Letzler,	Robinson,	Walker,
Chapman,	Mahany,	Rosenfeld,	Watkins,
Crowe,	Mallery,	Ruth,	Watson,
Dent,	McCreesh,	Scarlett,	Wolfe,
Diehm,	McGinnis,	Silvert,	Wood,
DiSilvestro,	McMenamin,	Snowden,	Yosko,
Fleming,	McPherson, Jr.	Stevensen,	Hare,
Freed,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 542, as follows:

An Act to amend the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1120) entitled "An act to promote the safety of employes and travelers upon railroads by compelling common carriers by railroad to man locomotive trains and other self propelled engines or machines with competent employes to provide the least number of men that may be employed on locomotive trains and other self propelled engines or machines to provide the qualifications of certain employes and to provide a penalty for the violation thereof and the enforcement thereof by the Public Utility Commission" by further regulating the size of locomotive crews

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1120) entitled "An act to promote the safety of employes and travelers upon railroads by compelling common carriers by railroad to man locomotive trains and other self propelled engines or machines with competent employes to provide the least number of men that may be employed on locomotive trains and other self propelled engines or machines to provide the qualifications of certain employes and to provide a penalty for the violation thereof and the enforcement thereof by the Public Utility Commission" is hereby amended by adding immediately following Section 3 a new section to read as follows

Section 3.1 It shall be unlawful for any carrier to use operate or permit any locomotive to be used or operated in any railroad yard or on any railroad track to handle or switch cars or to transfer cars from one railroad to another or from one railroad yard to another railroad yard unless each and every locomotive while handling or switching cars shall be manned by a crew of competent employes which crew shall consist of not less than one engineer one fireman one yard conductor or foreman and two yard brakemen or helpers No such employe shall be detailed to more than one locomotive at the same time or be assigned to any other service unless his place is filled by another competent employe or the locomotive laid up during the period such employes are otherwise used except that in case of the sudden disability of a member of such crew through sickness accident or death the carrier shall have three hours to replace such member during which time such locomotive may be operated by a less number of employes than is provided herein

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Haluska,	Meade,	Stiefel,
Barr,	Holland,	Neff,	Taylor,
Barrett,	Lane,	Pechan,	Toole,
Berger,	Leader,	Peelor,	Wade,
Blass,	Letzler,	Propert,	Wagner,
Byrne,	Mahanay,	Robinson,	Walker,
Chapman,	Mallery,	Rosenfeld,	Watkins,
Crowe,	McCreesh,	Ruth,	Watson,
Dent,		Scarlett,	Wolfe,



Diehm,  
DiSilvestro,  
Fleming,  
Freed,

McGinnis,  
McMenamin,  
McPherson, Jr.

Silvert,  
Snowden,  
Stevenson,

Wood,  
Yosko,  
Hare,  
Presiding Officer

# NAYS—1

Kessler.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

## BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 652, entitled:

An Act to further amend the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances return benefits and rights from taxation and judicial process and providing penalties" by providing credit for retirement purposes for out-of-state service in certain cases

And said bill having been read at length the third time.

On the question,

Will the Senate agree to the bill on third reading?

Mr. WAGNER. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Sec. 1 (Sec. 11.1), page 3, line 19, by striking out "a like" and inserting in lieu thereof: "an;" Amend Sec. 1 (Sec. 11.1), page 3, line 19, by striking out the word "employer;" Amend Sec. 1 (Sec. 11.1), page 4, line 1, by inserting after the part word "tributions" "of the school district and the Commonwealth."

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

## BILL OVER IN ORDER

Mr. WAGNER. Mr. President, I ask unanimous consent that Senate Bill No. 652, on third reading, go over in its order, as amended.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

## BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1286, entitled:

An Act authorizing the Commonwealth to negotiate temporary emergency loans to defray current and other expenses of the State government during any fiscal biennium evidenced by tax anticipation notes secured by and payable from current revenues of any current biennium

levied assessed collectible and accruing during such fiscal biennium defining the powers and duties of the Governor the Auditor General and the State Treasurer in relation thereto providing for the payment of interest on and the repayment of such loans and making an appropriation

And said bill having been read at length the third time.

On the question,

Will the Senate agree to the bill on third reading?

Mr. WAGNER. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Section 1, page 2, line 13, by striking out at the end of the line after the word "biennium" the following: "Whenever any such;" Amend Section 1, page 2, by striking out lines 14 to 18, inclusive; Amend Section 1, page 3, by striking out lines 1 to 7, inclusive; Amend Section 2, page 3, by inserting between lines 16 and 17 the following new paragraphs: "When such loans evidenced by tax anticipation notes are so issued they shall be offered for sale by the Governor the Auditor General and State Treasurer to the highest and best bidder after due public advertisement and open competitive bidding on such terms and conditions as the Governor, Auditor General and State Treasurer shall direct. The number and character of such advertisement and the times of advertising shall be prescribed by the Governor, the Auditor General and the State Treasurer  
"No commission shall be allowed or paid for the sale of any notes issued under the authority of this act."

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

## BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1286, on third reading, go over in its order, as amended.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1326, on third reading, entitled:

An Act to further amend the act approved the nineteenth day of March one thousand nine hundred nine (P. L. 46) entitled "An act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing of osteopaths in this State and to provide penalties for the violation of this act" by providing for the licensing without examination of persons licensed by the provinces of the Dominion of Canada in certain cases

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

## BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,



The Senate proceeded to the third reading and consideration of House Bill No. 1445, as follows:

An Act to add section three hundred twenty-eight to the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by making it a crime to falsify a material fact or make fraudulent statements in any matter within the jurisdiction of any department board or commission of the Commonwealth and prescribing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" is hereby amended by adding immediately after section three hundred twenty-seven a new section to read as follows

Section 328 Falsification In Matters Within Jurisdiction Of State Agencies Whoever in any matter within the jurisdiction of any department board commission or agency of the Commonwealth of Pennsylvania knowingly and willfully falsifies conceals or covers up by any trick scheme or devise a material fact or makes any false fictitious or fraudulent statements or representations or makes or uses any false writing or document knowing the same to contain any false fictitious or fraudulent statement or entry shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding three hundred dollars (\$300) or undergo imprisonment not exceeding one (1) year or both

Section 2 The provisions of this act shall become effective ten (10) days after its final enactment

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Bane,	Haluska,	Meade,	Stiefel,
Barr,	Holland,	Neff,	Taylor,
Barrett,	Kessler,	Pechan,	Toole,
Berger,	Lane,	Peelot,	Wade,
Blass,	Leader,	Propert,	Wagner,
Byrne,	Letzler,	Robinson,	Walker,
Chapman,	Mahanay,	Rosenfeld,	Watkins,
Crowe,	Mallery,	Ruth,	Watson,
Dent,	McCreesh,	Scarlett,	Wolfe,
Diehm,	McGinnis,	Silvert,	Wood,
DiSilvestro,	McMenamin,	Snowden,	Yosko,
Fleming,	McPherson, Jr.,	Stevenson,	Hare,
Freed,			Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1505, as follows:

An Act to amend the act approved the twelfth day of June one thousand nine hundred thirty-one (P. L. 510) entitled "An act providing for the licensure and regulation of certain private nursing homes and private hospitals conferring certain powers and duties upon the Department of Welfare and providing penalties" by further providing for the licensure and regulation of such nursing homes and hospitals

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the twelfth day of June one thousand nine hundred thirty-one (P. L. 510) entitled "An act providing for the licensure and regulation of certain private nursing homes and private hospitals conferring certain powers and duties upon the Department of Welfare and providing penalties" is hereby amended by adding after Section 5 thereof a new section to read as follows

Section 5.1 No person who because of inability to satisfy the character requirements deemed necessary by the department has been refused a license shall thereafter be in any way connected with any private nursing home private home for aged persons or any private hospital licensed pursuant to the provisions of this act

Section 2 Section 6 of said act is hereby amended to read as follows

Section 6 Whenever the Department of Welfare shall upon inspection investigation or sworn complaint learn of any violation of rules or regulations adopted by the department or any failure to establish provide or maintain standards and facilities required by the department it shall give written notice thereof to the offending licensee The department may revoke the license of said licensee if such violations do not cease or such standards and facilities are not established or brought in conformity with those prescribed by the department [three] two months after such written notice

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—48

Bane,	Haluska,	Neff,	Stiefel,
Barr,	Holland,	McPherson, Jr.,	Taylor,
Barrett,	Kessler,	Pechan,	Toole,
Berger,	Lane,	Peelot,	Wade,
Blass,	Leader,	Propert,	Wagner,
Byrne,	Letzler,	Robinson,	Walker,
Crowe,	Mahany,	Rosenfeld,	Watkins,
Dent,	Mallery,	Ruth,	Watson,
Diehm,	McCreesh,	Scarlett,	Wolfe,
DiSilvestro,	McGinnis,	Silvert,	Wood,
Fleming,	McMenamin,	Snowden,	Yosko,
Freed,	Meade,	Stevenson,	Hare,
			Presidin. Officer

#### NAYS—1

Chapman.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

#### BILLS INTRODUCED AND REFERRED

Mr. LETZLER. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. LETZLER, read in place and presented to the Chair Senate Bill No. 850, entitled:

An Act to amend the act, approved the twelfth day of April, one thousand nine hundred fifty-one (P. L. 90), entitled "An act relating to alcoholic liquors, alcohol and malt and brewed beverages; amending, revising, consolidating and changing the laws relating thereto; regulating and restricting the manufacture, purchase, sale, possession, consumption, importation, transportation,



furnishing, holding in bond, holding in storage, traffic in and use of alcoholic liquors, alcohol and malt and brewed beverages and the persons engaged or employed therein; defining the powers and duties of the Pennsylvania Liquor Control Board; providing for the establishment and operation of State liquor stores, for the payment of certain license fees to the respective municipalities and townships, for the abatement of certain nuisances and, in certain cases, for search and seizure without warrant; prescribing penalties and forfeitures; providing for local option, and repealing existing laws," by authorizing catering licenses for clubs licensed to sell malt and brewed beverages and fixing the license fees thereof.

Which was committed to the Committee on Law and Order.

Mr. SCARLET. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. SCARLET read in place and presented to the Chair Senate Bill No. 851, entitled:

An Act to amend Section 16 of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1237), entitled "An act affecting martial relations; prescribing grounds and regulating proceedings for divorce and the annulment of bigamous marriages; and amending, revising, and consolidating the law relating thereto," by further defining residence of the libellant.

Which was committed to the Committee on Judiciary General.

## SECOND READING CALENDAR

### BILLS POSTPONED

Mr. WALKER. Mr. President, I move that House Bill No. 333, on second reading, entitled:

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further providing for the payment of minimum salaries and increments of county and district superintendents assistant county and district superintendents teachers supervisors principals supervising principals and other employees.

be placed on the Second Reading Postponed Calendar.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

Mr. WALKER. Mr. President, I move that House Bill No. 334, on second reading, entitled:

An Act to amend subsections 5 and 6 of section two thousand five hundred one and section two thousand five hundred two of the act approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further providing for reimbursement by the Commonwealth to school districts and vocational school districts.

be placed on the Second Reading Postponed Calendar.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

## BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 589, entitled:

An Act to amend section one thousand one hundred forty-four of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further providing for additional increments for holders of college certificates or Masters' Degrees

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 590, entitled:

An Act to amend section one thousand one hundred forty-four of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provision applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further providing for increments for professional employees holding a Master's Degree or its equivalent

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

## BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 713, on third reading, entitled:

An Act to further amend part of Section 202 of and to add Sections 462 and 1314 to the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" by establishing the State Auctioneers' Commission as a departmental administrative commission in the Department of Public Instruction fixing the qualifications and compensation of members and imposing certain duties on said commission.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.



## BILL POSTPONED

Mr. WALKER. Mr. President, I move that House Bill No. 714, on second reading, entitled:

An Act for minimum compensation and increments for administrators and members of the faculty of State Teachers Colleges providing for leaves of absence imposing certain duties upon the Boards of Trustees and Presidents of State Teachers Colleges and the Superintendent of Public Instruction and repealing inconsistent laws

be placed on the Second Reading Postponed Calendar.

Mr. TAYLOR. Mr. President, I second the motion. The motion was agreed to.

## BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 724, on second reading, entitled:

An Act to define license and regulate resident and non-resident auctioneers and apprentice auctioneers in certain political subdivisions and revising consolidating and making the law uniform relative thereto conferring certain powers and duties on the State Auctioneers' Commission and on certain Departments and Officers of the State and Local Governments providing for the keeping of records and the inspection thereof repealing certain inconsistent laws and providing penalties.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 831, on second reading, entitled:

An Act to further amend the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by further extending the time for present employees to elect to be covered by the retirement system and granting retirement rights to certain additional persons who have withdrawn from and returned to school service.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

## BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 835, entitled:

An Act to amend the act approved the twelfth day of April one thousand nine hundred fifty-one (P. L. 90) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers

and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" by increasing license and filing fees.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. WALKER offered the following amendment:

Amend Sec. 1 (Sec. 405), page 5, line 11, by striking out the bracket after the word "municipality".

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time, and agreed to, as amended.

Ordered, To be transcribed for a third reading.

## BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 839, entitled:

An Act authorizing the Department of Property and Supplies to sell and convey a tract of land in Allegheny Township Blair County Pennsylvania with the approval of the Governor.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 846, entitled:

An Act making certain marriages solemnized on United States Military Reservations located within the Commonwealth as valid as if solemnized elsewhere within the Commonwealth and validating such marriages heretofore consummated.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 955, entitled:

An Act to amend section 10 of the act approved the twenty-third day of May one thousand nine hundred forty-five (P. L. 903) entitled "An act authorizing cities of the third class to establish an optional retirement system for officers and employees independently of any pension system or systems existing in such cities" by removing the limitations on contribution by the city

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.



## BILLS POSTPONED

Mr. WALKER. Mr. President, I move that House Bill No. 1356, on second reading, entitled:

An Act to amend sections one eight and thirteen of the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 940) entitled "An act relating to boarding houses for children providing for the licensing and inspection thereof and the adoption of rules and regulations for the maintenance operation and conduct thereof by the Department of Welfare defining offenses and prescribing penalties" by redefining "boarding houses for children" providing for an advisory committee with which the department shall confer in adopting rules and regulations and increasing penalties.

be placed on the Second Reading Postponed Calendar.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

Mr. WALKER. Mr. President, I move that House Bill No. 1357, on second reading, entitled:

An Act to amend the act approved the fourteenth day of April one thousand nine hundred and twenty-five (P. L. 234) entitled "An act relating to Boarding Houses for Infants providing for the licensing thereof and the adoption of rules and regulations for the maintenance operation and conduct thereof by the Department of Welfare and fixing penalties by redefining "boarding houses for infants" eliminating license fees providing for an advisory committee with which the department shall confer in adopting rules and regulations and increasing penalties."

be placed on the Second Reading Postponed Calendar.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

## BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1402, entitled:

An Act providing for appeals to the court of common pleas from the decision of Civil Service Boards and Commissions in cities.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1590, entitled:

An Act to further amend the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 566) entitled "A supplement to the act approved the second day of June one thousand nine hundred and fifteen (P. L. 736) entitled as amended 'An Act defining the liability of an employer to pay damages for injuries received by an employee in the course of employment establishing an electric schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties' as re-enacted and amended providing for the payment of compensation to volunteer firemen or their dependents" by amplifying the provisions thereof as to persons entitled to such benefits.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

## SENATE BILL No. 730 CALLED UP FROM SECOND READING POSTPONED CALENDAR

Mr. WALKER. Mr. President, I call up from the Second Reading Postponed Calendar Senate Bill No. 730.

Mr. President, this bill is sponsored by myself and my very distinguished colleague from Allegheny, Senator Barr. We are trying to get a port authority established for the City of Pittsburgh.

Mr. President, the bill has been amended and re-amended, and at this point we have a bill that does not satisfy the proponents or the opponents of the matter. I would like to have the bill referred back to the Judiciary General Committee to see if they can work something out, and I would appreciate it very much if my colleague and co-sponsor would join with me in having it re-referred back to the Judiciary General Committee to see if we can have it conform to the Philadelphia Port Authority. Therefore, Mr. President, I would appreciate it very much if my co-sponsor would second my motion to have the bill referred back to the Judiciary General Committee.

## BILL RECOMMENDED

Mr. WALKER. Mr. President, I move that Senate Bill No. 730, on second reading, entitled:

An Act to promote the welfare of the people of this Commonwealth creating Port Authorities to function in counties of the second class as bodies corporate and politic with power to plan acquire construct maintain and operate facilities and projects for the improvement and development of the port district and to borrow money and issue bonds therefore providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on the Authorities authorizing the Authorities to enter into contracts with and to accept grants from the Federal government or any agency thereof and conferring exclusive jurisdiction on certain courts over rates and services requiring the approval of the General Assembly for any acquisition of a facility or project by an authority and authorizing the Authorities to collect tolls fares fees rentals and charges for the use of facilities defining the Authorities' powers and duties and defining the port districts

be recommitted to the Committee on Judiciary General.

Mr. BARR. Mr. President, I second the motion.

The motion was agreed to.

## FIRST READING CALENDAR

## BILLS ON FIRST READING

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1441, entitled:

An Act to further amend the act approved the second day of June one thousand nine hundred fifteen (P. L. 736) entitled as amended "An act defining the liability of an employee to pay damages for injuries received by an employee in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties" by increasing maximum and minimum rates and deleting the limitation of number of weeks and aggregate of compensation for total



disability increasing the maximum amounts payable upon death and increasing the minimum and maximum wages upon which death compensation shall be paid and changing procedure

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1442, entitled:

An Act to further amend the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 566) entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employee arising out of and in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder imposing duties on the Department of Labor and Industry the Workmen's Compensation Board Workmen's Compensation Referees and deans of medical schools creating a medical board to determine controverted medical issues establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases making an appropriation and prescribing penalties" by increasing maximum and minimum rates and total amounts and aggregate of compensation and changing time for mailing medical report

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

#### REPORT FROM COMMITTEE

Mr. LETZLER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. LETZLER, from the Committee on Law and Order, reported as committed, Senate Bill No. 850, entitled:

An Act to amend the act, approved the twelfth day of April, one thousand nine hundred fifty-one (P. L. 90), entitled "An act relating to alcoholic liquors, alcohol and malt and brewed beverages; amending, revising, consolidating and changing the laws relating thereto; regulating and restricting the manufacture, purchase, sale, possession, consumption, importation, transportation, furnishing, holding in bond, holding in storage, traffic in and use of alcoholic liquors, alcohol and malt and brewed beverages and the persons engaged or employed therein; defining the powers and duties of the Pennsylvania Liquor Control Board; providing for the establishment and operation of State liquor stores, for the payment of certain license fees to the respective municipalities and townships, for the abatement of certain nuisances and, in certain cases, for search and seizure without warrant; prescribing penalties and forfeitures; providing for local option, and repealing existing laws," by authorizing catering licenses for clubs licensed to sell malt and brewed beverages and fixing the license fees therefor.

#### HOUSE MESSAGES

##### HOUSE CONCURS IN SENATE BILL No. 738

The Clerk of the House of Representatives being introduced, returned to the Senate, Senate Bill No. 738, entitled:

An Act to further amend subsection (g) of Section 1110 of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special

and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by eliminating requirement that the form and arrangement of ballot labels on voting machines be approved by the Secretary of the Commonwealth.

with the information that the House has passed the same without amendments.

##### SENATE BILL No. 688 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 688, entitled:

An Act to further amend Section 303 of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2017), entitled "An act creating in each county (except of the first class) as a separate corporation, and in each city of the first and second class as a part of the city government, an institution district for the care and maintenance of certain indigent persons and children; prescribing the powers and duties of county commissioners, county treasurers, city departments of public welfare, the State Department of Welfare and the State Department of Public Assistance in respect thereto; abolishing certain poor districts and terminating the terms of directors, overseers, guardians and managers of the poor and poor district auditors, and providing for the temporary employment of certain of them; providing for the transfer, vesting, sale and disposition of the property of poor districts and the payment of their obligations; imposing certain existing obligations or institution districts and on the Commonwealth; regulating the affairs of poor districts until abolished; revising, amending, changing and consolidating the law relating to the care of the poor; and repealing existing laws," by directing that an allowance be paid to certain county controllers for the expenses pertaining to the institution district for a temporary period

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bill as amended will appear on the Calendar.

#### RECESS

Mr. WALKER. Mr. President, I move that the Senate do now take a recess for ten minutes, to permit a meeting of the Committee on Corporations.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

#### AFTER RECESS

The PRESIDENT pro tempore (M. Harvey Taylor) in the Chair.

The PRESIDENT pro tempore. The time of recess having elapsed the Senate will be in order.

#### REPORT FROM COMMITTEE

Mr. FREED. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT pro tempore. Is there objection? The Chair hears none.

Mr. FREED, from the Committee on Public Health



and Welfare, reported as amended, House Bill No. 1312, entitled:

An Act to provide for the better protection of life and health of the citizens of this Commonwealth by requiring and regulating the examination licensure and registration of persons and registration of corporations engaging in the care preparation and disposition of the bodies of deceased persons and providing penalties providing for a State Board of Funeral Directors in the Department of Health and repealing other laws.

### BILLS SIGNED

The PRESIDENT pro tempore (M. Harvey Taylor) announced that the Chief Clerk having reported that the following bills had passed both Houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 124, entitled:

An Act to amend section one thousand twenty-four of the act approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "School Code of 1949," by increasing compensation and mileage rates for attendance at conventions for the election of county superintendents.

House Bill No. 634, entitled:

An Act to amend the act, approved the first day of June, one thousand nine hundred fifteen (P. L. 701) entitled "An act regulating the payment of persons in the employ of the Commonwealth," by providing for pay-days every two weeks.

Senate Bill No. 738, entitled:

An Act to further amend subsection (g) of Section 1110 of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by eliminating requirement that the form and arrangement of ballot labels on voting machines be approved by the Secretary of the Commonwealth.

House Bill No. 907, entitled:

An Act to further amend section nine hundred fifteen of the act approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 1053), entitled "Public Utility Law," by permitting motor carriers, not qualified to be self-insurers, to furnish surety bonds or public liability insurance.

House Bill No. 1185, entitled:

An Act to further amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "Public School Code of 1949," by authorizing school directors in districts of the third class to elect an associate superintendent in lieu of a district superintendent, prescribing his powers and duties and fixing his compensation.

House Bill No. 1366, entitled:

An Act to amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "Public School Code of 1949," by further providing

for the payment of expenses of teachers' meetings by the county treasurer.

House Bill No. 1367, entitled:

An Act to amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "Public School Code of 1949," by further providing for payment of the expenses of the annual convention of school directors out of county funds.

House Bill No. 1440, entitled:

An Act to further amend Sections 315 and 413 of the act approved the second day of June, one thousand nine hundred fifteen (P. L. 736) entitled as amended "Workmen's Compensation Act of 1915," by limiting the effect on workmen's compensation claims of insurance payments for non-occupational illness or injury.

House Bill No. 1449, entitled:

An Act to amend the act, approved the twelfth day of June, one thousand nine hundred fifty-one (Act Number 141), entitled "The Mental Health Act of 1951," by further defining "qualified physician" and "medical examiner."

House Bill No. 1574, entitled:

An Act to further amend the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "Third Class City Law," by changing certain provisions relating to contracts, recreation places, highways, expense accounts of delegates to conventions, and payment by the city into police and firemen's pension funds.

House Bill No. 1647, entitled:

An Act to add section three hundred twenty-seven to the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "The Penal Code," by making it a crime to picket or parade in or near any building housing a court of the Commonwealth of Pennsylvania, with the intent of influencing any judge, juror, witness or court officer in the discharge of his duty and prescribing penalties.

Whereupon,

The PRESIDENT pro tempore (M. Harvey Taylor) in the presence of the Senate signed the same.

### BILLS ON FIRST READING

Mr. WALKER. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. MALLERY. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 28, entitled:

An Act to further amend section 703 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by changing the compensation paid to township commissioners.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 274, entitled:



An Act to further amend Section 1001 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by increasing the compensation of the township auditors.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senatep roceeded to the first reading and consideration of House Bill No. 726, entitled:

An Act to amend the title and further amend Subsections A, C, and E of Section 1 of the act approved the twenty-fifth day of June, one thousand nine hundred forty-seven (P. L. 1145) entitled "An act empowering cities of the second class, cities of the second class A, cities of the third class, boroughs, towns, townships of the first class, school districts of the second class, school districts of the third class and school districts of the fourth class to levy, assess, and collect or to provide for the levying, assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes; authorizing the establishment of bureaux and the appointment and compensation of officers and employes to assess and collect such taxes; and permitting penalties to be imposed and enforced; providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court" by extending the provisions thereof to include townships of the second class as to certain taxes.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 769, entitled:

An Act to further amend clause (a) of section one thousand eight hundred three and clause (e) of section one thousand eight hundred six of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by further regulating the leasing and sale of State forest and park lands by the Commonwealth and defining the powers and duties of the Department of Forests and Waters and the rights of lessees with respect to such leased lands

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 840, entitled:

An Act to amend the title and Section 1 of the act, approved the tenth day of August, one thousand nine hundred fifty-one (P. L. Act No. 265), entitled "An act regulating the appointment, promotion, suspension, reduction removal and reinstatement of employes (except superintendents, assistant superintendents, inspectors and chief clerks) in bureaux of police in cities of the second class and defining the powers and duties of civil service commissions in such cities for such purposes," by excepting therefrom certain women police and school guards.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 842, entitled:

An Act to amend Section 1673 of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" by further regulating publication of notice of land subdivision ordinances.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 845, entitled:

An Act to further amend Rule 12, and to amend Rule 14 of Article XII of the act, approved the second day of June, one thousand eight hundred ninety-one (P. L. 176), entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith," by authorizing the use of roof bolts and other practical devices in working places.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 850, entitled:

An Act to amend the act, approved the twelfth day of April, one thousand nine hundred fifty-one (P. L. 90), entitled "An act relating to alcoholic liquors, alcohol and malt and brewed beverages; amending, revising, consolidating and changing the laws relating thereto; regulating and restricting the manufacture, purchase, sale, possession, consumption, importation, transportation, furnishing, holding in bond, holding in storage, traffic in and use of alcoholic liquors, alcohol and malt and brewed beverages and the persons engaged or employed therein; defining the powers and duties of the Pennsylvania Liquor Control Board; providing for the establishment and operation of State liquor stores, for the payment of certain license fees to the respective municipalities and townships, for the abatement of certain nuisances and, in certain cases, for search and seizure without warrant; prescribing penalties and forfeitures; providing for local option, and repealing existing laws," by authorizing catering licenses for clubs licensed to sell malt and brewed beverages and fixing the license fees therefor.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 967, entitled:

An Act to further amend the act approved the second



day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by providing for disability leave with salary and hospital and medical expenses for employes of jails and workhouses in counties of the second class temporarily incapacitated in the performance of duties.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1228, entitled:

An Act establishing The Pennsylvania State School for the Deaf providing for its operation and maintenance by the Department of Public Instruction and for the admission of pupils thereto and the expense of maintaining pupils therein authorizing the acquisition of a site by The General State Authority or the use of land now owned by the Commonwealth or the conveying of Commonwealth owned land to The General State Authority and the erection or construction and the furnishing and equipping of buildings and structures by The General State Authority and the leasing thereof by the Commonwealth and conferring powers and imposing duties on district and county superintendents of schools.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1283, entitled:

An Act authorizing the Orphans' Courts of the several counties upon application therefor to place documents defined as historical documents in the custody of certain associations maintaining facilities for public display of historical writings conferring powers and imposing duties on registers of wills

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1312, entitled:

An Act to provide for the better protection of life and health of the citizens of this Commonwealth by requiring and regulating the examination licensure and registration of persons and registration of corporations engaging in the care preparation and disposition of the bodies of deceased persons and providing penalties providing for a State Board of Funeral Directors in the Department of Health and repealing other laws.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1335, entitled:

An Act to further amend Section 11 of the act approved the twentieth day of May one thousand nine hundred fifteen (P. L. 566) entitled "An act requiring cities of the first class to establish a pension fund for employes of said cities and all county or other public employes if any paid by appropriation of the city councils thereof and out of the treasury of said cities and regulating the administration and the payment of such pensions" by providing for credit for service with a school district of the first class for members of a first class pension fund in certain cases

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1557, entitled:

An Act to amend clause (h) of Section 9 of the act approved the twenty-fourth day of May one thousand nine hundred forty-five (P. L. 991) entitled "An act to promote elimination of blighted areas and supply sanitary housing in areas throughout the Commonwealth by declaring acquisition sound replanning and redevelopment of such areas to be for the promotion of health safety convenience and welfare creating public bodies corporate and politic to be known as Redevelopment Authorities authorizing them to engage in the elimination of blighted areas and to plan and contract with private corporate or governmental redevelopers for their redevelopment providing for the organization of such authorities defining and providing for the exercise of their powers and duties including the acquisition of property by purchase gift or eminent domain the leasing and selling of property including borrowing money issuing bonds and other obligations and giving security therefor restricting the interest of members and employes of authorities providing for notice and hearing supplying certain mandatory provisions to be inserted in contracts with redevelopers prescribing the remedies of obligees of redevelopment authorities conferring certain duties upon local planning commissions the governing bodies of cities and counties and on certain State officers boards and departments" by clarifying the provisions of said section with respect to the power of Redevelopment Authorities to purchase real property.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1599, entitled:

An Act providing for an expense allowance for members of the board of inspectors of the Berks County Prison.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

### BILL INTRODUCED AND REFERRED

Mr. FLEMING. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT pro tempore. Is there objection? The Chair hears none.

Mr. FLEMING read in place and presented to the Chair Senate Bill No. 852, entitled:

An Act making an appropriation to the Alcoholic Information Center and Clinic of the Western Pennsylvania Committee for Education on Alcoholism, Incorporated for the purpose of supporting and expanding in whole or in part their facilities for the care and treatment of alcoholics, the training of personnel in such care and treatment, and the developing of appropriate research projects related to the problems of alcoholism in the Commonwealth of Pennsylvania.

Which was committed to the Committee on Appropriations.

### ADJOURNMENT

Mr. WALKER. Mr. President, I move that the Senate do now adjourn until Thursday, September 20, 1951, at 10:00 o'clock, a. m., Eastern Standard Time.



Mr. HARE. Mr. President, I second the motion.  
The motion was agreed to.

The Senate adjourned at 4:08 o'clock, p. m., Eastern Standard Time, until Thursday, September 20, 1951, at 10:00 o'clock, a. m., Eastern Standard Time.

## HOUSE OF REPRESENTATIVES

WEDNESDAY, September 19, 1951

The House met at 11:00 a. m. EST.

The SPEAKER (Herbert P. Sorg) in the Chair.

### PRAYER

The Chaplain, Reverend William Hugh Fryer, offered the following prayer:

O Lord, our heavenly Father whose blessed Son came not to be ministered unto, but to minister; we beseech Thee to bless all who following in His steps give themselves to the service of their fellowmen. Endue them with wisdom, patience, courage that they may do the work Thou givest them to do, in truth, in beauty and in righteousness, with singleness of heart as Thy servants, and to the benefit of our fellowmen, through Jesus Christ our Lord. Amen.

### JOURNAL APPROVED

The SPEAKER. Are there any corrections to the Journal of Tuesday, September 18, 1951? If not, and without objection, the Journal is approved.

### SENATE MESSAGE

#### CERTIFIED COPY OF HOUSE BILL No. 1113

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

September 17, 1951.

Whereas, House Bill No. 1113, Printer's No. 346, entitled "An act to further amend Section 17 of the act, approved the twenty-first day of May, one thousand nine hundred thirty-one (P. L. 149), entitled, as amended 'Liquid Fuels Tax Law,' by providing for partial reimbursement of taxes paid on liquid fuels consumed in the operation of certain tractors and machinery for agricultural purposes; providing penalties and making appropriations from the Motor License Fund for the payment of such reimbursements and expenses in connection therewith," the official copy of which was referred to the Committee on Finance in the Senate on Wednesday, May 23, 1951, after having passed the House of Representatives, has been lost; therefore be it

Resolved, (if the House of Representatives concur) That the Chief Clerk of the House of Representatives is hereby directed to furnish to the Committee on Finance of the Senate a certified copy of House Bill No. 1113, Printer's No. 346, entitled "An act to further amend Section 17 of the act, approved the twenty-first day of May, one thousand nine hundred thirty-one (P. L. 149), entitled, as amended 'Liquid Fuels Tax Law,' by providing for partial reimbursement of taxes paid on liquid fuels consumed in the operation of certain tractors and machinery for agricultural purposes; providing penalties and making appropriations from the Motor License Fund for the payment of such reimbursements and expenses in connection therewith;" which copy shall be substituted for the original bill.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

### SENATE MESSAGE

#### CONCURRENCE IN HOUSE RESOLUTION

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, September 19, 1951.

Resolved (if the Senate concur), That House Bill No. 984, Printer's No. 853 entitled "An act to amend the act approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled 'An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto,' by further providing for exceptions to compulsory attendance," be recalled from the Governor for the purpose of amendment.

### SENATE MESSAGE

#### AMENDED SENATE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate bills numbered and entitled as follows:

#### SENATE BILL No. 249.

An Act to amend subsection (a) of section 411 of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1053) entitled "An act relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utility business by prescribing defining and limiting their duties powers and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale method of regulating rates providing for the supervision of financial and contractual relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alteration relocation protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriation of



property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulation the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" by relieving cities of the second class A and third class and the counties in which they are located from payment of damages occasioned by and costs of construction reconstruction repair and maintenance of certain bridges and viaducts

#### SENATE BILL No. 456.

An Act to further amend the act aproved the thirty-first day of May one thousand nine hundred forty-seven (P. L. 368) entitled "An act to protect consumers in the purchase for fuel purposes of the hard coal known as anthracite providing for and regulating the sale offering for sale resale delivery and shipment of anthracite according to a standard provided for in this act requiring producers and dealers and persons engaged in the sale and resale of anthracite from storage yards or otherwise to consumers to keep certain records conferring powers on the Anthracite Committee and its agents and providing penalties" by defining "Retail Dealer" "Wholesale Dealer" "Municipal Weighmaster" "Municipality" and "storage place for anthracite" requiring producers wholesale dealers and municipal weighmasters to issue certain statements and keep certain records imposing and changing penalties providing for the payment of fines for violations to the Commonwealth and providing for injunctions to restrain violations.

#### PARLIAMENTARY INQUIRY

Mr. ANDREWS. I arise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. Speaker, I desire to be informed concerning the order of business for the day.

The SPEAKER. For the information of the gentleman the Chair was about to recognize the Majority Leader, for such information.

#### PERMISSION TO ADDRESS HOUSE

Mr. SMITH asked and obtained unanimous consent to address the House.

Mr. Speaker, yesterday we informed all the Members of the House that we would convene today, and immediately after convening, we would recess for each side of the House to have a caucus. We fully intended to carry out that plan. However, at this moment there are amendments to certain tax bills, amendments from our side and amendments from the other side of the House that are being drawn up in the Attorney General's office.

If it were possible for the House either to proceed with some preliminary business, or to be at ease until these amendments come over, it would help us out just a little bit. The reason for this is, if these amendments go into these bills prior to our caucus, our caucus will then have a good idea of just what the bill is going to do.

It will also save some printing time because during the time that we are in caucus the bills can go to the Printer and come back and be on third reading again today for final passage.

#### SENATE MESSAGE

#### HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

#### HOUSE BILL No. 124.

An Act to amend section one thousand twenty-four of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by increasing compensation and mileage rates for attendance at conventions for the election of county superintendents.

#### HOUSE BILL No. 634.

An Act to amend the act approved the first day of June one thousand nine hundred fifteen (P. L. 701) entitled "An act regulating the payment of persons in the employ of the Commonwealth" by providing for pay-days every two weeks.

#### HOUSE BILL No. 907.

An Act to further amend section nine hundred fifteen of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1053) entitled "An act relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utility business by prescribing defining and limiting their duties powers and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale method of regulating rates providing for the supervision of financial and contractual relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alteration relocation protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulation the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of this act and regulations and orders of the commission



and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" by permitting motor carriers not qualified to be self-insurers to furnish surety bonds or public liability insurance.

#### HOUSE BILL No. 1185.

An Act to further amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing school directors of the third class to elect an associate superintendent in lieu of a district superintendent prescribing his powers and duties and fixing his compensation.

#### HOUSE BILL No. 1366.

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further providing for the payment of expenses of teachers' meetings by the county treasurer.

#### HOUSE BILL No. 1367.

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further providing for payment of the expenses of the annual convention of school directors out of county funds.

#### HOUSE BILL No. 1440.

An Act to further amend Sections 315 and 413 of the act approved the second day of June one thousand nine hundred fifteen (P. L. 736) entitled "An act defining the liability of an employer to pay damages for injuries received by an employee in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties" by limiting the effect on workmen's compensation claims of insurance payments for non-occupational illness or injury.

#### HOUSE BILL No. 1574.

An Act to further amend the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by changing certain provisions relating to contracts recreation places highways and expense accounts of delegates to conventions.

#### HOUSE BILL No. 1647.

An Act to add section three hundred twenty-seven to the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by making it a crime to picket or parade in or near any building housing a court of the Commonwealth of Pennsylvania with the intent of influencing any judge juror witness or court officer in the discharge of his duty and prescribing penalties.

With the information that the Senate has passed the same without amendment.

### BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

#### SENATE BILL No. 191.

An Act to further amend Section 671 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing the change of the fiscal year by districts of the second class

#### SENATE BILL No. 249.

An Act to amend subsection (a) of section 411 of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1053) entitled "An act relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utility business by prescribing defining and limiting their duties powers and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporation subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale method of regulating rates providing for the supervision of financial and contractual relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alteration relocation protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulation the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" by relieving cities of the second class A and third class and the counties in which they are located from payment of damages occasioned by and costs of construction reconstruction repair and maintenance of certain bridges and viaducts

#### SENATE BILL No. 456.

An Act to further amend the act approved the thirty-



first day of May one thousand nine hundred forty-seven (P. L. 368) entitled "An act to protect consumers in the purchase for fuel purposes of the hard coal known as anthracite providing for and regulating the sale offering for sale resale delivery and shipment of anthracite according to a standard provided for in this act requiring producers and dealers and persons engaged in the sale and resale of anthracite from storage yards or otherwise to consumers to keep certain records conferring powers on the Anthracite Committee and its agents and providing penalties" by defining "Retail Dealer" "Wholesale Dealer" "Municipal Weighmaster" "Municipality" and "Storage Place for Anthracite" requiring producers wholesale dealers and municipal weighmasters to issue certain statements and keep certain records imposing and changing penalties providing for the payment of fines for violations to the Commonwealth and providing for injunctions to restrain violations

#### SENATE BILL No. 723.

An Act to amend section 3 of the act approved the fifteenth day of June one thousand nine hundred thirty-nine (P. L. 359) entitled "An act relating to recognizances and official bonds of present and future sheriffs and coroners and to their sureties thereon imposing the expense of corporate suretyships on such obligations upon the several counties and various duties upon the courts of common pleas and county officers thereof authorizing the substitution of approval surety companies for individual or corporate sureties upon such obligations and the release of any surety upon any such recognizance by such court upon certain conditions dispensing with sureties on such recognizances but providing for the acknowledgment recording and indexing of same as liens on certain real estate regulating such liens and releases therefrom providing for refunds to sheriffs and coroners of certain premiums paid to sureties on their official bonds and recognizances and repealing inconsistent laws except as to existing claims or pending suits thereunder subject to certain limitations" by fixing the time the lien of such recognizances shall run including those heretofore executed

#### SENATE BILL No. 771.

An Act to further amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by empowering the board of school directors in every school district to insure all of its employees against liability for personal damages sustained by pupils or others as the result of the employees' negligence in the performance of his or her duties during the course of his or her employment

#### SENATE BILL No. 808.

An Act to further amend Section 1201 of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" by further providing for the sale of borough property

#### HOUSE BILL No. 124.

An Act to amend section one thousand twenty-four of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by increasing compensation and mileage rates for attendance at conventions for the election of county superintendents

#### HOUSE BILL No. 634.

An Act to amend the act approved the first day of June one thousand nine hundred fifteen (P. L. 701) entitled "An act regulating the payment of persons in the employ of the Commonwealth" by providing for pay-days every two weeks

#### HOUSE BILL No. 907.

An Act to further amend section nine hundred fifteen of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1053) entitled "An act relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utility business by prescribing defining and limiting their duties power and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale method of regulating rates providing for the supervision of financial and contractual relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alteration relocation protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulation the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" by permitting motor carriers not qualified to be self-insurers to furnish surety bonds or public liability insurance

#### HOUSE BILL No. 1185.

An Act to further amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing school directors of the third class to elect an associate superintendent in lieu of a district superintendent prescribing his powers and duties and fixing his compensation

#### HOUSE BILL No. 1366.

An Act to amend the act approved the tenth day of



March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further providing for the payment of expenses of teachers' meetings by the county treasurer

#### HOUSE BILL No. 1367.

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further providing for payment of the expenses of the annual convention of school directors out of county funds

#### HOUSE BILL No. 1440.

An Act to further amend Sections 315 and 413 of the act approved the second day of June one thousand nine hundred fifteen (P. L. 736) entitled as amended "An act defining the liability of an employer to pay damages for injuries received by an employee in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties" by limiting the effect on workmen's compensation claims of insurance payments for non-occupational illness or injury

#### HOUSE BILL No. 1574.

An Act to further amend the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by changing certain provisions relating to contracts recreation places highways and expense accounts of delegates to conventions

#### HOUSE BILL No. 1647.

An Act to add section three hundred twenty-seven to the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by making it a crime to picket or parade in or near any building housing a court of the Commonwealth of Pennsylvania with the intent of influencing any judge juror witness or court officer in the discharge of his duty and prescribing penalties

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

### REPORTS FROM COMMITTEES

Mr. LEVEN from the Committee on Counties, reported as amended, House Bill No. 1206, entitled:

An Act to further amend the act, approved the fourth day of June, one thousand nine hundred thirty-seven (P. L. 1625), entitled "An act providing for the creation, maintenance and operation of a county employees retirement system in counties of the third class; and imposing certain charges on counties," by further defining "final salary"; authorizing the transfer from the one one-hundred-twentieth (1-120) to the one one-hundredth (1-100) class of members contributions at option of the board and adjusting the county annuity on superannuation retirement upon such transfers and providing for minimum retirement allowance in certain cases.

Mr. FERSTER from the Committee on Townships, reported as amended, Senate Bill No. 818, entitled:

An Act to further amend Section 3062 of the act ap-

proved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by further regulating publication of notice of land subdivision ordinances.

Mr. JENKINS from the Committee on Counties, reported as committed, House Bill No. 177, entitled:

An Act to amend subdivision (2) of article five of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh, and eighth classes; and revising, amending and consolidating the laws relating thereto," by authorizing counties of the fourth class to make annual appropriations to volunteer fire companies for the purpose of purchasing, maintaining and operating radio equipment.

Mr. HEWITT from the Committee on State Government, reported as committed, House Bill No. 1609, entitled:

An Act to amend Section 11 of the act, approved the eighteenth day of May, one thousand nine hundred forty-nine (P. L. 1440), entitled "An act concerning notaries public and amending revising, consolidating and changing the law relating thereto," by requiring notaries public to register his signature and date of expiration of his commission in the prothonotary's office after each renewal of his commission and before he enters upon the duties of his office.

Mr. HARVEY A. MOORE from the Committee on Education, reported as committed, House Bill No. 1676, entitled:

An Act to further amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by empowering boards of school directors with the approval of the Superintendent of Public Instruction to alter the prescribed number, hours, and days of classes in certain emergencies for a limited period of time.

Mr. HEWITT from the Committee on Appropriations, reported as committed, House Bill No. 1703, entitled:

An Act making an appropriation to the Senate and the House of Representatives of the General Assembly and to the Legislative Reference Bureau for the payment of mileage, compensation of employees and contingent expenses.

Mr. DUNN from the Committee on Counties, reported as committed, House Bill No. 1718, entitled:

An Act to amend Section twenty-one of the act approved the twentieth day of June, one thousand nine hundred nineteen (P. L. 521), entitled, as amended, "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal," as amended by modifying the rates of commission which may be retained by registers of wills for their own use, for collection of inheritance taxes as agents of the Commonwealth.



Mr. SEYLER from the Committee on Education, reported as committed, Senate Bill No. 230, entitled:

An Act to amend sections one thousand one hundred sixty-six and one thousand one hundred sixty-nine of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further providing for sabbatical leaves of absence for professional employees.

Mr. WEIDNER from the Committee on Education, reported as committed, Senate Bill No. 822, entitled:

An Act to amend clause (7) of Section 2401 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for appointment of school auditors to fill vacancies in such office in union school districts.

### BILLS ON FIRST READING

Pursuant to a resolution adopted September 17, the following bills were read for the first time:

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 230, entitled:

An Act to amend sections one thousand one hundred sixty-six and one thousand one hundred sixty-nine of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further providing for sabbatical leaves of absence for professional employees.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 822, entitled:

An Act to amend clause (7) of Section 2401 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for appointment of school auditors to fill vacancies in such office in union school districts.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 177, entitled

An Act to amend subdivision (2) of article five of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by authorizing counties of the fourth class to make annual appropriations to volunteer fire companies for the purpose of purchasing maintaining and operating radio equipment.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1609, entitled

An Act to amend Section 11 of the act, approved the eighteenth day of May, one thousand nine hundred forty-nine (P. L. 1440), entitled "An act concerning notaries public and amending, revising, consolidating and changing the law relating thereto," by requiring notaries public to register his signature and date of expiration of his commission in the prothonotary's office after each renewal of his commission and before he enters upon the duties of his office.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1676, entitled

An Act to further amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by empowering boards of school directors with the approval of the Superintendent of Public Instruction to alter the prescribed number, hours, and days of classes in certain emergencies for a limited period of time.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1703, entitled

An Act making an appropriation to the Senate and the House of Representatives of the General Assembly and to the Legislative Reference Bureau for the payment of mileage, compensation of employees and contingent expenses.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1718, entitled

An Act to amend Section twenty-one of the Act approved the twentieth day of June, one thousand nine hundred nineteen (P. L. 521), entitled, as amended, "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal," as amended by modifying the rates of commission which may be retained by registers of wills for their own use, for collection of inheritance taxes as agents of the Commonwealth.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.



## REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 757

Mr. RIGBY presented the report of the Committee of Conference on House Bill No. 757. The report was laid over for printing.

## COMMUNICATION AND BILL TAKEN FROM TABLE

Mr. FENRICH. Mr. Speaker, I move that House Bill No. 548, Printer's No. 663 together with communication from the Governor be taken from the table.

The motion was agreed to.

## COMMUNICATION FROM GOVERNOR

The Secretary of the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

## APPROVAL OF HOUSE CONCURRENT RESOLUTION RECALLING HOUSE BILL No. 548

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, August 17, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 548, Printer's No. 663, for further amendments.

Accordingly, the original bill is herewith returned.

JOHN S. FINE

## RECONSIDERATION OF VOTE

Mr. FENRICH. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

Mr. KAMYK. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Allegheny, Mr. Fenrich, vote on the final passage of this bill?

Mr. FENRICH. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Allegheny, Mr. Kamyk, vote on the final passage of this bill?

Mr. KAMYK. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. FENRICH. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question,

Will the House agree to the bill on third reading?

Mr. FENRICK. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Title, page 2, next to last line by striking out the word "theft"

Amend Title, page 2, last line of title, by inserting after the word "inspection" the following: "from vehicles and official inspection stations"

Amend Bill page 3, line 19, by striking out all of said line.

Amend Bill, page 4, lines 1 to 6 inclusive by striking out all of said lines and inserting in lieu thereof: "Section 823.1. Transfer or Removal of Certificates of Inspection. It shall be unlawful for any person to remove an official certificate of inspection from the vehicle for which it is

issued except for the purpose of replacing it with a currently valid certificate of inspection issued in conformity with the provisions of this act, or to transfer a certificate of inspection from the vehicle for which it was issued to another vehicle, or to take or remove any official certificate of inspection from any official inspection station to which issued for any other purpose than of affixing the same to a vehicle inspected by the official inspection station to which issued in conformity with the provisions of this act, or returning the same to the Department of Revenue. Provided, That a peace officer may summarily remove an unlawfully issued official certificate of inspection from any vehicle.

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

## SENATE MESSAGE

## AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives as follows:

## HOUSE BILL No. 745.

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" by creating the Pennsylvania Library Council prescribing its powers and duties providing for a State librarian and for certification of libraries and librarians and for minimum standards for public library service

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 2, page 6, line 17, by striking out after the word "the" the word "Secretary" and inserting in lieu thereof the word "Superintendent".

On the question,

Will the House concur in the amendments made by the Senate?



Mr. JOHNSON. I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—204

Amarando.	Good.	Markley.	Royer.
Andrews.	Goodling.	Maxwell.	Rubin.
Banker.	Graybill.	Mazza.	Sarraf.
Barkdoll.	Greenwood.	McConnell.	Sax.
Baumunk.	Greer.	McCormack.	Scanlon.
Bear.	Guarnieri.	McCullough.	Shotwell.
Beaver.	Gutendorf.	McDermitt.	Schuster.
Beech.	Guthrie.	McGee.	Scott.
Berkstresser.	Hagerty.	McInroy.	Seyler.
Blair.	Hall.	McKinney.	Shoemaker.
Bloom.	Hamilton, R. K.	McMillen.	Shotwell.
Boles.	Hamilton, W. H.	McNally.	Smith.
Bolton.	Harney.	Metz.	Snider.
Bomberger.	Haudenschild.	Mihm.	Sollenberger.
Boorse.	Headlee.	Mikula.	Spencer.
Bower.	Helm.	Miller, H. G.	Stank.
Breisch.	Hersch.	Mills.	Stimmel.
Breth.	Hewitt.	Mintess.	Stoner.
Brown.	Hocker.	Monroe.	Swartz.
Buccchin.	Hoggard.	Moore, C. E.	Swope.
Byrne.	Hunter.	Moore, H. A.	Tahl.
Cella.	Jenkins.	Moran.	Taylor.
Clapper.	Johnson.	Muldowney.	Thompson, E. F.
Clendenning.	Jones, G. E.	Munley.	Thompson, R. L.
Cochran.	Jones, J. M.	Murray.	Toll.
Conway.	Jones, P. F.	Musto.	Tompkins.
Cooper.	Jones, T. H. W.	Najaka.	Toomey.
Corr.	Jump.	Naugle.	VanSant.
Costa.	Kamyk.	Needham.	Varnier.
Coyle.	Keller.	Olsen.	Varallo.
Dalrymple.	Kent.	Penglase.	Verona.
Davis.	Kline.	Peta.	Wachhaus.
Dennison.	Kohl.	Petrosky.	Wargo.
Dougherty.	Kolankiewicz.	Pettigrew.	Waterhouse.
Dowling.	Kornick.	Pfaff.	Watkins.
DuBois.	Kratz.	Pichney.	Weidner.
Duffy.	Kubacki.	Pitzer.	Welsh.
Dunn.	Lederer.	Polaski.	Wescott.
Erb.	Lelsey.	Polen.	Westrick.
Ewing.	Leonard, L.	Price, H. W. Jr.	Whalley.
Fenrich.	Leonard, W. C.	Price, R. A.	Wheeler.
Ferster.	Leven.	Readinger.	White.
Filip.	Light.	Reagan.	Williams.
Filo.	Limper.	Reese.	Wilt.
Firmstone.	Loftus.	Reilly, J. M.	Wood.
Flack.	Lopresti.	Rigby.	Yeakel.
Frost.	Lovett.	Riley, R. L.	Yester.
Gaffney.	Lutty.	Robertson.	Yetzer.
Geer.	Lyons.	Rose.	Young.
Gibson.	Madden.	Rosen.	Ziegler.
Gleason.	Madigan.	Rovansek.	Sorg.

Speaker

## NAYS—0

## NOT VOTING—3

Lafore, Miller, J. C., Reidenbach.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

## SENATE MESSAGE

## AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 1056.

An Act to further amend clause (q) of section seven hundred thirty-one of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225)

entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by changing certain penal provisions

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the title, page 1, line 6, by striking out after line 5, the words "providing additional penalties" and inserting in lieu thereof the words "changing certain penal provisions."

Amend Section 1, page 3, line 1, by inserting after the word "thereof" the words "in excess of fifteen pounds"; page 3, line 4, by inserting after the word "thereof" the words "in excess of fifteen pounds"; page 3, line 5, by inserting after the word "thereof" the words "in excess of fifteen pounds"; page 3, line 10, by inserting after line 9, the following

V each Raccoon or part thereof twenty-five dollars

Page 3, line 13, by striking out after line 12, the words "V Each raccoon or part thereof twenty-five dollars".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. JOHNSON. Mr. Speaker, I move that the House non-concur in the amendments made by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

## SENATE MESSAGE

## AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 1205.

An Act defining analytical-biochemical-biological laboratory regulating the operation of the same requiring such laboratories to obtain permits and to be operated under the direct supervision of qualified persons imposing certain duties upon the Department of Health and providing penalties

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested:

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the title, Page 1, line 1, by striking out after the word "defining" the words "analytical biochemical and biological" and inserting in lieu thereof the words "analytical-biochemical-biological".

Amend the bill, Page 2, line 1, by striking out after the word "of" the words "analytical biochemical and biological" and inserting in thereof the words "analytical-biochemical-biological"; page 2, line 6, by striking out after the word "the" the words "analytical biochemical and biological" and inserting in lieu thereof the words "analytical-biochemical-biological".

Amend Section 1, page 2, line 2 by striking out after the word "The" the words "analytical biochemical and biological" and inserting in lieu thereof the words "analytical-biochemical-biological".

Amend Section 2, page 2, line 4, by striking out after the word "term" the words "analytical biochemical and biological" and inserting in lieu thereof the words "analytical-biochemical-biological"; page 2, line 8 by striking



out after "cal" the word "seriological" and inserting in lieu thereof the word "serological".

Amend Section 3, page 3, line 5 by striking out after "A" the words "analytical biochemical and biological" and inserting in lieu thereof the words "analytical-biochemical-biological"; page 3, line 8, by striking out after the word "doctor" the word "or" and inserting in lieu thereof the word "of"; page 4, line 10, by striking out after the word "acceptable" the words "analytical biochemical and biological" and inserting in lieu thereof the words "analytical-biochemical-biological"; page 4, line 12, by striking out after the word "of" the words "analytical biochemical and biological" and inserting in lieu thereof the words "analytical-biochemical-biological"; page 4, by inserting after line 16 the following

5 The foregoing limitations shall not apply to those persons operating an analytical biochemical and biological laboratory prior to the effective date of this act

Amend Section 4, page 5, line 2, by striking out after the letter "a" the words "analytical biochemical and biological" and inserting in lieu thereof the words "analytical-biochemical-biological".

Amend Section 5, page 5, line 10, by striking out after the word "the" the words "analytical biochemical and biological" and inserting in lieu thereof the words "analytical-biochemical-biological".

Amend Section 14, page 9, line 18, by striking out after the letter "a" the words "analytical biochemical and biological" and inserting in lieu thereof the words "analytical-biochemical-biological".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. JOHNSON. I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—204

Amarando,	Good,	Markley,
Andrews,	Goodling,	Maxwell,
Banker,	Graybill,	Mazza,
Barkdoll,	Greenwood,	McConnell,
Baumunk,	Greer,	McCormack,
Bear,	Guarnieri,	McCullough,
Beaver,	Gutendorf,	McDermitt,
Beech,	Guthrie,	McGee,
Berkstresser,	Hagerty,	McInroy,
Blair,	Hall,	McKinney,
Bloom,	Hamilton, R. K.,	McMillen,
Boles,	Hamilton, W. H.,	McNally,
Bolton,	Harney,	Metz,
Bomberger,	Haudenschild,	Mihm,
Boorse,	Headlee,	Mikula,
Bower,	Helm,	Miller, H. G.,
Breisch,	Hersch,	Mills,
Breth,	Hewitt,	Mintess,
Brown,	Hocker,	Monroe,
Bucchin,	Hoggard,	Moore, C. E.,
Byrne,	Hunter,	Moore, H. A.,
Cella,	Jenkins,	Moran,
Clapper,	Johnson,	Morandowney,
Clendenning,	Jones, G. E.,	Munley,
Cochran,	Jones, J. M.,	Murray,
Conway,	Jones, P. F.,	Musto,
Cooper,	Jones, T. H. W.,	Najaka,
Corr,	Jump,	Naugle,
Costa,	Kamyk,	Needham,
Coyle,	Keller,	Olsen,
Dalrymple,	Kent,	Penglase,
Davis,	Kline,	Peta,
Dennison,	Kohl,	Petrosky,
Dougherty,	Kolankiewicz,	Pettigrew,
Dowling,	Kornick,	Pfaff,
DuBois,	Kratz,	Pichney,
Duffy,	Kubacki,	Pitzer,
Dunn,	Lederer,	Polaski,
Erb,	Leisey,	Polen,
Ewing,	Leonard, L.,	Price, H. W. Jr.,
Fenrich,	Leonard, W. C.,	Price, R. A.,
Ferster,	Leven,	Readinger,

Filip,  
Flo,  
Firmstone,  
Flack,  
Frost,  
Gaffney,  
Geer,  
Gibson,  
Gleason,

Light,  
Limper,  
Loftus,  
Lopresti,  
Lovett,  
Lutty,  
Lyons,  
Madden,  
Madigan,

Reagan,  
Reese,  
Reilly, J. M.,  
Rigby,  
Riley, R. L.,  
Robertson,  
Rose,  
Rosen,  
Rovanssek,

Williams,  
Wilt,  
Wood,  
Yeakel,  
Yester,  
Yetzer,  
Young,  
Ziegler,  
Sorg,  
Speaker

#### NAYS—0

#### NOT VOTING—3

Lafore,

Miller, J. C.,

Reidenbach.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

### SENATE MESSAGE

#### AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

#### HOUSE BILL No. 1351.

An Act to further amend subsection C of Section 1 of the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 1145) entitled "An act empowering cities of the second class cities of the second class A cities of the third class boroughs towns townships of the first class school districts of the second class school districts of the third class and school districts of the fourth class to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes and permitting penalties to be imposed and enforced providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court" by temporarily excluding under certain conditions taxes imposed on real property transfers in certain school districts in determining tax limitations

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the title, page 2, line 7, by inserting after the word "by" the word "temporarily"; page 2, line 7, by inserting after the word "excluding" the words "under certain conditions".

Amend the bill, page 3, by inserting after line 3 the word and figure "Section 1"; page 4, line 1, by striking out after the word "on" the word "retail"; page 4, line 2, by inserting after the word "taxes" the following "for any fiscal year in which one hundred (100) or more new homes or other major improvements on real estate were constructed in the school district".

Amend Section 2, page 4, line 6, by inserting after the word "this" the word "amending"; page 4, line 7, by inserting after the word "enactment" the following "and shall continue in effect until but not including the first Monday in July one thousand nine hundred fifty-five".

On the question,

Will the House concur in the amendments made by the Senate?



Mr. JOHNSON. I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—204

Amarando,	Good,	Maxwell,	Rubin,
Andrews,	Goodling,	Mazza,	Sarra,
Banker,	Graybill,	McConnell,	Sax,
Barkdoll,	Greenwood,	McCormack,	Scanlon,
Baumunk,	Greer,	McDermitt,	Schmidt,
Bear,	Guarnieri,	McGee,	Schuster,
Beaver,	Gutendorf,	McCullough,	Scott,
Beech,	Guthrie,	McInroy,	Seyler,
Berkstresser,	Hagerty,	McKinney,	Shoemaker,
Blair,	Hall,	McMillen,	Shotwell,
Bloom,	Hamilton, R. K.,	McNally,	Smith,
Boles,	Hamilton, W. H.,	Metz,	Snider,
Bolton,	Harney,	Mihm,	Sollenberger,
Bomberger,	Haudenschild,	Mikula,	Spencer,
Boorse,	Headlee,	Miller, H. G.,	Stank,
Bower,	Helm,	Mills,	Stimmel,
Breisch,	Hersch,	Mintess,	Stoner,
Breth,	Hewitt,	Monroe,	Swartz,
Brown,	Hocker,	Moore, C. E.,	Swope,
Bucchin,	Hoggard,	Moore, H. A.,	Tahl,
Byrne,	Hunter,	Moran,	Taylor,
Cella,	Jenkins,	Muldowney,	Thompson, E. F.,
Clapper,	Johnson,	Munley,	Thompson, R. L.,
Clendening,	Jones, G. E.,	Murray,	Toll,
Cochran,	Jones, J. M.,	Musto,	Tompkins,
Conway,	Jones, P. F.,	Najaka,	Toomey,
Cooper,	Jones, T. H. W.,	Naugle,	VanSant,
Corr,	Kamyk,	Needham,	Varallo,
Costa,	Keller,	Olsen,	Varnier,
Coyle,	Kent,	Penglase,	Verona,
Dalrymple,	Kline,	Peta,	Wachhaus,
Davis,	Kohl,	Petrosky,	Wargo,
Dennison,	Kolankiewicz,	Pettigrew,	Waterhouse,
Dougherty,	Kornick,	Pfaff,	Watkins,
Dowling,	Kratz,	Pichney,	Weldner,
DuBois,	Kubacki,	Pitzer,	Welsh,
Duffy,	Lederer,	Polaski,	Wescott,
Dunn,	Leisey,	Polen,	Westrick,
Erb,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Ewing,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Fenrich,	Leven,	Readinger,	White,
Ferster,	Light,	Reagan,	Williams,
Filip,	Limper,	Reese,	Wilt,
Filo,	Loftus,	Reilly, J. M.,	Wood,
Firmstone,	Lopresti,	Rigby,	Yeakel,
Flack,	Lovett,	Riley, R. L.,	Yester,
Frost,	Lutty,	Robertson,	Yetzer,
Gaffney,	Lyons,	Rose,	Young,
Geer,	Madden,	Rosen,	Ziegler,
Gibson,	Madigan,	Rovansek,	Sorg,
Gleason,	Markley,	Royer,	Speaker

## NAYS—0

## NOT VOTING—3

Lafore, Miller, J. C., Reidenbach.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

## SENATE MESSAGE

## AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numberd and entitled as follows:

## HOUSE BILL No. 1449.

An Act to amend the act approved the twelfth day of June one thousand nine hundred fifty one (Act No. 141) entitled "An act relating to mental health including mental

illness mental defect epilepsy and inebriety and amending revising consolidating and changing the laws relating thereto" by further defining "qualified physician" and the rights of patients in institutions

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the title, page 1, line 6, by striking out after the word "and" the words "medical examiner" and inserting in lieu thereof the words "the rights of patients in institutions".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. JOHNSON. I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—204

Amarando,	Good,	Markley,	Royer,
Andrews,	Goodling,	Maxwell,	Rubin,
Banker,	Graybill,	Mazza,	Sarra,
Barkdoll,	Greenwood,	McConnell,	Sax,
Baumunk,	Greer,	McCormack,	Scanlon,
Bear,	Guarnieri,	McCullough,	Schmidt,
Beaver,	Gutendorf,	McDermitt,	Schuster,
Beech,	Guthrie,	McGee,	Scott,
Berkstresser,	Hagerty,	McInroy,	Seyler,
Blair,	Hall,	McKinney,	Shoemaker,
Bloom,	Hamilton, R. K.,	McMillen,	Shotwell,
Boles,	Hamilton, W. H.,	McNally,	Smith,
Bolton,	Harney,	Metz,	Snider,
Bomberger,	Haudenschild,	Mihm,	Sollenberger,
Boorse,	Headlee,	Mikula,	Spencer,
Bower,	Helm,	Miller, H. G.,	Stank,
Breisch,	Hersch,	Mills,	Stimmel,
Breth,	Hewitt,	Mintess,	Stoner,
Brown,	Hocker,	Monroe,	Swartz,
Bucchin,	Hoggard,	Moore, C. E.,	Swope,
Byrne,	Hunter,	Moore, H. A.,	Tahl,
Cella,	Jenkins,	Moran,	Taylor,
Clapper,	Johnson,	Muldowney,	Thompson, E. F.,
Clendening,	Jones, G. E.,	Munley,	Thompson, R. L.,
Cochran,	Jones, J. M.,	Murray,	Toll,
Conway,	Jones, P. F. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varnier,
Dalrymple,	Kline,	Penglase,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
DuBois,	Kubacki,	Pichney,	Weldner,
Duffy,	Lederer,	Pitzer,	Welsh,
Dunn,	Leisey,	Polaski,	Wescott,
Erb,	Leonard, L.,	Polen,	Westrick,
Ewing,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leven,	Price, R. A.,	Wheeler,
Ferster,	Light,	Readinger,	White,
Filip,	Limper,	Reagan,	Williams,
Filo,	Loftus,	Reese,	Wilt,
Firmstone,	Lopresti,	Reilly, J. M.,	Wood,
Flack,	Lovett,	Rigby,	Yeakel,
Frost,	Lutty,	Riley, R. L.,	Yester,
Gaffney,	Lyons,	Robertson,	Yetzer,
Geer,	Madden,	Rose,	Young,
Gibson,	Madigan,	Rosen,	Ziegler,
Gleason,		Rovansek,	Sorg,

Speaker

## NAYS—0

## NOT VOTING—3

Lafore, Miller, J. C., Reidenbach.



The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

### COMMUNICATION AND BILL TAKEN FROM TABLE

Mr. KENT. Mr. Speaker, I move that House Bill No. 1123 Printer's No. 901 together with communication from the Senate be taken from the table.

The motion was agreed to.

### SENATE MESSAGE

### AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

#### HOUSE BILL No. 1123.

An Act to provide for the registration and protection of trade-marks and to secure the rights property and interests therein providing for the assignment cancellation and revocation thereof and imposing penalties for violations conferring powers and imposing duties upon the Secretary of the Commonwealth in the administration thereof and to repeal all acts inconsistent therewith

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the bill, Section 6, page 7, line 18, by inserting after "[one year]" the words "five years".

Amend the bill, Section 12, page 17, line 1, by inserting after the figure "1" the following

The provisions of this section shall not apply to any advertising agency publisher or newspapers magazines or other advertising media accepting authorization for the reproduction or copy of any such trade-mark innocently and in good faith in the usual course of business

Amend the bill, Section 13, page 17, line 18, by inserting after the word "destroyed" the following

But no owner of such a trade-mark shall have such right of injunction against an advertising agency publisher or newspapers magazines or other advertising media accepting authorization for the reproduction or copy of any such trade-mark innocently and in good faith in the usual course of business

Amend the bill, Section 15, page 18, line 16, by striking out after the word "Effect" the words "Repeal of Prior Acts" and page 18, line 19 by striking out the word "all" and inserting in lieu thereof the following

Section 17 repeal of prior acts

The act approved the twentieth day of June one thousand nine hundred one (P. L. 582) entitled "An Act to provide for the registration of labels trade-marks trade-names stamps designs devices shopmarks terms brands designations descriptions or forms of advertisement and protect and secure the rights property and interest therein of the persons copartnerships or corporations adopting and filing the same and providing penalties for the violations of the act" and its amendments are hereby repealed

All other

On the question,

Will the House concur in the amendments made by the Senate?

Mr. KENT. I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—204

Amarando,	Good,	Markley,	Royer,
Andrews,	Goodling,	Maxwell,	Rubin,
Banker,	Graybill,	Mazza,	Sarra,
Barkdoll,	Greenwood,	McConnell,	Sax,
Baumunk,	Greer,	McCormack,	Scanlon,
Bear,	Guarnieri,	McCullough,	Schmidt,
Beaver,	Gutendorf,	McDermitt,	Schuster,
Beech,	Guthrie,	McGee,	Scott,
Berkstresser,	Hagerty,	McInroy,	Seyler,
Blair,	Hall,	McKinney,	Shoemaker,
Bloom,	Hamilton, R. K.,	McMillen,	Shotwell,
Boles,	Hamilton, W. H.,	McNally,	Smith,
Bolton,	Harney,	Metz,	Snider,
Bomberger,	Haudenshield,	Mihm,	Sollenberger,
Boorse,	Headlee,	Mikula,	Spencer,
Bower,	Helm,	Miller, H. G.,	Stank,
Breisch,	Hersch,	Mills,	Stimmel,
Breth,	Hewitt,	Mintess,	Stoner,
Brown,	Hocker,	Monroe,	Swartz,
Bucchin,	Hoggard,	Moore, C. E.,	Swope,
Byrne,	Hunter,	Moore, H. A.,	Tahl,
Cella,	Jenkins,	Moran,	Taylor,
Clapper,	Johnson,	Muldowney,	Thompson, E. F.,
Clendening,	Jones, G. E.,	Munley,	Thompson, R. L.,
Cochran,	Jones, J. M.,	Murray,	Toll,
Conway,	Jones, P. F.,	Musto,	Tompkins,
Cooper,	Jones, T. H. W.,	Najaka,	Toomey,
Corr,	Jump,	Naugle,	VanSant,
Costa,	Kamyk,	Needham,	Varallo,
Coyle,	Keller,	Olsen,	Varner,
Dalrymple,	Kent,	Pengilase,	Verona,
Davis,	Kline,	Peta,	Wachhaus,
Dennison,	Kohl,	Petrosky,	Wargo,
Dougherty,	Kolankiewicz,	Pettigrew,	Waterhouse,
Dowling,	Kornick,	Pfaff,	Watkins,
DuBois,	Kratz,	Pichney,	Weldner,*
Duffy,	Kubacki,	Pitzer,	Welsh,
Dunn,	Lederer,	Polaski,	Wescott,
Erb,	Lelsey,	Polen,	Westrick,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Ferster,	Leven,	Readinger,	White,
Filip,	Light,	Reagan,	Williams,
Filo,	Limper,	Reese,	Wilt,
Firmstone,	Loftus,	Reilly, J. M.,	Wood,
Flack,	Lopresti,	Rigby,	Yeakel,
Frost,	Lovett,	Riley, R. L.,	Yester,
Gaffney,	Lutty,	Robertson,	Yetzer,
Geer,	Lyons,	Rose,	Young,
Gibson,	Madden,	Rosen,	Ziegler,
Gleason,	Madigan,	Rovansek,	Sorg,

Speaker

#### NAYS—0

#### NOT VOTING—3

Lafore, Miller, J. C., Reidenbach.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

### BILLS ON THIRD READING

The SPEAKER. Without objection, the Chair will turn to page 37 of today's calendar, bills on third reading, House Bill 1699.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1699, entitled

An Act to further amend the title and the act approved the twentieth day of June one thousand nine hundred nineteen (P. L. 521) entitled as amended "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death"



and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death defining and taxing transfers made in contemplation of death defining as a transfer and taxing the right of survivorship in property as to which such right exists and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal" by imposing duties on surviving parties and banks or other institutions or depositories of joint accounts or accounts in trust and by adding a new section pertaining to the opening and examining of safe deposit boxes of decedents and providing penalties

On the question,

Will the House agree to the bill on third reading?

Mr. READINGER. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Section 2, page 6, line 2, by inserting after the word "deposit" and before the word "Any" the following:

Provided, however, that in the case of a joint deposit with the right of survivorship, such waiver shall be produced only with respect to the pro rata share of such funds as formerly belonged to the decedent.

Amend Section 3, page 6, line 18, by inserting after the word "vault" and before the word "any" the following: or any other person

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

Mr. READINGER. Mr. Speaker, the bill we are considering amendments to is House Bill 1699. They do not change the purpose of the bill in any way. The purpose of this bill is to close certain doors which have lent themselves to tax moneys not getting paid to the state of Pennsylvania.

The bill in short provides, where there is a joint bank deposit, and one of the joint depositors died, the surviving party to that joint bank account, whether it be one person, two or more, is required to furnish a tax waiver from the Department of Revenue to the bank before he can withdraw any of the funds from that deposit. The purpose obviously being to insure the payment of the tax money which is due the Commonwealth.

However in about ninety-eight percent of these joint deposits there is an agreement between the depositors that the survivor shall be entitled to the balance that is in that fund after the person dies. Under the tax laws of Pennsylvania such a deposit is deemed to be the property of the decedent and the survivor in equal shares, or if there are more than two depositors, then in whatever number of depositors the ownership is divided and the tax is based on that.

This amendment that I have just offered slightly changes the bill as it is drawn and would allow the survivor, if he be one of two persons in that account, to withdraw one half of the funds because they belong to him anyway, without the necessity of waiting to get a tax revenue waiver from the Commonwealth of Pennsylvania.

It will simply mean that the surviving depositors will

not be unduly inconvenienced and, in my opinion, there will be no loss of tax money at all, because the highest rate of tax that could be imposed, even if the new inheritance tax amendment passes this session, would be twenty percent on one half of that back account. So, obviously if you freeze one half of the bank account, and the tax cannot be more than twenty percent on it, the state is going to get its money before that fund can be released or withdrawn from the bank.

Those of you who practice law will know that in many cases brothers, for example, or sisters, or cousins will have a joint bank account and that will be the only money those people may have. If these accounts are completely frozen until a revenue waiver can be obtained it might mean that the survivor might have to wait two, three or four weeks to get that particular paper or document from the state, during which time he could not withdraw his own money and might have to go out and borrow money to live, or pay his rent or do something of that kind.

If I were not convinced that this would not in any way defeat the purpose of this bill, if I thought it would defeat it in any way, I would not offer the amendment, but I see no danger to the Commonwealth's tax revenue through this amendment, and I would like to ask your support of it.

Mr. Speaker, may I inquire whether the amendment to Section 3 line 18, has been read?

The SPEAKER. All the amendments have been read, for the information of the gentleman.

Mr. READINGER. The other part of the amendments that I am offering deals with the opening of safe deposit boxes. It now provides in the bill, where a decedent has such a box, or has it together with other people, the bank in which that deposit box exists, "shall deny to the executors, administrators or legal representatives of said decedent or the survivor or survivors of the joint lessees of the safe deposit box or vault any access," to it prior to the time when a representative of the Department of Revenue can be present to see what is in that box.

The amendment I am offering contains the words "or any other person," because if you strictly construe the words that are now in the bill and an attorney appears at the bank and says, "I would like to get into that box," that attorney could be allowed by the bank to get into the box, because he is not one of the persons who is named in this section.

So to close the door to that possibility I have offered this other amendment which I say adds "any other person." In other words nobody is to get at that box unless the Department of Revenue's representative is present to see what is in the box. I ask your support of these amendments.

Mr. JOHNSON. Mr. Speaker on this side of the House we believe the position of Mr. Readinger is well taken and we therefore ask the Members on this side to support the amendments.

On the question recurring,

Will the House agree to the amendment?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

Mr. READINGER. Mr. Speaker I have an additional



amendment to the same section of this particular bill. I would like to submit it at this time.

Mr. READINGER. Mr. Speaker, I ask unanimous consent to offer an additional amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk read the amendment as follows:

Amend Section 3, page 6, line 15, by inserting after the word "persons" and before the word "the the following: except where the decedent and other party were husband and wife

The SPEAKER. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection?

On the question,

Will the House agree to the amendment?

Mr. READINGER. Mr. Speaker, this amendment is offered to the same section of House Bill 1699 that was amended a few minutes ago by the House. I have offered this one separately for the reason that this may be more controversial, or probably is more controversial than the other amendments which have just been acted upon.

Section 3 of this bill provides that after section 37 of the Act, the present law which we are amending, the following new section be added and they call it section 37 of the Act which is being amended, which is the inheritance tax law.

That section provides, "whenever a decedent has leased, purchased, licensed or otherwise obtained the use of a safe deposit box or vault in any safe deposit company, trust company, corporation, bank....." whether or not the safe deposit box is in the name of a decedent or in the joint names of the decedent and one or more other persons that box may not be opened until there is a representative of the Department of Revenue present after being notified of the time when it would be opened to examine the contents of the box.

This amendment which I am now offering would take out of that section the case where a safe deposit box was registered and owned by husband and wife. It may seem at first glance that there is no reason why a husband's and wife's safe deposit box should be treated any differently from another jointly owned box, but I believe it is true in many instances, practically ninety percent, the contents of a safe deposit box in the name of husband and wife belong to the survivor with the exception of course of things which are specifically and definitely the property of the person who died or the survivor.

For example if a man has government bonds registered in his own name in his safe deposit box obviously whether the Department of Revenue's representative was present or not those securities belong to his estate. They would have to be declared as part of it and tax paid on it. There is no way of transferring those securities except by application to the representative of the state. The same is true of stock certificates or any other evidence of ownership which would be in the name of the person who dies first.

Apart from such things which are clearly a part of the decedent's estate, usually in these boxes, I presume you would find money or jewelry or things of that nature which could pass from hand to hand. It is my belief and my conviction that in almost every case the husband and wife intended that to belong to both of them.

As you know there is no Pennsylvania inheritance tax between a husband and wife. Since there is no taxes in such an instance I see no reason why a surviving wife or husband should be made to call in a Department of Revenue representative and have him present when that box is opened after death. I believe this will not cause the state to lose any revenue and I think it will leave the people of Pennsylvania who are married, and have these boxes with securities andsoforth, a lot happier if this amendment is adopted. I ask for its support.

Mr. SCHMIDT. Mr. Speaker I rise in opposition to the proposed amendment. I feel that the purpose of this act is to close up any possibility of the State being defrauded of any tax that it might be entitled to.

The sponsor of the amendments has suggested the fact that inasmuch as the box is registered in the name of husband and wife it is presumed that everything that is in that box is held by entirety as husband and wife, and therefore there would not be any tax placed upon whatever was found in the box.

It so happens and practically so, that often this is used as a method of avoiding payment not only of inheritance tax but the cost of administration whereby a parent of means may put cash into various envelopes and mark them for my son John or my daughter so and so, fully intending that these funds will pass directly to that son or brother or sister without any administration whatsoever and the State be deprived of the tax that it is rightly entitled to have. That situation could arise.

If this act goes through and a representative of the Revenue Department is present and there is no such designation found within the box the State will have no claim, the money will automatically go to the wife as the survivor of the husband and wife relationship or vice versa and the state will not be defrauded of anything. But it could be used as a means of transferring funds belonging to decedents to some one other than to the wife on which the State would be entitled to an inheritance tax.

I therefore feel that it would weaken the intended purpose behind the bill if this amendment were adopted.

Mr. READINGER. I would like to add one more word to what Mr. Schmidt said. What he says about the possibilities of moneys being given to children without tax being paid is true. But there are so many other ways in which that same thing could be accomplished that I do not think it is something we should really worry too much about.

For example, if this bill is passed as is, it is not hard to conceive of a man who is quite ill and thinks he is going to die; if he has such an envelope in his safe deposit box, saying "to my son John andsoforth," it would be very simple for him to have his wife go to his box and bring it home and just leave it there. In case he dies, just hand it to him. If he does not die, well it goes back in the box, or something else is done with it.

If there were an absolute guarantee that there could be no leakage whatsoever of the type concerning which Mr. Schmidt speaks, then I would be inclined to agree with him. But I think you have to weigh two things here. That is the inconvenience or the irritation to a surviving wife or husband as against the possibility of a few thousand dollars in tax money being lost to the Commonwealth. I would rather see the money lost to the



Commonwealth, if it is going to be lost, than I would to impose on a surviving husband or wife the matter of having to call in a Department of Revenue representative to go through that box.

Mr. SCHMIDT. In reply to the gentleman from Berks, Mr. Readinger, if it is intended by this act to close up all loopholes let us close them up.

Now, as I say, a situation as I have explained can happen and does happen. It is something that the Federal government itself is considering at this time. I know that to be a fact.

Insofar as the wife is concerned if there is no designation within the safe deposit box, she will take everything that is there, there will be no tax and no inconvenience other than what is routine insofar as the settlement of someone's estate is concerned.

I therefore ask that these amendments be defeated.

Mr. JOHNSON. The purpose of this bill, as the majority leader pointed out yesterday, was one of plugging loopholes in our present law. We feel if this amendment is permitted it will certainly leave wide open the loophole that we are trying to plug. So we, therefore, request that these amendments be voted down.

Mr. READINGER. Mr. Speaker, I ask for a division on the question.

On the question recurring,

Will the House agree to the amendments?

A division having been called forty-two Members having voted in the affirmative and ninety in the negative, the question was determined in the negative and the amendments were not agreed to.

On the question recurring,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

### PARLIAMENTARY INQUIRY

Mr. SCHMIDT. I arise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. SCHMIDT. Mr. Speaker, I am desirous of knowing whether or not amendments are being offered today to the tax measures that are now on third reading with the intention that later on in the day the bills with the amendments as acted upon will be presented to us for final passage.

The SPEAKER. Will the Majority leader permit himself to be interrogated.

Mr. SMITH. Mr. Speaker, I will.

Mr. SCHMIDT. Mr. Speaker, I desire to be informed as to whether or not amendments are to be offered today to the tax measures, and then later on in the day the bills as amended will be presented to us for final enactment?

Mr. SMITH. Mr. Speaker, that is our plan at this time.

Mr. SCHMIDT. Mr. Speaker, as a matter of parliamentary inquiry, I desire to know whether or not it is possible under the Rules of this House to follow such a procedure?

The SPEAKER. For the information of the gentleman the only requirement is that the bills be in print they having been considered three times at length on three separate days.

Mr. SCHMIDT. Mr. Speaker, in the case of amend-

ments though, where we are going to consider a bill today that has been passed twice, is going to be amended on the floor today and then presented to us as amended on the same day, is that possible?

The SPEAKER. The Chair would inform the gentleman that that procedure is in conformity with article III, Section 4, of the Constitution.

Mr. SCHMIDT. Mr. Speaker, then may I ask this: is it not possible for these various amendments to be submitted to the caucuses of the parties prior to their being presented here on the floor?

The SPEAKER. For the information of the gentleman, that is the procedure that has been agreed upon, that the amendments will be presented.

Mr. SCHMIDT. Mr. Speaker, no, I mean that they shall be presented to the various caucuses prior to their presentation upon the floor.

The SPEAKER. For the information of the gentleman the procedure agreed upon by the leadership is now being followed.

Mr. SCHMIDT. Mr. Speaker, and that is to consider them on the floor here prior to their having been heard in caucus?

The SPEAKER. The Chair is with that understanding.

Mr. SCHMIDT. Mr. Speaker, is a Member in a position to object to such a procedure?

The SPEAKER. For the information of the gentleman, a Member can object to the offering of amendments on third reading if he desires.

Mr. ANDREWS. Mr. Speaker, I rise for the purpose of suggesting to the gentleman from Allegheny that the amendments that will be presented are designed to improve bills that may be questionable. The amendments are not as controversial as the bills themselves, and the explanation of the amendments made on the floor offers ample opportunity to the gentleman from Allegheny or any other Member to oppose them and to make inquiry concerning them.

### BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1694, entitled:

An Act to further amend section twenty-four of the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" by removing exemptions of life insurance companies and companies doing business upon the mutual plan and certain purely mutual beneficial associations from the State tax on gross premiums premium deposits and assessments received from insurance business transacted within this Commonwealth and changing the rate of tax

On the question,

Will the House agree to the bill on third reading?

Mr. SMITH. Mr. Speaker, I also have amendments for these bills, which as the Minority Leader just said, are amendments that are going to make better bills. We are quite sure of that because of oversights or because of errors on our part. These are not controversial amendments; they are amendments that will better the bill that is in our possession at this time.

I am offering amendments to House Bill 1694, and what



they do is to provide that stock companies or insurance companies be able to take credit for the capital stock tax and the corporate net income tax paid to the Commonwealth, or to take a credit for any other state tax paid in their figuring of the previous tax.

Without these amendments a great inequality would be placed upon certain companies. With these amendments we are putting them now on a fair basis with foreign companies and with other companies in the state.

Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Section 24, page 3, line 15, by inserting after the word "deposits" and before the word "and" the following: "annuity considerations"

Amend Section 24, page 3, line 16, by inserting at the end of the line after the word "Commonwealth" the following: "Provided however That a credit shall be allowed in the payment of said tax in an amount equal to the capital stock and corporate net income taxes paid to the Commonwealth for the same period"

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

Mr. ANDREWS. Mr. Speaker, does the Majority Leader have an extra copy of his amendments that he could give to the gentleman from Allegheny so that he could compare the amendments with the bill if he so desires?

Mr. SMITH. Mr. Speaker, I gave one to Mr. Readinger and I am sure we will have another copy for Mr. Schmidt. I will also send over to Mr. Schmidt a copy of the amendments I am going to offer to another bill.

Mr. ANDREWS. Mr. Speaker, I suggest that we pause an instant and give the gentleman from Allegheny an opportunity to compare the amendments with the text of the bill.

Mr. SPEAKER. The Chair will do so.

On the question recurring,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1698, entitled:

An Act to provide revenue by imposing a State tax upon certain documents prescribing and regulating the method and manner of evidencing the payment of such tax conferring powers and imposing duties upon certain persons partnerships associations and corporations recorders of deeds and the Department of Revenue saving certain local taxes and authorizing amendments extensions and supplements to the ordinances and resolutions relating thereto and providing penalties

On the question,

Will the House agree to the bill on third reading?

Mr. SMITH. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Section 2, page 2, line 17, by inserting after the word "mortgages" and before the word "and" the following: "transfers between husband and wife"

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

Mr. SMITH. Mr. Speaker, again we have the same type of amendment to offer. We feel that we are strengthening a bill on real estate transfers.

For the benefit of the gentlemen who are in the balcony, we feel that we are strengthening the bill they sent over to us in a Senate package.

In the present bill a transfer of property, between man and wife in entirety or as a whole, the tax would be paid upon the highest assessment on that property. We are taking that out and allowing a transfer between man and wife with no monetary consideration to be free from any tax.

Mr. ANDREWS. Mr. Speaker, I desire to cut in at this time to call the attention of the Majority Leader to the fact that his change in the program of not having a caucus immediately after we have convened will result in some confusion, because yesterday it was understood that the Minority would have an opportunity to amend the bills on third reading. That was distinctly understood. Now, without having informed me, it happens that various members of the Minority have amendments to the bills, amendments which they desire to submit to the caucus, amendments which will be submitted to the caucus, and amendments for which we will demand consideration after the caucus.

So you will amend your bills now, get them printed and in conformity with the agreement if the amendments that we may offer are accepted, they will be printed again.

Mr. SMITH. Mr. Speaker, I would just like to agree with the gentleman that that was our agreement, and it still is. If something can be worked out in a side bar conference I am perfectly willing to do it under parliamentary procedure.

I would like to remind the gentleman though, that I assumed that any amendments to be offered would be ready at this time from the other side, but unfortunately the Members did not tell him. So I cannot place the blame on him or on anyone else. We did accept the amendments that were offered, and I think we can work something out if it is agreeable with him.

Mr. ANDREWS. Mr. Speaker, the gentleman from Philadelphia has been Majority Leader long enough to know that not all Members on his side always inform him concerning their intentions.

It so happens that no Member of the Minority paused in his thinking to inform me that he wanted to offer amendments today to the bills.

I should have received such information prior to the opening of the present session, but there are amendments that they are entitled to offer. It was agreed that they would have the opportunity to do so, and they desire to submit their amendments to the Democratic caucus for consideration.



Mr. SMITH. Mr. Speaker, if Mr. Andrews, the Speaker, the Parliamentarian and I could get together just a few minutes we might be able to work out something.

I would like to remind the gentleman that the Members on this side are so well organized that I do know when they are going to amend bills.

The SPEAKER. For the information of the Majority Leader and the Minority Leader, with the permission of the Members amendments by Members of the Minority can be considered if they desire to offer them after the caucus.

On the question recurring,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

### BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

HOUSE BILL No. 1449.

An Act to amend the act approved the twelfth day of June one thousand nine hundred fifty-one (Act Number 141) entitled "An act relating to mental health including mental illness mental defect epilepsy and inebriety and amending revising consolidating and changing the laws relating thereto" by further defining "qualified physician" and the rights of patients in institutions

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

### REPUBLICAN AND DEMOCRATIC CAUCUSES

The SPEAKER. Immediately upon the calling of a recess, there will be a caucus of the Republican Members in the new House Caucus Room and a caucus of the Democratic Members in the old House Caucus Room.

### RECESS

The SPEAKER. If there is no objection, the Chair will declare a recess for one hour. The Chair hears none, and a recess is declared.

### AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Herbert P. Sorg) in the Chair.

### SENATE MESSAGES

#### SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bill numbered and entitled as follows:

SENATE BILL No. 836.

An Act making an appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred fifty-one.

Referred to the Committee on Appropriations.

#### AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1480.

An Act to further amend the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" by defining and re-defining certain terms by further providing for the submission of reports by the department to the Governor concerning the administration and operation of the act by providing for the selection of certain personnel on a civil service basis by providing for the disposition of obsolete files and records and for the admissibility of copies of such records in evidence for reciprocal arrangements with foreign governments for modification of the manner in which contribution rates are determined and redetermined for modification of the manner in which reports are filed and contributions paid for modification of the provisions with respect to eligibility for benefits and the amount thereof by conferring upon the department the right of appeal by eliminating appeal filing fees and by making further provisions for the prosecution of fraud and for recoupment of benefit payments

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read as amendments.

The Clerk read the amendments as follows:

Amend the title, page 2, line 12, by inserting after the word "records" the words "and for the admissibility of copies of such records in evidence".

Amend the bill, Section 1, page 5, line 7, by striking out after the word "from" the words "the maximum" and inserting in lieu thereof the word "his"; page 5, line 9, by inserting after the word "than" the word "his"; page 5, line 10, by striking out after the word "than" the word "his" and inserting in lieu thereof the words "the maximum"; page 6, line 1, by inserting before the word "has" the words "in interest".

Amend the bill, page 13, by striking out lines 3 to 19 inclusive; page 14, by striking out lines 1 and 2 inclusive.

Amend the bill, page 14, line 3, by striking out after the word "Section" the figure "5" and inserting in lieu thereof the figure "4".

Amend the bill, page 15, line 13, by striking out after the word "Section" the figure "6" and inserting in lieu thereof the figure "5".

Amend the bill, page 16, line 5, by striking out after the word "Section" the figure "7" and inserting in lieu thereof the figure "6".

Amend the bill, page 30, line 1, by striking out after the word "Section" the figure "8" and inserting in lieu thereof the figure "7".

Amend the bill, page 30, line 15, by striking out after the word "all" the word "employees" and inserting in lieu thereof the word "employers"; page 31, line 1, by striking out after the word "individual" the words "subsequent to the thirtieth day of September one thousand nine hundred



fifty-one"; page 31, line 15, by inserting after the word "pensation" the following: the provisions of this subsection (f) as hereby amended shall become effective with respect to charges arising out of any benefit year which commences after the thirtieth day of September one thousand nine hundred fifty-one

Amend the bill, page 32, line 1, by striking out after the word "Section" the figure "9" and inserting in lieu thereof the figure "8"

Amend the bill, page 32, line 3, by striking out after the word "Section" the figure "10" and inserting in lieu thereof the figure "9"

Amend the bill, page 33, line 3, by striking out after the word "Section" the figure "11" and inserting in lieu thereof the figure "10"

Amend the bill, page 34, line 11, by striking out after the word "Section" the figure "12" and inserting in lieu thereof the figure "11"

Amend the bill, page 36, line 3, by striking out after the word "Section" the figure "13" and inserting in lieu thereof the figure "12"

Amend the bill, page 37, line 17, by striking out after the word "Section" the figure "14" and inserting in lieu thereof the figure "13"

Amend the bill, page 48, line 12, by striking out the first figure in the line "\$180" and inserting in lieu thereof the figure "\$120"; page 49, line 19, by striking out the first figure in the line "\$180" and inserting in lieu thereof the figure "\$120"

Amend the bill, page 50, line 20, by striking out after the word "Section" the figure "16" and inserting in lieu thereof the figure "15"

Amend the bill, page 54, line 9, by striking out after the word "Section" the figure "17" and inserting in lieu thereof the figure "16"

Amend the bill, page 55, line 16, by striking out after the word "Section" the figure "18" and inserting in lieu thereof the figure "17"

Amend the bill, page 56, line 17, by striking out after the word "Section" the figure "19" and inserting in lieu thereof the figure "18"

Amend the bill, page 58, line 4, by striking out after the word "Section" the figure "20" and inserting in lieu thereof the figure "19"

Amend the bill, page 61, line 7, by striking out after the word "Section" the figure "21" and inserting in lieu thereof the figure "20"

Amend the bill, page 62, line 4, by striking out after the word "Section" the figure "22" and inserting in lieu thereof the figure "21"; page 63, line 10, by striking out after the word "the" the following: "department shall consider all of the circumstances surrounding the payment and receipt of the compensation to which the claimant was not entitled including the cause of the overpayment and the claimant's good faith Provided however that the."

Amend the bill, page 64, line 2, by striking out after the word "Section" the figure "23" and inserting in lieu thereof the figure "22"

Amend the bill, page 64, line 10, by striking out after the word "Section" the figure "24" and inserting in lieu thereof the figure "23"

Amend the bill, page 64, line 19, by striking out after the word "Section" the figure "25" and inserting in lieu thereof the figure "24"

Amend the bill, page 65, line 1, by striking out after the word "Section" the figure "26" and inserting in lieu thereof the figure "25"; page 65, line 1, by striking out after the word "effective" the words "immediately upon its final enactment" and inserting in lieu thereof the words "on the first day of October one thousand nine hundred fifty-one"

On the question,

Will the House concur in the amendments made by the Senate?

Mr. KENT. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—204

Amarando,	Good,	Markley,	Royer,
Andrews,	Goodling,	Maxwell,	Rubin,
Banker,	Graybill,	Mazza,	Sarra,
Barkdoll,	Greenwood,	McConnell,	Sax,
Baumunk,	Greer,	McCormack,	Scanlon,
Bear,	Guarnieri,	McCullough,	Schmidt,
Beaver,	Gutendorf,	McDermitt,	Schuster,
Beech,	Guthrie,	McGee,	Scott,
Berkstresser,	Hagerty,	McInroy,	Seyler,
Blair,	Hall,	McKinney,	Shoemaker,
Bloom,	Hamilton, R. K.,	McMillen,	Shotwell,
Boles,	Hamilton, W. H.,	McNally,	Smith,
Bolton,	Harney,	Metz,	Snider,
Bomberger,	Haudenshield,	Mihm,	Sollenberger,
Boorse,	Headlee,	Mikula,	Spencer,
Bower,	Helm,	Miller, H. G.,	Stank,
Breisch,	Hersch,	Mills,	Stimmel,
Breth,	Hewitt,	Mintess,	Stoner,
Brown,	Hocker,	Monroe,	Swartz,
Bucclin,	Hoggard,	Moore, C. E.,	Swope,
Byrne,	Hunter,	Moore, H. A.,	Tahl,
Cella,	Jenkins,	Moran,	Taylor,
Clapper,	Johnson,	Muldowney,	Thompson, E. F.,
Clendenning,	Jones, G. E.,	Munley,	Thompson, R. L.,
Cochran,	Jones, J. M.,	Murray,	Toll,
Conway,	Jones, P. F.,	Musto,	Tompkins,
Cooper,	Jones, T. H. W.,	Najaka,	Toomey,
Corr,	Jump,	Naugle,	VanSant,
Costa,	Kamyk,	Needham,	Varallo,
Coyle,	Keller,	Olsen,	Varnier,
Dalrymple,	Kent,	Penglase,	Verona,
Davis,	Kline,	Peta,	Wachhaus,
Dennison,	Kohl,	Petrosky,	Wargo,
Dougherty,	Kolankiewicz,	Pettigrew,	Waterhouse,
Dowling,	Kornick,	Pfaff,	Watkins,
DuBois,	Kratz,	Pichney,	Weidner,
Duffy,	Kubacki,	Pitzer,	Welsh,
Dunn,	Lederer,	Polaski,	Wescott,
Erb,	Lelsey,	Polen,	Westrick,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Ferster,	Leven,	Readinger,	White,
Filip,	Light,	Reagan,	Williams,
Filo,	Limper,	Reese,	Wilt,
Firmstone,	Loftus,	Relly, J. M.,	Wood,
Flack,	Lopresti,	Rigby,	Yeakel,
Frost,	Lovett,	Riley, R. L.,	Yester,
Gaffney,	Lutty,	Robertson,	Yetzer,
Geer,	Lyons,	Rosen,	Young,
Gibson,	Madden,	Rovansek,	Ziegler,
Gleason,	Madigan,		Sorg,

Speaker

## NAYS—0

## NOT VOTING—3

Lafore, Miller, J. C., Reidenbach,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

### PERMISSION GRANTED COMMITTEES TO MEET DURING SESSION

Mr. HANDENSHIELD asked and obtained permission for the Committee on Welfare to meet during the session of the House.

### BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

#### HOUSE BILL No. 1480.

An Act to further amend the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Depart-



ment of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" by defining and re-defining certain terms by further providing for the submission of reports by the department to the Governor concerning the administration and operation of the act by providing for the selection of certain personnel on a civil service basis by providing for the disposition of obsolete files and records and for the admissibility of copies of such records in evidence for reciprocal arrangements with foreign governments for modification of the manner in which contribution rates are determined and redetermined for modification of the manner in which reports are filed and contributions paid for modification of the provisions with respect to eligibility for benefits and the amount thereof by conferring upon the department the right of appeal by eliminating appeal filing fees and by making further provisions for the prosecution of fraud and for recoupment of benefit payments

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

#### DEMOCRATIC CAUCUS

Mr. ANDREWS asked and obtained unanimous consent to hold a fifteen minute Democratic Caucus during the session of the House.

#### BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1397, entitled:

An Act making an appropriation for the payment of expenses incurred by the State Council of Civil Defense

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1503, entitled:

An Act to amend the title and to further amend sections two four five seven and fifteen of the act approved the twenty-seventh day of April one thousand nine hundred twenty-seven (P. L. 465) entitled "An act to provide for the safety of persons employed housed or assembled in certain buildings and structures not in cities of the first class second class and second class A by requiring certain construction and ways of egress equipment and maintenance providing for the licensing of projectionists requiring the submission of plans for examination and approval providing for the promulgation of rules and regulations for the enforcement of this act providing for the enforcement of this act by the Department of Labor and Industry and in certain cases by the chiefs of fire departments in cities of the third class providing penalties for violations of the provisions of this act and repealing certain acts" by excluding cities of the first class and second class and including cities of the second class A for the licensing of projectionists covering in Class I buildings not formerly covered and authorizing the increase of ways of egress

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1579, entitled:

An Act making an appropriation to the Department of Public Instruction for the purpose of providing temporary emergency aid under certain conditions to school districts of the third and fourth classes in which housing projects are erected

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1678, entitled:

An Act to further amend the act approved the twenty-first day of January one thousand nine hundred forty-seven (P. L. 3) entitled "An act relating to officers and employes of the General Assembly fixing the number qualifications compensation mileage and duties of the officers and employes of the Senate and of the House of Representatives providing for their election or appointment term of office or of service removal and manner of filling vacancies and making appropriations to the Senate House of Representatives and Legislative Reference Bureau" by providing for compensation on a daily basis for certain employes of the General Assembly when a regular biennial session of the General Assembly remains in session beyond the fifteenth day of June making appropriations

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 134, entitled:

An Act to amend further Section 5 of the act approved the thirteenth day of June one thousand eight hundred and thirty-six (P. L. 551) entitled "An act relating to roads highways and bridges" as amended by extending the width of a public road in the instance of multiple lane highways to increase the maximum width by the additional footage that shall be necessary in the judgment of the Secretary of Highways for center or driving strips

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 399, entitled:

An Act to amend Section 11.1 of the act approved the twenty-second day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by extending the time for the retention of membership in the State Employes' Retirement Association by any contributor who ceases to be a State employe and a member of the Public School Employes' Retirement Association

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,



The House proceeded to the first reading and consideration of Senate Bill No. 400, entitled:

An Act to amend Section 12.1 of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by extending the time for the retention of membership in the Public School employees' Retirement Association by any contributor who ceases to be a public school employee and becomes a State employee and a member of the State Employees' Retirement Association

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 441, entitled:

An Act to add Sections 602.1 and 705.1 to further amend Section 802 to add Sections 804.1 and 901.1 to the act approved the fifth day of August one thousand nine hundred forty-one (P. L. 752) entitled "An act regulating and improving the civil service of certain departments and agencies of the Commonwealth vesting in the State Civil Service Commission and a Personnel Director certain powers and duties providing for classification of positions adoption of compensation schedules and certification of payrolls imposing duties upon certain officers and employees of the Commonwealth authorizing service to other State departments or agencies and political subdivisions of the Commonwealth in matters relating to civil service defining certain crimes and misdemeanors imposing penalties making certain appropriations and repealing certain acts and parts thereof" by providing that substitutes may hold positions only until employees on military leave return relating to rights of transferred reassigned or promoted employees during probationary periods and providing for employee audits from time to time

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 544, entitled:

An Act making an appropriation from the Motor License Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Motor License Fund

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 545, entitled:

An Act making an appropriation from the Game Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Game Fund

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 550, entitled:

An Act making an appropriation of moneys in the Motor License Fund to the Board of Finance and Revenue for the payment of the Loan and Transfer Agent of the Commonwealth

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 563, entitled:

An Act making an appropriation to the Treasury Department out of various funds to pay replacement checks issued in lieu of outstanding checks when presented and to adjust errors

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 564, entitled:

An Act making an appropriation from the State Stores Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the State Stores Fund

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 565, entitled:

An Act making an appropriation from the State Workmen's Insurance Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the State Workmen's Insurance Fund

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 567, entitled:

An Act making an appropriation from the Fish Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Fish Fund

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 573, entitled:

An Act making an appropriation from the Banking Department Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Banking Department Fund

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.



Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 575, entitled:

An Act making an appropriation from the Manufacturing Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Manufacturing Fund

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 576, entitled:

An Act making an appropriation from the Public Building Construction Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Public Building Construction Fund

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 701, entitled:

An Act to amend paragraph five of section one of the act approved the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1669) entitled as amended "An act to provide revenue for school districts of the first class by imposing a tax on persons engaging in certain business professions occupations trades vocations and commercial activities therein providing for its levy and collection conferring and imposing powers and duties on the Board of Public Education receiver of school taxes and school treasurer in such districts and prescribing penalties" by further defining "receipts"

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 736, entitled:

An Act providing for the registration of professional bondsmen in cities of the first class providing for criminal offenses and penalties

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 759, entitled:

An Act to promote the uniform development of Allegheny County creating the Metropolitan Study Commission of Allegheny County defining its powers and duties conferring powers and imposing duties upon the Governor and the governing bodies of political subdivisions

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 789, entitled:

An Act to further amend clause (b) of Section 507 and clause (c) of Section 2403 of the act approved the ninth day of April one thousand nine hundred twenty-nine

(P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" by making special provision for the purchase of fuel for use in any State hospital or any other State institution.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 796, entitled:

An Act prohibiting the occupation of living quarters over or the depositing of foreign substances in any body of water which is the source of water used for human consumption prescribing penalties and authorizing the courts of common pleas to enjoin violations.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 798, entitled:

An Act to further amend the act, approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employees serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by extending the time within which State mental hospital employees may become "original members" and permitting additional persons to change from the one one-hundred-sixtieth (1-160) to the one one-hundredth (1-100) class and providing for obtaining full benefits by contributors heretofore or hereafter making such change.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 799, entitled:

An Act to further amend Section 14 of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees defining the uses and purposes thereof and the manner of payments therefrom



and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by further providing for minimum retirement allowances.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 800, entitled:

An Act to further amend the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by providing for minimum retirement allowances in certain cases and appropriations for payment of the costs thereof.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 816, entitled:

An Act to facilitate vehicular traffic across the Commonwealth by providing for the construction operation and maintenance of a turnpike from a connection with the Pennsylvania Turnpike System at such point west of the Susquehanna River as the Pennsylvania Turnpike Commission may decide is most feasible and practicable to a point on or near the boundary line between the Commonwealth of Pennsylvania and the State of Maryland in the general vicinity of Gettysburg and conferring powers and imposing duties on the Pennsylvania Turnpike Commission authorizing the issuance of turnpike revenue bonds notes or other obligations of the Commonwealth payable solely from revenue of the Commonwealth including tolls or from such funds as may be available to the Commission for that purpose to pay the cost of such turnpike providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act providing for the collection of tolls for the payment of such bonds notes or other obligations and for the costs of maintenance operation and repair of the turnpike making such turnpike bonds notes or other obligations exempt from taxation constituting the same legal investments in certain instances requiring suits against the Commission to be brought in Dauphin County prescribing conditions on which such turnpike shall become free providing for grade separations grade changes relocations restorations and vacation of public roads and State highways affected by the turnpike providing for the purchasing or condemnation of land and procedure for determining damages in condemnation granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the Commission and authorizing the issuance of turnpike revenue refunding bonds.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

## BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1116, entitled:

An Act to further amend Sections 1 and 2 of the act approved the twenty-fourth day of July one thousand nine hundred thirteen (P. L. 965) entitled "An act defining commodities regulating the sale thereof and providing penalties for violation hereof" by defining further words and terms and regulating the sale of certain additional commodities.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1118, entitled:

An Act making an appropriation from the Toll Bridge Fund to the Board of Finance and Revenue to meet interest and sinking fund requirements on Toll Bridge Bonds.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1285, entitled:

An Act to further amend section four hundred forty-one of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by increasing the number of Workmen's Compensation Board members and the quorum thereof.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1331, entitled:

An Act authorizing the Department of Highways to erect and maintain toll bridges over the Susquehanna River at certain points and to provide the necessary approaches and connections with State highways empowering counties to pay certain damages providing for the collection of tolls and making an appropriation.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.



Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1414, entitled:

An Act providing that the Department of Highways shall notify the Department of Forests and Waters when it proposes to relocate or establish a highway which will provide a scenic view or vista providing for the establishment and maintenance of parks by the Department of Forests and Waters at adjacent to or to preserve such views or vistas under certain terms and conditions providing for the acquisition of the land for the establishment of such parks by gift devise agreement or condemnation and providing for the payment of damages.

The first section was read.

On the question,

Will the House agree to the section?

#### BILL RECOMMENDED

Mr. JOHNSON. Mr. Speaker, I move that this bill be recommitted to the Committee on Highways for the purpose of further study and possible amendment.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1428, entitled:

An Act to further amend the act approved the seventeenth day of May one thousand nine hundred seventeen (P. L. 208) entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words "drug" and "poison" and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity" by defining "prescription" further providing for meetings of the board and examination of pharmacists by the board further regulating experience requirements of applicants for examination and registration as pharmacists exempting physicians from certain requirements of the act

The first section was read and agreed to.

The second section was read.

On the question,

Will the House agree to the section?

Mr. SARRAF offered the following amendments:

Amend Sec. 2 (Sec. 13), page 8, line 2, by striking out the word "legally."

Amend Sec. 2 (Sec. 13), page 8, line 2, by inserting a bracket before the word "authorized" and after the word "medicine" and inserting immediately thereafter the following "duly licensed physician, dentist, veterinarian or other medical practitioner."

Amend Sec. 2 (Sec. 13), page 8, line 6, by striking out the words "as a physician."

Amend Sec. 2 (Sec. 13), page 8, line 7, by striking out the words "the physician" and inserting in lieu thereof "such licensee."

They were agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1429, entitled:

An Act to amend Section 1 of the act approved the twenty-seventh day of April one thousand nine hundred twenty-five (P. L. 299) entitled "A supplement to an act approved the seventeenth day of May one thousand nine hundred seventeen (P. L. 208) entitled 'An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words "drug" and "poison" and providing for the appointment of a board which shall have in charge the enforcement of said laws and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity providing for the registration of apprentices in pharmacy requiring employers of such apprentices to see that they are registered and imposing penalties" by requiring persons entering reputable and properly chartered colleges of pharmacy to apply to the State Board of Pharmacy for registration and certification as registered apprentices

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1495, entitled:

An Act to further amend the act approved the twenty-second day of June one thousand nine hundred thirty-seven (P. L. 1987) entitled as amended "An act to preserve and improve the purity of the waters of the Commonwealth for the protection of public health animal and aquatic life and for industrial consumption and recreation empowering and directing the creation of indebtedness or the issuing of nondebt revenue bonds by political subdivisions to provide works to abate pollution providing protection of water supply providing for the jurisdiction of courts in the enforcement thereof requiring the approval of the Attorney General for prosecutions thereunder providing additional remedies for abating pollution of waters imposing certain penalties and repealing certain acts authorizing the acquisition by purchase or condemnation or otherwise of easements and right of ways the acquisition or construction of pipes conduits drains or tunnels by the Sanitary Water Board and providing for payment of the costs thereof by the Commonwealth authorizing the Sanitary Water Board to establish standards of purity and to determine the time for compliance with certain provisions of the act in certain cases and making it unlawful to open reopen or continue operation of any coal mine or to change any approved drainage or disposal plan without prior approval by the Sanitary Water Board" by increasing maximum time after notice for discontinuance of discharge or treatment of sewage

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1544, entitled:

An Act imposing a permanent and a temporary State tax on fuels used within the Commonwealth in internal combustion engines for the generation of power to propel motor vehicles using the public highways providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring dealer-users to secure licenses and to file bonds as a guarantee of payment of taxes penalties interest fines uncollectible check fees and Attorney General's fees to file reports and to compile and retain certain records requiring registration of carriers for hire imposing duties on such persons requiring persons selling or delivering fuels to licensed dealer-users to furnish information imposing certain costs on counties conferring powers and imposing



duties on State officers and departments providing for refunds of taxes penalties and interest illegally or erroneously collected from licenses and providing penalties

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1573, entitled:

An Act providing a preference of ten points in State Bar Examinations for all honorably discharged veterans of World War II

The first section was read.

On the question,

Will the House agree to the motion?

#### BILL RECOMMITTED

Mr. McKINNEY. Mr. Speaker, I move that this bill be recommitted to the Committee on Judiciary for the purpose of further study and amendment.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1585, entitled:

An Act to amend Section 9 of the act approved the eighteenth day of April one thousand nine hundred forty-nine (P. L. 604) entitled "An act to promote the welfare of the people of the Commonwealth creating a State Highway and Bridge Authority as a body corporate and politic with power to construct reconstruct improve maintain equip furnish and operate highway and bridge projects and roadside rests and to lease the same and to fix and collect fees rentals and charges for the use thereof authorizing and regulating the issuance of bonds by said Authority and providing for the payment of such bonds and the rights of holders thereof and to enter into agreements with the Government of the United States or any Federal agency and authorizing the Department of Highways to grant assign convey or lease to the Authority lands easements or rights of way of the Commonwealth and interests therein and to acquire lands therefor authorizing said Authority and the Department of Highways to enter into agreements providing for mutual cooperation in furtherance of the construction of any project hereby authorized granting the right of eminent domain empowering said Authority to sell and convey projects and property to the Commonwealth and providing that no debt of the Commonwealth or any of its political subdivisions shall be incurred in the exercise of any of the powers granted by this act and making an appropriation" by further providing for examination of the accounts and books of the Authority

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1587, entitled:

An Act to amend section 8 of the act approved the thirty-first day of March one thousand nine hundred forty-nine (P. L. 372) entitled "An act to promote the welfare of the people of the Commonwealth creating The General State Authority as a body corporate and politic with power to construct improve equip furnish and operate projects and to lease the same and to fix fees rentals and charges for the use thereof authorizing and regulating the issuance of bonds for said Authority and provid-

ing for the payment of such bonds and the rights of the holders thereof and to enter into agreements with the Government of the United States or any Federal agency and authorizing the Department of Property and Supplies to grant assign convey or lease to the Authority lands of the Commonwealth and interests therein and to acquire lands therefor granting the right of eminent domain empowering The General State Authority to sell and convey projects and property to the Commonwealth and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act" by further providing for examination of the accounts and books of the Authority

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1625, entitled:

An Act to add sections 14.1 and 14.2 to the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employees serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by changing the provisions thereof as to contributors who are qualified for retirement but who die before retirement and making such changes retroactive in certain cases

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1662, entitled:

An Act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania in order to purchase and cancel all or any part of the obligations of The General State Authority and the State Highway and Bridge Authority or either of them in certain cases

The first section was read.

On the question,

Will the House agree to the section?

#### BILL RECOMMITTED

Mr. JOHNSON. Mr. Speaker, I move that this bill be recommitted to the Committee on State Government for the purpose of further study and possible amendment.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1671, entitled:

An Act to amend Section 902 of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1242) entitled "An act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto" by requiring the supervisors of townships of the second class to furnish the Department of Highways



copies of petitions ordinances agreements and resolutions laying out or vacating public roads

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1679, entitled:

An Act to further amend the last paragraph of subsection (c) of Section 507 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by authorizing departments boards and commissions to contract for utility services furnished by political subdivisions and authorities

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1681, entitled:

An Act to amend Section 1 of the act approved the twenty-sixth day of May one thousand nine hundred forty-nine (P. L. 1846) entitled "An act fixing the salaries of State Mine Inspectors under the jurisdiction of the Department of Mines and the expenses incident to their office" by increasing the salary of Mine Inspectors

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1682, entitled:

An Act to further amend section four of the act approved the twenty-ninth day of May one thousand nine hundred forty-five (P. L. 1132) entitled "An act to provide for the health and safety of persons employed in and about the coal mines in the Commonwealth of Pennsylvania the protection and preservation of property connected therewith the appointment of first aid and mine rescue instructors by the Secretary of Mines with the approval of the Governor fixing their salaries and qualifications providing for the purchase of trucks and necessary equipment to carry on the work and making an appropriation therefor" by further increasing the salary of the first aid and mine rescue instructors

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1683, entitled:

An Act to further amend Section 2 of the act approved the twenty-fifth day of April one thousand nine hundred forty-five (P. L. 289) entitled "An act providing for the health and safety of persons employed in and about the coal mines of the Commonwealth of Pennsylvania the protection and preservation of property connected therewith the appointment of electrical inspectors by the Secretary of Mines with the consent and approval of the Governor the fixing of their salaries and necessary expenses incurred in the performance of their duties and the fixing of the qualifications which shall be possessed by persons appointed to the position of electrical inspector" by increasing the salary of electrical inspectors

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1705, entitled:

An Act appropriating certain surplus funds to the Department of Public Assistance upon the exhaustion of its appropriation

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1706, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of Hazleton State Hospital to acquire three tracts of land for the use of the Hazleton State Hospital and making an appropriation therefor

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1711, entitled:

An Act providing for a referendum to determine the will of the electorate regarding a constitutional convention providing for the nomination and election of delegates and making an appropriation

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1715, entitled:

An Act making an appropriation to The Brandywine Battlefield Park Commission for the payment of necessary expenses

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1716, entitled:



An Act to further amend Section 25 of the act approved the twenty-first day of January one thousand nine hundred forty-seven (P. L. 3) entitled "An act relating to officers and employes of the General Assembly fixing the number qualifications compensation mileage and duties of the officers and employes of the Senate and of the House of Representatives providing for their election or appointment term of office or of service removal and manner of filling vacancies and making appropriations to the Senate House of Representatives and Legislative Reference Bureau" by changing the compensation of the messenger of the majority leader of the House of Representatives

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

### BILL PASSED OVER

There being no objection

Senate Bill No. 27, Printer's No. 562

Senate Bill No. 188, Printer's No. 534

Senate Bill No. 668, Printer's No. 357 and

Senate Bill No. 788, Printer's No. 464

were passed over at the request of the SPEAKER.

### SENATE MESSAGES

#### HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

#### HOUSE BILL No. 1445.

An Act to add section three hundred twenty-eight to the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by making it a crime to falsify a material fact or make fraudulent statements in any matter within the jurisdiction of any department board or commission of the Commonwealth and prescribing penalties

#### HOUSE BILL No. 1505.

An Act to amend the act approved the twelfth day of June one thousand nine hundred thirty-one (P. L. 510) entitled "An act providing for the licensure and regulation of certain private nursing homes and private hospitals conferring certain powers and duties upon the Department of Welfare and providing penalties" by further providing for the licensure and regulation of such nursing homes and hospitals

With the information that the Senate has passed the same without amendment.

### BILLS ON THIRD READING

The SPEAKER. Without objection, the Chair will take up bills on third reading on page 34 of today's calendar.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1692, as follows:

An Act to reenact the title and to reenact and further amend the act approved the sixteenth day of May one thousand nine hundred thirty-five (P. L. 208) entitled as amended "An act to provide revenue for State purposes by imposing an excise tax for a limited period of time on the net incomes of certain corporations joint-stock associations and limited partnerships providing for the assessment collection settlement and resettlement of

taxes and reviews and appeal therefrom conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties" by further defining net income changing the due date of certain payments requiring additional reports and extending the provisions of the act for a further limited period of time The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title and all the sections of the act approved the sixteenth day of May one thousand nine hundred thirty-five (P. L. 208) entitled as amended "An act to provide revenue for State purposes by imposing an excise tax for a limited period of time on the net incomes of certain corporations joint-stock associations and limited partnerships providing for the assessment collection settlement and resettlement of taxes and reviews and appeal therefrom conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties" as last reenacted and amended by the act approved the twenty-ninth day of May one thousand nine hundred fifty-one (P. L. 449) are hereby reenacted and further amended to read as follows

#### An Act

To provide revenue for State purposes by imposing an excise tax for a limited period of time on the net incomes of certain corporations joint-stock associations and limited partnerships providing for the assessment collection settlement and resettlement of taxes and reviews and appeal therefrom conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties

Section 1 Short Title Be it enacted &c That this act shall be known and may be cited as the "Corporate Net Income Tax Act"

Section 2 Definitions The following words terms and phrases when used in this act shall have the meaning ascribed to them in this section except where the context clearly indicates a different meaning

"Corporation" A corporation having capital stock joint-stock association or limited partnership either organized under the laws of this Commonwealth the United States or any other state territory or foreign country or dependency and doing business in this Commonwealth or having capital or property employed or used in this Commonwealth by or in the name of itself or any person partnership association limited partnership joint-stock association or corporation The word "corporation" shall not include building and loan associations banks bank and trust companies title insurance companies beneficial life and limited life insurance companies mutual fire mutual casualty and mutual life insurance companies and foreign stock companies registered in this Commonwealth and therein engaged in doing business as life fire and casualty insurance companies and surety companies

"Department" The Department of Revenue of this Commonwealth

"Net Income" 1 In case the entire business of the corporation is transacted within this Commonwealth net income for the calendar year or fiscal year as returned to and ascertained by the Federal Government or in the case of a corporation participating in the filing of consolidated returns to the Federal Government the net income which would have been returned to and ascertained by the Federal Government if separate returns had been made to the Federal Government for the current and prior taxable years subject however to any correction thereof for fraud evasion or error as finally ascertained by the Federal Government Provided That except as hereinafter otherwise provided additional deductions shall be allowed from net income on account of any Federal income or excess profits taxes paid after deducting therefrom an amount equivalent to any post-war refunds applicable to any



such taxes during such calendar or fiscal year for the preceding calendar or fiscal year or accrued during such calendar or fiscal year for such year as the case may be and on account of any dividends received from any other corporation subject to the tax imposed by this act And provided further That in the case of a corporation participating in the filing of consolidated Federal returns the additional deduction allowed from net income on account of any Federal income or excess profits taxes paid or accrued shall be an amount which bears the same ratio to the total Federal income or excess profits taxes of the group after deducting therefrom an amount equivalent to any post-war refunds applicable to any such taxes as the net income of the corporation computed without a deduction for such Federal taxes bears to the sum of the net incomes of the several members of the group computed without a deduction for such Federal taxes And provided further That on reports filed for the calendar year one thousand nine hundred forty-three or for any fiscal year beginning in such calendar year or any calendar or fiscal year thereafter no deduction shall be allowed for any Federal income or excess profits taxes whatsoever except the declared value excess profits tax And provided further That on reports filed for the calendar year one thousand nine hundred forty-six or for any fiscal year beginning in such calendar year or any calendar or fiscal year thereafter no deduction shall be allowed for net operating losses sustained by the corporation during the calendar year one thousand nine hundred forty-six or during any fiscal year beginning in such calendar year or in any calendar or fiscal year thereafter be allowed as a deduction for any prior calendar or fiscal year And provided further That in the case of stock life fire casualty and indemnity insurance companies doing business on the mutual or participating plan the term "net income" shall not include the dividends paid to policyholders out of net income

2 In case the entire business of any corporation other than a corporation engaged in doing business as an insurance or surety company is not transacted within this Commonwealth the tax imposed by this act shall be based upon such portion of the net income of such corporation for the fiscal or calendar year as defined in clause one hereof as may be determined by allocations and apportionments made as follows

(a) Gains realized and losses sustained from the sale or exchange of capital assets if such assets consist of real estate or tangible personal property situated in the Commonwealth shall be allocated to this Commonwealth

(b) Gains realized and losses sustained from the sale or exchange of capital assets if such assets consist of real estate or tangible personal property situated outside of the Commonwealth shall not be allocated in any part to this Commonwealth

(c) The remainder of such net income shall be divided into three equal parts

(1) Of one-third such portion shall be attributed to business carried on within this Commonwealth as shall be found by multiplying said one-third by a fraction whose numerator is the value of the corporation's tangible property situated within this Commonwealth and whose denominator is the value of all the corporation's tangible property whenever situated

(2) Of one-third such portion shall be attributed to business carried on within the Commonwealth as shall be found by multiplying said one-third by a fraction whose numerator is the expenditures of the corporation for wages salaries commissions and other compensation to its employees and assignable to this Commonwealth as hereinafter provided and whose denominator is the total expenditures of the corporation for wages salaries commissions and other compensation to all its employees

(3) Of the remaining third such portion shall be attributed to business carried on within the Commonwealth as shall be found by multiplying said third by a fraction whose numerator is the amount of the taxpayer's gross receipts from business assignable to this Commonwealth as hereinafter

provided and whose denominator is the amount of the taxpayer's gross receipts from all its business

In cases where only two of the foregoing three rules are applicable the remainder of the net income of the corporation shall be divided into two equal parts only each of which shall be apportioned in accordance with one of the remaining two rules If only one of the three rules is applicable the part of the net income received from business carried on within the Commonwealth shall be determined solely by that rule

The amount assignable to this Commonwealth of expenditures of the corporation for wages salaries commissions or other compensation to its employees shall be such expenditures for the taxable year as represent the wages salaries commissions or other compensation of employees not chiefly situated at connected with or sent out from premises for the transaction of business maintained by the corporation outside the Commonwealth

The amount of the corporation's gross receipts from business assignable to this Commonwealth shall be (1) the amount of its gross receipts for the taxable year except those negotiated or effected in behalf of the corporation by agents or agencies chiefly situated at connected with or sent out from premises for the transaction of business maintained by the taxpayer outside of the Commonwealth and except rentals and royalties and interest and dividends (2) rentals or royalties from property situated or from the use of patents within this Commonwealth and (3) dividends and interest except such dividends and interest attributable to the business conducted on premises maintained by the taxpayer outside the Commonwealth If a corporation maintains an office warehouse or other place of business in a state other than this Commonwealth for the purpose of reducing its tax under this subsection the department shall in determining the amount of its gross receipts from business assignable to this Commonwealth include therein the gross receipts attributed by the corporation to the business conducted at such place of business in another state In the case of construction contracts negotiated or effected at an office in the state of Pennsylvania but performed outside the state the gross receipts under such contracts shall be assignable outside the state except that if the activities under any such contract to which the gross receipts are attributable shall occur partly within the state and partly outside the state such proportion of the gross receipts under said contract shall be assignable to Pennsylvania as the direct and indirect costs incurred in Pennsylvania under the contract for the taxable year bear to the total costs incurred thereunder for the taxable year In the case of construction contracts negotiated or effected at an office outside the state but performed in the state the gross receipts under such contracts shall be assignable to the state except that if the activities under any such contract to which the gross receipts are attributable shall occur partly within the state and partly outside the state such portion of the gross receipts under said contract shall be assignable to Pennsylvania as the direct and indirect costs incurred in the state under the contract for the taxable year bear to the total costs incurred thereunder for the taxable year

A rule shall not be deemed to be inapplicable merely because all the tangible property or the expenditures of a corporation for wages salaries commissions or other compensation or the gross receipts of the corporation are found to be situated incurred or received without the Commonwealth

3 In case the entire business of any corporation engaged in doing business as an insurance or surety company is not transacted within this Commonwealth the tax imposed by this act shall be based upon such portion of the net income of such corporation for the fiscal or calendar year as defined in clause one hereof as shall be attributed to business transacted within this Commonwealth by multiplying such net income by a fraction of which the numerator is the gross premiums received from business transacted within the Commonwealth as hereinafter defined and of which the denominator is the amount of the gross premiums received from all its business "Gross Premiums" shall mean the amount of dues fees and premiums



stated in the policy contracts and shall include gross premiums of every character and description received during the taxable year from all underwriting activities whether said premiums were received in money or in the form of notes credits or any other substitute for money less the following deductions

(a) All premiums returned on policies cancelled or not taken

(b) In the case of stock companies with participating features an additional deduction for that portion of the premiums returned to the policyholders

(c) In the case of life insurance companies an additional deduction for dividends declared and actually used by policyholders in payment of renewal premiums

"Gross premiums received from business transacted in the Commonwealth" shall mean gross premiums received from policies and annuities written on property or risks located or resident in this Commonwealth whether such premiums were collected in this Commonwealth or elsewhere

"Person" Every natural person association or corporation Whenever used in any clause prescribing and imposing a fine or imprisonment or both the term "person" as applied to associations shall mean the partners or members thereof and as applied to corporations the officers thereof

The singular shall include the plural and the masculine shall include the feminine and neuter

Section 3 Imposition of Tax Every corporation shall be subject to and shall pay for the privilege of doing business in this Commonwealth or having capital or property employed or used in this Commonwealth by or in the name of itself or any person partnership association limited partnership joint-stock association or corporation a State excise tax at the rate of six per centum per annum upon each dollar of net income of such corporation received by and accruing to such corporation during the calendar year one thousand nine hundred thirty-five except where a corporation reports to the Federal Government on the basis of a fiscal year and has certified such fact to the department as required by section four of this act in which case such tax at the rate of six per centum shall be levied collected and paid upon all net income received by and accruing to such corporation during the fiscal year commencing in the calendar year one thousand nine hundred thirty-five and ending in the calendar year one thousand nine hundred thirty-six a similar tax at the rate of ten per centum per annum upon each dollar of the net income of such corporation received by and accruing to such corporation during the calendar year one thousand nine hundred thirty-six except where a corporation reports to the Federal Government on the basis of a fiscal year and has certified such fact to the department as required by section four of this act in which case such tax at the rate of ten per centum shall be levied collected and paid upon all net income received by and accruing to such corporation during the fiscal year commencing in the calendar year one thousand nine hundred thirty-six and ending in the calendar year one thousand nine hundred thirty-seven and a similar tax at the rate of seven per centum per annum upon each dollar of the net income of such corporation during the calendar years one thousand nine hundred thirty-seven one thousand nine hundred thirty-eight one thousand nine hundred thirty-nine one thousand nine hundred forty one thousand nine hundred forty-one and one thousand nine hundred forty-two except when a corporation reports to the Federal Government on the basis of a fiscal year and has certified such fact to the department as required by section four of this act in which case such tax at the rate of seven per centum shall be levied collected and paid upon all net income received by and accruing to such corporation during the fiscal years commencing in the calendar years one thousand nine hundred thirty-seven one thousand nine hundred thirty-eight one thousand nine hundred thirty-nine one thousand nine hundred forty one thousand nine hundred forty-one and one thousand nine hundred forty-two and a similar tax at the rate of four per centum per annum upon each dollar of the net income of such corpora-

tion received by and accruing to such corporation during the calendar years one thousand nine hundred forty-three one thousand nine hundred forty-four one thousand nine hundred forty-five one thousand nine hundred forty-six one thousand nine hundred forty-seven one thousand nine hundred forty-eight one thousand nine hundred forty-nine and one thousand nine hundred fifty except where a corporation reports to the Federal Government on the basis of a fiscal year and has certified such fact to the department as required by section four of this act in which case such tax at the rate of four per centum shall be levied collected and paid upon all net income received by and accruing to such corporation during the fiscal years commencing in the calendar years one thousand nine hundred forty-three one thousand nine hundred forty-four one thousand nine hundred forty-five one thousand nine hundred forty-six one thousand nine hundred forty-seven one thousand nine hundred forty-eight one thousand nine hundred forty-nine and one thousand nine hundred fifty and a similar tax at the rate of five per centum per annum upon each dollar of the net income of such corporation received by and accruing to such corporation during the calendar years one thousand nine hundred fifty-one [and] one thousand nine hundred fifty-two and one thousand nine hundred and fifty-three except where a corporation reports to the Federal Government on the basis of a fiscal year and has certified such fact to the department as required by section four of this act in which case such tax at the rate of five per centum shall be levied collected and paid upon all net income received by and accruing to such corporation during the fiscal years commencing in the calendar years one thousand nine hundred fifty-one [and] one thousand nine hundred fifty-two and one thousand nine hundred and fifty-three

The tax hereby imposed shall be in addition to all taxes now imposed on any corporation under the provision of existing laws

Section 4 [Report] Reports and Payment of Tax (a) For the purpose of ascertaining the amount of tax payable under this act it shall be the duty of every corporation liable to pay tax under this act on or before the fifteenth day of April one thousand nine hundred thirty-six one thousand nine hundred thirty-seven one thousand nine hundred thirty-eight one thousand nine hundred thirty-nine one thousand nine hundred forty one thousand nine hundred forty-one one thousand nine hundred forty-two one thousand nine hundred forty-three one thousand nine hundred forty-four one thousand nine hundred forty-five one thousand nine hundred forty-six one thousand nine hundred forty-seven one thousand nine hundred forty-eight one thousand nine hundred forty-nine one thousand nine hundred fifty one thousand nine hundred fifty-one one thousand nine hundred fifty-two [and] one thousand nine hundred fifty-three and one thousand nine hundred and fifty-four to transmit to the department upon a form prescribed prepared and furnished by the department [a] an annual report under oath or affirmation of its president vice-president or other principal officer and of its treasurer or assistant treasurer of net income taxable under the provisions of this act Such report shall set forth

[(a)] (1) A true copy of its return to the Federal Government of the annual net income arising or accruing in the calendar or fiscal year next preceding or such part or portions of said return as the department may designate

[(b)] (2) If no return was filed with the Federal Government the report made to the department shall show such information as would have been contained in a return to the Federal Government had one been made and

[(c)] (3) Such other information as the department may require

[The failure of any corporation liable to pay tax under this act to procure or receive any report form shall not excuse it from making a report

Every corporation upon the date its report is required herein to be made shall pay to the department not less than one-half of the tax due to the Commonwealth by



it for such preceding year and the remaining one-half of such tax shall be paid within the thirty days next succeeding and except as otherwise provided by law no extension of time for the filing of any report granted by the department shall extend the date any tax imposed by this act shall be due and payable The amount of

(b) For the purpose of ascertaining the amount of tax payable under this act for the taxable year one thousand nine hundred fifty-three it shall be the duty of every corporation liable to pay tax under this act on or before the thirtieth day of April one thousand nine hundred fifty-three to transmit in like form and manner an additional tentative report Such report shall set forth

(1) The annual net income received or accruing in the calendar or fiscal year next preceding and reported to the department under the provisions of this act or

(2) The net income received or accruing in the first three months of the current calendar or fiscal year together with such information as would have been contained in a return to the Federal Government and had one been required or made

(3) Such other information as the department may require

(c) The failure of any corporation liable to pay tax under this act to procure or receive any report form shall not excuse it from making a report

(d) for the taxable years up to and including the year one thousand nine hundred fifty-two every corporation upon the date its report is required herein to be made shall pay to the department not less than one-half of the tax due to the Commonwealth by it for such preceding year and the remaining one-half of such tax shall be paid within the thirty days next succeeding and except as otherwise provided by law no extension of time for the filing of any report granted by the department shall extend the date any tax imposed by this act shall be due and payable For the taxable year one thousand nine hundred fifty-three every corporation upon the date its tentative report is required herein to be made shall pay on account of the tax due for the current year at its election (1) not less than two and one-half per centum upon each dollar of net income of such corporation last reported as received or accrued during an entire preceding year or of such multiple of the net income last reported for a portion of such year as the entire year bears to the portion of the year for which the net income had been reported or (2) not less than ten per centum upon each dollar of net income of such corporation received or accrued during the first months of the current calendar or fiscal year whichever is applicable The remaining portion of the tax due shall be paid upon the date the corporation's annual report is required herein to be made

(e) The amount of all taxes imposed under the provisions of this act not paid on or before the times as above provided shall bear interest at the rate of six (6) per centum per annum from the date they are due and payable until paid except that if the taxable income has been or is increased by the Commissioner of Internal Revenue or by any other agency or court of the United States interest shall be computed on the additional tax due from thirty days after the corporation receives notice of the change of income until paid Provided however That any corporation may pay the full amount of such tax or any part thereof together with interest due to the date of payment without prejudice to its right to present and prosecute a petition for resettlement a petition for review or an appeal to court If it be thereafter detrimental that such taxes were overpaid the department shall enter a credit to the account of such corporation which may be used by it in the manner prescribed by law

(f) If the officers of any corporation shall neglect or refuse to make any report as herein required or shall knowingly make any false report an additional ten per centum of the amount of the tax shall be added by the department to the tax determined to be due

(g) If any corporation closes its fiscal year not upon the thirty-first day of December but upon some other date and reports to the Federal Government as of such other date or would so report were it to make a return to the

Federal Government such corporation shall certify such fact to the Department of Revenue and shall make the annual report herein required within thirty (30) days after the return to the Federal Government is due or would be due were it to be required of such corporation subject in all other respects to the provisions of this act The tentative report required of such corporation shall be due not later than four months after the end of the next preceding fiscal year

(h) If the corporation shall claim in its report that the return made to the Federal Government was inaccurate the amount claimed by it to be the net income taxable under this act and the basis of such claim of inaccuracy shall be fully specified

Section 5 Consolidated Reports The department shall not permit any corporation owning or controlling directly or indirectly any of the voting capital stock of another corporation or of other corporations subject to the provisions of this act to make a consolidated report showing the combined net income

Section 6 Extension of Time to File Reports The department may upon application made to it in such form as it shall prescribe on or prior to the last day for filing any annual report and upon proper cause shown grant to the corporation required to file such report an extension of not more than sixty (60) days within which such report may be filed and in case the Federal income tax authorities at any time grant a longer extension of time for filing such reports with the Federal Government the department may grant an additional extension of time for filing the annual report under this act of not more than thirty (30) days after the termination of the Federal extension but the amount of tax due shall in such cases nevertheless be subject to interest from the due dates and at the rates fixed by this act

Section 7 Changes Made by Federal Government (a) If the amount of the net income as returned by any corporation to the Federal Government is finally changed or corrected by the Commissioner of Internal Revenue or by any other agency or court of the United States such corporation within thirty (30) days after the receipt of such final change or correction shall make a corrected report under oath or affirmation to the department showing such finally changed or corrected net income upon which the tax is required to be paid to the United States In case a corporation fails to file a report of such correction which results in an increase in net income within the time prescribed there shall be added to the tax a penalty of five dollars (\$5.00) for every day during which such corporation is in default but the department may abate any such penalty in whole or in part

(b) If as a result of such final change or correction there should be any change made in the amount of the net income of any corporation upon which tax is imposed by this act the department shall have the power and its duty shall be to resettle such taxes Whenever a resettlement shall have been made hereunder the department shall resettle the account according to law and shall credit or charge as the case may be the amount resulting from such resettlement upon the current accounts of the corporation with which it is made The resettlement shall be subject to audit and approval by the Department of the Auditor General as in the case of original settlements and in case of the failure of the two departments to agree the resettlement shall be submitted to the Board of Finance and Revenue as in the case of original settlements

(c) Where a report of change correction or redetermination of Federal income or Federal tax has been filed after a petition for review or an appeal has been taken such report shall be deemed a part of the original annual report upon petition of the taxpayer at any subsequent proceeding as though it had been filed with [the] such original report and no separate petition for review or appeal from the resettlement resulting from such report of change correction or redetermination shall be necessary

(d) The provisions of this section shall not be construed so as to permit a resettlement based upon the allowance of any deduction on account of net operating losses sustained in other fiscal or calendar years that are not al-



lowed as deductions under the definition of "Net Income" as contained in section two of this act

Section 8 Settlement and Resettlement (a) All taxes due under this act shall be settled by the department and such settlement shall be subject to audit and approval by the Department of the Auditor General and shall so far as possible be made so that notice thereof may reach the taxpayer before the end of a year after the tax report was required to be made

(b) Promptly after the date of any such settlement the department shall send by mail or otherwise a copy thereof to such corporation. The tax imposed by this act shall be settled resettled and otherwise imposed and adjusted in the same manner within the same periods of time and right of resettlement review appeal and refund as provided by law in the case of capital stock and franchise taxes imposed upon corporations

(c) If within a period of two years after the date of any settlement the department is not satisfied with such settlement or if at any time the net income as returned by any corporation to the Federal Government is finally changed or corrected by the Commissioner of Internal Revenue or by any other agency or court of the United States with the result that tax in addition to the amount paid is due under this act the department is hereby authorized and empowered to make a resettlement of the tax due by such corporation based upon the facts contained in the report or upon any information within its possession or that shall come into its possession

Whenever a resettlement shall have been made hereunder the department shall resettle the account according to law and shall credit or charge as the case may be the amount resulting from such resettlement upon the current accounts of the corporation with which it is made

The resettlement shall be subject to audit and approved by the Department of the Auditor General as in the case of original settlement and in case of the failure of the two departments to agree the resettlement shall be submitted to the Board of Finance and Revenue as in the case of original settlements

(d) If any corporation shall neglect or refuse to make any report and payment of tax required by this act the department shall estimate the tax due by such corporation and subject to audit and approval by the Department of the Auditor General settle the amount due by it for taxes penalties and interest thereon as prescribed herein from which settlement there shall be no right of review or appeal but the department with the approval of the Department of the Auditor General may require a report to be filed and thereupon make a settlement based upon such report and cancel the estimated settlement

Section 9 Enforcement Rules and Regulations Inquisitorial Powers of the Department (a) The department is hereby charged with the enforcement of the provisions of this act and is hereby authorized and empowered to prescribe adopt promulgate and enforce rules and regulations not inconsistent with this act relating to any matter or thing pertaining to the administration and enforcement of the provisions of this act and the collection of taxes penalties and interest imposed by this act. The department is hereby required to have such rules and regulations promulgated and adopted printed and shall distribute the same to any person upon request

(b) The department or any agent authorized in writing by it is hereby authorized to examine the books papers and records and to investigate the character of the business of any corporation in order to verify the accuracy of any report made or if no report was made by such corporation to ascertain and settle the tax imposed by this act. Every such corporation is hereby directed and required to give the department or its duly authorized agent the means facilities and opportunity for such examinations and investigations as are hereby provided and authorized. Any information gained by the department as a result of any returns investigations or verifications required to be made by this act shall be confidential except for official purposes and any person divulging such information shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than one hundred dol-

lars (\$100.00) or more than one thousand dollars (\$1000.00) and costs of prosecution or to undergo imprisonment for not more than six (6) months or both in the discretion of the court

(c) Whenever any person acting for or on behalf of the department shall in good faith institute legal proceedings for any violations of the provisions of this act and for any reason shall fail to recover costs of record such costs shall be a charge upon the proper county as shall such costs in the event defendant is imprisoned for failure to pay fine or costs or both and shall be audited and paid as are costs of like character in said county

(d) The powers conferred by this act upon the department relating to the administration or enforcement of this act shall be in addition to but not exclusive of any other powers heretofore or hereafter conferred upon the department by law

Section 10 Retention of Records by Corporations Penalty Each corporation shall maintain and keep for a period of three (3) years after any report is filed under this act such record or records of its business within this Commonwealth for the period covered by such report and other pertinent papers as may be required by the department

Any person violating any of the provisions of this section shall be guilty of a misdemeanor and shall upon conviction thereof be sentenced to pay a fine not exceeding one thousand dollars (\$1000) and costs of prosecution or to undergo imprisonment for not more than six (6) months or both in the discretion of the court

Section 11 Penalties (a) Any person who shall wilfully make a false and fraudulent return of net income made taxable by this act shall be guilty of wilful and corrupt perjury and upon conviction thereof shall be subject to punishment as provided by law. Such penalty shall be in addition to any other penalties imposed by this act

(b) Any person who wilfully fails neglects or refuses to make a report or to pay the tax as herein prescribed or who shall refuse to permit the department to examine the books papers and records of any corporation liable to pay tax under this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars (\$1000) and costs of prosecution or to undergo imprisonment not exceeding six (6) months or both in the discretion of the court. Such penalty shall be in addition to any other penalties imposed by this act

Section 12 Constitutional Construction The provisions of this act are severable and if any of its provisions shall be held unconstitutional the decision of the court shall not affect or impair any of the remaining provisions of this act. It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provisions not been included herein

Section 13 Effective Date This act shall become effective immediately upon its final enactment and shall remain in force only for the imposition and collection of taxes on net income of corporations for the calendar years one thousand nine hundred thirty-five one thousand nine hundred thirty-six one thousand nine hundred thirty-seven one thousand nine hundred thirty-eight one thousand nine hundred thirty-nine one thousand nine hundred forty one thousand nine hundred forty-one one thousand nine hundred forty-two one thousand nine hundred forty-three one thousand nine hundred forty-four one thousand nine hundred forty-five one thousand nine hundred forty-six one thousand nine hundred forty-seven one thousand nine hundred forty-eight one thousand nine hundred forty-nine one thousand nine hundred fifty one thousand nine hundred fifty-one [and] one thousand nine hundred fifty-two and one thousand nine hundred and fifty-three or for the fiscal years ending in the calendar years one thousand nine hundred thirty-six one thousand nine hundred thirty-seven one thousand nine hundred thirty-eight one thousand nine hundred thirty-nine one thousand nine hundred forty one thousand nine hundred forty-one one thousand nine hundred forty-two one thousand nine hundred forty-three one thousand nine hundred forty-four one thousand nine hundred forty-five one thousand nine hundred forty-



six one thousand nine hundred forty-seven one thousand nine hundred forty-eight one thousand nine hundred forty-nine one thousand nine hundred fifty one thousand nine hundred fifty-one one thousand nine hundred fifty-two [and] one thousand nine hundred fifty-three and one thousand nine hundred fifty-three and one thousand nine hundred and fifty-four

Section 2 This reenacting and amending act shall become effective immediately upon its final enactment

On the question,

Will the House agree to the bill on third reading?

Mr. SARRAF. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Title, page 2, line 4, from top of page, by striking out the words "further defining net income."

Amend Section I, page 5, lines 10 and 11, by striking out after the word corporation, the words "subject to the tax imposed by this Act."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

Mr. SARRAF. Mr. Speaker, I ask permission to take a few moments to give the Majority Leader the amendments.

Mr. SMITH. Mr. Speaker, I would like to ask the gentleman from Allegheny if he intends to discuss these amendments, and will he be kind enough to tell the House what they do or is the Minority Leader going to do that?

Mr. SARRAF. Mr. Speaker, I yield to the Minority Leader. He will discuss these points.

Mr. ANDREWS. Mr. Speaker, at long last we have been given the opportunity to participate, in the course of 48 hours, in the consideration of a tax program to which very intelligent Members of this House devoted some eight weeks.

We protest the haste. It can be pointed out that we have tarried in these classic halls eight or nine months. We have witnessed inter-party feuds and personal disagreements which have obstructed the orderly procedure of the Commonwealth.

A tax program conceived early in the session has bogged down, and after eight or nine months eight Members of this House come galloping to the front saying "Here at last is your financial salvation."

We will crave the privilege, Mr. Speaker, of discussing the situation and its general aspects. We regret that no basic work has been done for the purpose of reorganizing, stabilizing and modernizing the tax structure of the Commonwealth of Pennsylvania. We regret that this House in its wisdom has so far failed to take action designed to submit to the people of this Commonwealth the question of whether or not we should have a graduated income tax.

We have a traditional position on that matter on this side of the House. We have said that we would be willing to entertain proposals designed to give the Commonwealth a broader tax base as, if and when the people of the state had passed upon the proposals making possible a

graduated income tax. The probable hint was that had a graduated income tax been possible, we could have agreed with you concerning the provisions of a general sales tax. But since you have denied us and the people of Pennsylvania, by inaction, the right to impose a graduated income tax, we are necessarily subjected to the patch work program; the tinkering necessary in order to keep the fiscal ship afloat.

We have never agreed with the estimates furnished this House by the Budget Bureau. We have intimated from time to time that the Administrative Code maybe needed some amendments. We recognized the fact that the Governor is bound by the estimates of the Budget Office, and that he is necessarily bound in determining the range of appropriations by the estimates. And we recognize the fact that however foolish those estimates may be, it is never-the-less necessary to legislate specifically sufficient money with which to conduct the affairs of the Commonwealth in orderly fashion.

We recognize the fact that the House, with the aid of the Senate, now has pink bills providing for expenditures calling for sums at least in the amount of \$65,000,000 over and above the Governor's estimate.

We know further that there has been the pretense that we were going to keep the Budget for the first two years of the Fine Administration in line with the expenditures made during the last two years of the Duff Administration. While it has never suited the convenience of the Majority spokesman to comment upon the fact, it is nevertheless impossible to take the budget figures of the Duff Administration in its last two years as any indication of what it will cost the Fine Administration in its first two years. Because in the last two years of the Duff Administration they spent \$140,000,000 over and above the budget figures. The Governor of the Commonwealth in his loyalty to his predecessor has never so stated.

So we are forced to admit the obligation of participating in the enactment of fiscal legislation which will finance the activities that we, as a Minority group with you, have sanctioned. So as far as I am personally concerned, and irrespective of what any other Member of the party may say, I am not coming before you today to say that no new money is needed. I only say that time will prove that receipts were underestimated, and there was not a need for the new money that is being asked. I also concede that His Excellency, the Governor, would be within his rights, if in handling the expenditure bills that came before him, to slice the schools, to slice the workers of the Commonwealth, to slice the hospitals, to slice the colleges on the plea that we did not give him enough money; not even in face of the fact that two years later it might appear that we had given him enough money.

So we are not rising in opposition to this program because of the conviction—at least so far as I am personally concerned—that no new money is needed.

We are turning your attention to House Bill 1692, an alleged acceleration bill. It was not to cost anybody any new money. You are simply to reach out and collect the equal annual quarters of revenue sooner than has been done. The idea has its merits because it does establish a deadline at which it should be possible to determine the



fiscal situation of the Commonwealth—something that has never been possible before. So this bill as presented to this House is a laudable bill, because it was not going to cost anybody anything.

Now one of the amendments we have presented and the amendments that we will present to House Bill 1692 and House Bill 1695, what are they designed to do?

Under the present setup any corporation with a corporate income of \$100,000 receives a dividend income from a foreign subsidiary of \$10,000—if corporate income as a whole is \$100,000, \$10,000 comes from other companies. So it is taxed in Pennsylvania for \$90,000 at a basis of \$90,000, or \$4,500.

Under this bill it is taxed at \$100,000 and the \$4,500 tax becomes a \$5,000 tax. Then you say what is wrong with that? Well there are 40,000 small corporations in the State of Pennsylvania, and if only half of them are increased in the proportion that this little one is increased, you have a lot of money.

Within the hour I have had the opportunity to face the representative of one of our larger corporations in Pennsylvania, and his statement is that unless Bills 1692 and 1695 are amended in conformity with the suggestions the minority is offering, the taxes of his corporation will be hiked \$2 million a year; that the increase in taxes will be so serious that it will be necessary for his company to reorganize its entire capital structure.

I do not propose to attempt to debate the technical provisions in House Bill 1692. I do say that the technical men, speaking for Pennsylvania's major corporations say that House Bill 1692 is not simply a tax collection acceleration bill but that it will bring into the coffers of this state more money, more new money than it was proposed to raise by means of the flat income tax.

I am not at this time arguing the question as to whether corporate taxes should or should not be increased. That point is not at issue. Corporate taxes should be increased. The increase should come before us in square, fair fashion. It should not be hidden within the recesses of an acceleration bill. I say to the Majority Leader if he will take the time to get on the phone and consult the attorneys of the leading corporations in this state, their fiscal officers, he can ascertain that what I am saying regarding the revenue raising features of House Bill 1692 are right.

The majority party, if it wants to and has the votes, can send this bill across. I would not weep. I would not weep if this bill in its present form passed the House and passed the Senate. It is a corporation wrecking bill. It is the kind of measure that will come back to haunt you.

It is somewhat of a new role, perhaps for me to talk in defense of corporations, and yet on this side of the House, if we are going to tax them, if we are going to increase their annual payments to the Commonwealth of Pennsylvania, we are going to do it in such a way that every Member of the House and every Member of the Senate and the people of Pennsylvania know what we are doing. I am going to try, as I said, to debate the technical features of this bill. I simply give you my personal word that within the hour I talked with truthful men who tell me that 1692 is emphatically a money raising bill, and who are of the opinion that the amendments offered by the

minority will convert that bill into what it was originally intended to be a tax collection acceleration measure.

Mr. SMITH. I will yield to the gentleman if he has something more to say Mr. Speaker. I notice him at the microphone.

Mr. ANDREWS. Mr. Speaker, I did not know in how much of a hurry the Majority Leader might be. I was simply rising to request that we probably want a roll call vote on these amendments, in the event that, in his wisdom, the Majority Leader deems it wise to oppose them.

Mr. SMITH. Mr. Speaker, the Minority Leader in his usual suave manner beat me to the gun. He beat me to the gun when he admitted that it was an unusual thing for him to shed tears for corporations. For a minute I had to look to see which side of the House he was on. It is unique. There are several things that the gentleman said that I would like to answer.

First of all the gentleman did make a statement about a broad base tax. I am sure that he is aware that we on this side of the House recognized months ago, many months ago, that to give any kind of a fair tax program to the citizens of our state, we had to accept and recognize the need for a broad base tax. At that time the gentleman was not too much with us on the type of tax we offered. It may have been broad but maybe it was not the type that he wanted.

He mentions the graduated income tax. I am sure that he knows and we all know that a graduated income tax would mean an amendment to our Constitution. It would have to pass two consecutive sessions and then be voted upon by the people.

In the meantime—

Mr. ANDREWS. Will the gentleman yield for a question?

Mr. SMITH. I will be only too glad to yield, Mr. Speaker.

Mr. ANDREWS. Will the Majority Leader outline the thinking of the majority in withholding from the people the opportunity to vote upon a graduated income tax amendment?

Mr. SMITH. Mr. Speaker, I do not believe that I or anyone else has ever withheld that opportunity from the people. It has been the opinion of the Committees of the House that are part of this House. It is not up to an individual. It is not up to a few; it is up to the thinking of the entire committees.

Even if the bill were to be brought out today that certainly would not solve our fiscal program or solve our need for money, our immediate need. Certainly we cannot close hospitals while we are waiting for the people to vote on a tax measure.

The gentleman said also that if I would have considered and called on the phone certain attorneys, and I take it from his speech that those attorneys must represent vested corporations, I would have other information.

Mr. Speaker, I said yesterday and I repeat today, and I repeat it with some pride in my voice that we did not in this tax program consider any group of vested interests in the formation of this program. We considered the need of the people of this Commonwealth for the many things that we have promised them. We considered the need for money, and we considered it on a fair basis.



I am sure that I would be condemned on the floor of this House by not only some of the minority but some of the majority, if they knew we went out and pulled in every corporation lawyer and every other vested interest or anybody else who wanted to be against taxes.

The estimates that these taxes would bring in under this program were given to us by our Revenue Department. As the gentleman stated, the Governor has to accept the Revenue Department's estimate through his Budget Director. That was the fair and honest way to do it. There is nobody that can stand and point a finger at any member of the committee that formed this tax, or the entire tax package.

Now the gentleman states that—I hope I misunderstood him—1692 will bring in more money than \$61,000,000.

Yesterday I hoped that I had made it clear that we understood this, and we knew under the acceleration clause it will not bring in any additional tax money and will not cost the corporations any additional tax money. It will bring it in because we are pushing it up. We are pushing the time element up. But it is not costing—and I repeat—the corporations of Pennsylvania any new money in tax dollars.

This is definitely a combination bill. In the bill we thought we did what most people would like us to do. I do not like to pay for something and have my neighbor get out of it. It is human nature. I do not think anybody in this House likes to pay for something and have somebody else get out from under because of a loophole or because of a smart lawyer's tricks.

The part that will bring in new money in House Bill 1692 is the part that the gentleman is talking about, the exemption of dividends from a corporation to another corporation—that is the only part of this bill that is going to bring in new money. We had an estimate from the Secretary of Revenue that it will bring in approximately one and a half million dollars.

There is no doubt there are loopholes and I do not think that anybody can point a finger at any one for trying to close loopholes, legal loopholes; nobody likes them. They are words that we do not like to "crawl out from under" and that is what it amounts to.

I would also like to remind the gentleman that I have authentically been told that Pennsylvania is one of the very, very few states in this country that allows the legal loophole for anybody to crawl out from under on dividends. I cannot crawl out from under on any dividends that are paid me by a corporation. I pay my taxes on them, and so does everyone sitting in this House. And so does the working man with a few shares of stock, he pays his taxes on them. Now the corporation comes along and says "Let us pay dividends to another corporation and let that ride free."

Mr. Speaker in House Bill 1692 and in the clause that the gentleman is trying to amend, he would allow loopholes for corporations to slide out from under. Mr. Speaker I ask that the Members of this House close that loophole by voting down these amendments.

Mr. ANDREWS. Mr. Speaker, I simply want to enter on the record the flat statement that there are over twelve corporations in the State of Pennsylvania each one of which will be subjected to a tax increase in excess

of the amount that the revenue office says the bill as a whole will raise.

I also want to repeat my statement that if you are going to have a corporation tax measure, bring it in as such.

I further repeat that under the guise of a tax collection accelerated program you are reaching out for over \$80 million that is going to come in, and which you will want the opportunity to expend, and which you would not dare ask for if you brought the proposition out into the open.

Mr. SMITH. Mr. Speaker, I told the gentleman where I got my estimate, I think as long as he is making something a matter of record it is only proper that he tells us who told him these facts.

Mr. ANDREWS. Mr. Speaker, I will confess, I have asked for fiscal facts from a very prominent official of the Gulf Oil Company. I have asked for fiscal facts from a very prominent official of Jones and Laughlin. I have asked for fiscal facts from a very prominent official of the United States Steel Company, and I have asked for fiscal facts from several small corporations that would have an income in the \$100,000 class.

I do not care at this time to enter the names on the record. Conversation was in the presence of the committee. It was not behind the door, and I would say while I appreciate the diligence with which the special committee elaborated this tax program, I am not certain that they fine-tooth combed it for possible jokers that might serve budget office purposes.

Mr. SMITH. Mr. Speaker, the reason I asked the gentleman that question was to find out if those corporations are now operating in Pennsylvania and paying taxes in Pennsylvania. I assume most of them are.

I would also assume that if they are paying corporation taxes a good part of their corporate setup would be known to our Department of Revenue.

We have gone to our Department of Revenue and they have given us these figures. I feel that the Department of Revenue is a responsible group. I feel that the men we consulted are responsible. I do not deny the fact that these gentlemen that the Minority Leader consulted are responsible men. But, Mr. Speaker, nobody likes taxes. Sometimes all of us have a chance to exaggerate and we do know certain interests can present their views in a light different than they actually are.

I can only say that the Department of Revenue, has all of the figures available that these groups have who consulted with Mr. Andrews, therefore, I will take the Department of Revenue's estimates.

Mr. ANDREWS. Mr. Speaker, in view of the fact that the Majority Leader is disposed to accept the estimates he has, and since there is in our mind reason for doubting the accuracy of the figures in the possession of the Majority Leader it is with great regret that we find it necessary to oppose the major features of this tax program as far as immediate action is concerned.

We will on other measures ask for a period in which there can be a more definite ascertainment of exact facts. If, unfortunately, our proposed amendments fall, we will find it necessary to oppose this measure.

We will request, when the time comes, a roll call.

Mr. SMITH. Mr. Speaker, I just would like to say one



more thing and that is, that again I ask the House to vote down these amendments.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Mr. Andrews and Mr. Readinger and were as follows:

## YEAS—71

Amarando,	Headlee,	McNally,	Sarraf,
Andrews,	Hersch,	Mihm,	Scanlon,
Beaver,	Jenkins,	Monroe,	Schmidt,
Berkstresser,	Jones, G. E.,	Moran,	Schuster,
Boles,	Jones, J. M.,	Muldowney,	Seyler,
Breth,	Jones, P. F.,	Munley,	Snider,
Bucchin,	Kamyk,	Musto,	Stank,
Byrne,	Kornick,	Needham,	Swope,
Conway,	Kubacki,	Olsen,	Taylor,
Corr,	Lederer,	Penglase,	Toll,
Coyle,	Leonard, L.,	Peta,	Varallo,
Duffy,	Leven,	Petrosky,	Verona,
Fenrich,	Limper,	Polaski,	Wargo,
Filo,	Lopresti,	Plen,	Westrick,
Gaffney,	Lovett,	Price, R. A.,	Williams,
Good,	Lutty,	Readinger,	Yester,
Hagerty,	McDermitt,	Reese,	Yetzer,
Hamilton, R. K.,	McGee,	Rovansek,	

## NAYS—115

Banker,	Gibson,	Madigan,	Scott,
Barkdoll,	Gleason,	Markley,	Shoemaker,
Baumunk,	Goodling,	Mazza,	Shotwell,
Bear,	Graybill,	McConnell,	Smith,
Blair,	Greenwood,	McCormack,	Sollenberger,
Bloom,	Greer,	McCullough,	Spencer,
Bolton,	Gutendorf,	McInroy,	Stimmel,
Bomberger,	Guthrie,	McKinney,	Stoner,
Boorse,	Hall,	McMillen,	Swartz,
Bower,	Hamilton, W. H.,	Metz,	Tahl,
Brelsch,	Harney,	Mikula,	Thompson, E. F.,
Brown,	Haudensfield,	Miller, H. G.,	Thompson, R. L.,
Cella,	Helm,	Mintess,	Tompkins,
Clapper,	Hewitt,	Moore, C. E.,	Toomey,
Clendening,	Hocker,	Moore, H. A.,	VanSant,
Cooper,	Johnson,	Murray,	Varner,
Costa,	Jones, T. H. W.,	Najaka,	Wachhaus,
Dalrymple,	Jump,	Naugle,	Waterhouse,
Davis,	Keller,	Pichney,	Watkins,
Dennison,	Kent,	Pitzer,	Weidner,
Dowling,	Kline,	Price, H. W. Jr.,	Wescott,
DuBois,	Kohl,	Reagan,	Whalley,
Dunn,	Kratz,	Reilly, J. M.,	White,
Erb,	Lelsey,	Rigby,	Wilt,
Ewing,	Leonard, W. C.,	Riley, R. L.,	Wood,
Ferster,	Light,	Robertson,	Yeakel,
Firmstone,	Loftus,	Royer,	Ziegler,
Flack,	Lyons,	Rubin,	Sorg,
Frost,	Madden,	Sax,	Speaker

## NOT VOTING—21

Beech,	Guarnieri,	Maxwell,	Reidenbach,
Cochran,	Hoggard,	Miller, J. C.,	Rose,
Dougherty,	Hunter,	Mills,	Rosen,
Filip,	Kolankiewicz,	Pettigrew,	Welsh,
Geer,	Lafore,	Pfaff,	Wheeler,
			Young,

So the question was determined in the negative and the amendments were not agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. ANDREWS. Mr. Speaker, I would inquire whether the Majority Leader desires the same roll call on the bill as prevailed on the amendments?

Mr. SMITH. Mr. Speaker, I would rather hesitate to say that in view of the fact that I do not know our

Member's thinking. I would not want to put words in their mouths.

The SPEAKER. The Chair would inquire if there are objections to the use of the same roll call? The Chair hears objection.

Mr. SWARTZ. Mr. Speaker, on several occasions I have appeared before this microphone stating convictions as I have felt them, and I might add, as I still feel them.

I do not like this package. I do not like most that is in it. I told a lot of people as late as a few minutes before we came in here that in all probability I was going to vote against most of these bills, these tax bills.

When I came on the floor of the House opposing an income tax, I came here opposing that tax as a matter of principle. I never stated that we did not need some extra money; I am still of the opinion maybe we do not need as much as we ask for and yet I wonder, in an inflationary period, whether I am wise to oppose by my actions the passage of certain measures that by that opposition might help to defeat measures where actually the money will prove to have been needed through this inflationary period.

As at all times, I have had to wage quite a battle here within myself as to what I want to do on these taxes. As I said, I opposed the income tax as a matter of principle. I never told the people of the Second Dauphin County District that I would come in here and vote for education, welfare, hospitals, all of the things that we need and which we must have, and then turn around and vote against tax bills. I said to them I would try to use good judgment in making my decisions.

While I do not yet know that we need all of this money, while this tax package does not include some of the things that I wish it had included, yet I have to ask myself if by my opposition here, after all these months of debate, that maybe I might be instrumental in blocking advancement of certain things which we need for our health, welfare and education.

I would be quite frank in telling the Members of this House, the minority Members especially, that I did not even attend the caucus. I have been a rather disgusted Member of this House of Representatives. But while I did not attend the caucus, my mind is on the problems of the state of Pennsylvania. In all sincerity I am going to have the courage to stand up and fight for the way that I think those problems should be solved, without any thought of trying to advance myself politically, because I repeat I have not even decided whether I will run for re-election.

I have a lot of figures here. I do not want to re-hash old things. I want to get off the floor here, I hope that I never get back on it, and that we get out of here and get our work done.

I have a lot of things here that I have advocated: Cutting of Civilian Defense, extra surplus, additional revenue from C. N. I. and all those things; the soft drink tax that I thought was wise and a lot of matters not written and talked about, but that is all over and above board, and we are today with a certain package. I do not like it. I do not like going out and collecting money that should be used by the next session of this Legislature.



While I was not a Member of this House I approved the passage of the Soldier's bonus, and I was critical of the last session for not having the nerve to pass taxation to take care of that bonus at the time it was passed. I do not like the idea of going out and taking six months' revenue that belongs to the next session. I do not like other things in here. But I have had to decide whether I am going to have everything that I want, have my own way or whether I have got to give a little bit and try to see that those things for which I voted—and I am proud to say that I did vote for the teachers' increases and all of the things for the hospitals,—and now we have to pay for them.

So today I am not going to sand up here and bicker and argue and say why we should not do this. I am asking every Member of this House to forget politics; to remember we are in an inflationary period; to think deeply about these measures and to see if in our own conscience we cannot go along with at least the most of them, because election is just around the corner and if all of these things that I have been saying are true, somebody is going to be in hot water—not myself—and the same applies to the minority side. If all the things they say are true, somebody on this side is going to be in hot water.

But let us forget about politics and let us examine our own hearts, forgetting whether we are Democrat or whether we are Republicans, and vote on each of these bills individually.

As I said, I do not know whether we need all these taxes. I still say, maybe we do not. But I am going to examine these bills as they come up, and right now I have made up my mind to vote for everyone except one and I might even vote for that.

Mr. LOVETT. Mr. Speaker, if you recall yesterday I informed this House that I thought they were making a mistake when they decided that they should pass this tax program this week. That statement, I think, has turned out to be the truth.

We find ourselves today opposing possibly some of the tax program that you have here due to the very fact that you do not give sufficient time that we may in our own minds be satisfied that we are doing is the right thing. I admit today that it is because of the lack of time that I warned you about that possibly many Members of this House are going to vote against your entire tax program.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—116

Banker.	Gleason	Madden,	Sax,
Barkdoll,	Goodling,	Madigan,	Scott,
Baumunk,	Graybill,	Markley,	Shoemaker,
Blair,	Greenwood,	Mazza,	Shotwell,
Bloom,	Greer,	McConnell,	Smith,
Bolton,	Guarnieri,	McCormack,	Sollenberger,
Bomberger,	Gutendorf,	McCullough,	Spencer,
Boorse,	Guthrie,	McInroy,	Stimmel,
Bower,	Hall,	McKinney,	Stoner,
Breisch,	Hamilton, W. H.,	McMillen,	Swartz,
Brown,	Harney,	Metz,	Tahl,
Cella,	Haudenschild,	Mikula,	Thompson, E. F.,
Clapper,	Helm,	Miller, H. G.,	Thompson, R. L.,
Clendening,	Hersch,	Mintess,	Tompkins,

Cooper,	Hewitt,	Moore, C. E.,	Toomey,
Costa,	Hocker,	Moore, H. A.,	VanSant,
Dalrymple,	Johnson,	Murray,	Varnier,
Davis,	Jones, T. H. W.,	Najaka,	Wachhaus,
Dennison,	Jump,	Naugle,	Waterhouse,
Dowling,	Keller,	Pichney,	Watkins,
DuBois,	Kent,	Pitzer,	Weldner,
Dunn,	Kline,	Price, H. W. Jr.,	Wescott,
Erb,	Kohl,	Reagan,	Whalley,
Ewing,	Kratz,	Reilly, J. M.,	Wilt,
Ferster,	Lelsey,	Rigby,	Wood,
Firmstone,	Leonard, W. C.,	Riley, R. L.,	Yeakel,
Flack,	Light,	Robertson,	Young,
Frost,	Loftus,	Royer,	Ziegler,
Gibson,	Lyons,	Rubin,	Sorg,

Speaker

## NAYS—70

Amarando,	Hamilton, R. K.,	Mihm,	Sarraf,
Andrews,	Headlee,	Monroe,	Scanlon,
Bear,	Jones, G. E.,	Moran,	Schmidt,
Beaver,	Jones, J. M.,	Muldowney,	Schuster,
Berkstresser,	Jones, P. F.,	Munley,	Seyler,
Boles,	Kamyk,	Musto,	Snider,
Breth,	Kornick,	Needham,	Stank,
Bucchin,	Kubacki,	Olsen,	Swope,
Byrne,	Lederer,	Penglase,	Taylor,
Conway,	Leonard, L.,	Peta,	Toll,
Corr,	Leven,	Petrosky,	Varallo,
Coyle,	Limper,	Polaski,	Wargo,
Duffy,	Lopresti,	Polen,	Westrick,
Fenrich,	Lovett,	Price, R. A.,	White,
Filo,	Lutty,	Readinger,	Williams,
Gaffney,	McDermitt,	Reese,	Yester,
Good,	McGee,	Rovansek,	Yetzer,
Hagerty,	McNally,		

## NOT VOTING—21

Beech,	Hoggard,	Maxwell,	Reidenbach,
Cochran,	Hunter,	Miller, J. C.,	Rose,
Dougherty,	Jenkins,	Mills,	Rosen,
Filip,	Kolankiewicz,	Pettigrew,	Verona,
Geer,	Lafore,	Praff,	Welsh,
			Wheeler,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1693, follows:

An Act to further amend section three of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 694) entitled "An act imposing a tax on gross receipts as an excise on the use of the public highways by certain owners or operators of motor vehicles transporting passengers and property for hire" by eliminating certain deductions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 694) entitled "An act imposing a tax on gross receipts as an excise on the use of the public highways by certain owners or operators of motor vehicles transporting passengers and property for hire" as last amended by the act approved the fifth day of June one thousand nine hundred forty-seven (P. L. 451) is hereby further amended to read as follows

Section 3 The amount of excise tax annually to be paid by each company specified in section one of this act shall be as follows (1) In case of a company operating routes which are entirely within the limits of this Commonwealth eight (8) mills upon the dollar upon the gross receipts of such company from all operations for the period covered by such report and (2) in case of a company operating over routes when only a part of such routes lies within this Commonwealth eight (8) mills



upon the dollar upon such portion of the gross receipts of such company as is represented by the ratio that the number of miles of routes operated in this Commonwealth by such company during the period for which the report is filed bears to the total number of miles of all routes operated by such company during said period. The provisions hereof shall not be construed as exempting any company from complying with the laws relating to fees payable to the Department of Revenue for the registration of motor vehicles [In the event however that an excise tax shall be paid by any company to any city of this Commonwealth for the use of its highways during the period for which the report is filed the amount of such tax so paid may be deducted from the amount of tax payable to the Commonwealth as above computed upon satisfactory proof to the Department of Revenue of such payment and in addition thereto where any such company shall have paid to the Department of Revenue a registration fee or fees as provided for by the laws of this Commonwealth upon any motor vehicle or motor vehicles used in the business of carrying passengers or property for hire over the highways of this Commonwealth it shall receive a credit in each settlement for gross receipts tax made hereunder to the extent of the total amount of the registration fee or fees paid for the calendar year of which the period covered by the settlement was a part]

Section 2 The provisions of this act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

#### MOTION TO POSTPONE

Mr. ANDREWS. Mr. Speaker, I do not believe that this bill will stand up in the face of various reciprocal agreements of which Pennsylvania is part. In view of that fact and in view of the fact that it is essential that the thinking of the Members be clarified somewhat as to the financial effect of the bill we have just passed, I will move without prejudice to the measure that House Bill 1693 be placed upon the postponed calendar. I ask for a roll call, Mr. Speaker.

On the question,

Will the House agree to the motion?

Mr. SMITH. Mr. Speaker, I rise to oppose this motion. The gentleman might have questioned the constitutionality of this bill. If he had, I could inform him that it was drafted in the Attorney General's office. I have faith in our Attorney General. I know positively that doubts, if there were doubts, were looked into and cleared before the bill was given to us.

I oppose this motion to put this bill on the postponed calendar.

On the question recurring,

Will the House agree to the motion?

The yeas and nays were required by Mr. Andrews and Mr. Readinger and were as follows:

#### YEAS—71

Amarando.	Hamilton, R. K.,	McGee,	Sarrafa,
Andrews,	Headlee,	McNally,	Scanlon,
Beaver,	Hersch,	Mihra,	Schmidt,
Berkstresser,	Jenkins,	Monroe,	Schuster,
Boies,	Jones, G. E.,	Moran,	Seyler,
Breth,	Jones, J. M.,	Muldowney,	Snider,
Bucchin,	Jones, P. F.,	Munley,	Stank,
Byrne,	Kamyk,	Needham,	Swope,
Cochran,	Kornick,	Olsen,	Taylor,
Corr,	Kubacki,	Penglase,	Toll,
Coyle,	Lederer,	Peta,	Varallo,
Duffy,	Leonard, L.,	Petrosky,	Verona,

Fenrich,  
Filo,  
Gaffney,  
Good,  
Guarnieri,  
Hagerty,

Leven,  
Limper,  
Lopresti,  
Lovett,  
Lutty,  
McDermitt,

Polaski,  
Polen,  
Price, R. A.,  
Readinger,  
Reese,  
Rovanssek,

Wargo,  
Westrick,  
Williams,  
Yester,  
Yetzer,

#### NAYS—116

Banker,  
Barkdoll,  
Baumunk,  
Bear,  
Blair,  
Bloom,  
Bolton,  
Bomberger,  
Boorse,  
Bower,  
Breisch,  
Brown,  
Cella,  
Clapper,  
Clendenning,  
Cooper,  
Costa,  
Dalrymple,  
Davis,  
Dennison,  
Dowling,  
DuBols,  
Dunn,  
Erb,  
Ewing,  
Ferster,  
Firmstone,  
Flack,  
Frost,

Gibson,  
Gleason,  
Goodling,  
Graybill,  
Greenwood,  
Greer,  
Gutendorf,  
Guthrie,  
Hall,  
Hamilton, W. H.,  
Harney,  
Haudenschild,  
Helm,  
Hewitt,  
Hocker,  
Johnson,  
Jones, T. H. W.,  
Jump,  
Keller,  
Kent,  
Kline,  
Kohl,  
Kratz,  
Leisey,  
Leonard, W. C.,  
Light,  
Loftus,  
Lyons,  
Madden,

Madigan,  
Markley,  
Mazza,  
McConnell,  
McCormack,  
McCullough,  
McInroy,  
McKinney,  
McMillen,  
Metz,  
Mikula,  
Miller, H. G.,  
Mintess,  
Moore, C. E.,  
Moore, H. A.,  
Murray,  
Najaka,  
Naugle,  
Pichney,  
Pitzer,  
Price, H. W. Jr.,  
Reagan,  
Reilly, J. M.,  
Rigby,  
Riley, R. L.,  
Robertson,  
Royer,  
Rubin,  
Sax,

Scott,  
Shoemaker,  
Shotwell,  
Smith,  
Sollenberger,  
Spencer,  
Stimmel,  
Stoner,  
Swartz,  
Tahl,  
Thompson, E. F.,  
Thompson, R. L.,  
Tompkins,  
Toomey,  
VanSant,  
Varner,  
Wachhaus,  
Waterhouse,  
Watkins,  
Weldner,  
Wescott,  
Whalley,  
White,  
Wilt,  
Wood,  
Yeakel,  
Young,  
Ziegler,  
Sorg,  
Speaker

#### NOT VOTING—20

Beech,  
Conway,  
Dougherty,  
Filip,  
Geer,

Hoggard,  
Hunter,  
Kolankiewicz,  
Lafore,  
Maxwell,

Miller, J. C.,  
Mills,  
Musto,  
Pettigrew,  
Pfaff,

Reidenbach,  
Rose,  
Rosen,  
Welsh,  
Wheeler,

So the question was determined in the negative and the motion was not agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. FILO. Mr. Speaker, I am not a motor carrier operator, but I am mindful of the hundreds of small motor vehicle carriers throughout the state of Pennsylvania. Those highway users are the bus companies which are operating on the proverbial shoe string. I wonder if the majority party gave these small operators consideration when they had this bill in mind.

I know in my own district I have at least three operators, operating for a very small amount of revenue. I am told that if this bill is passed by this House they would have to increase their fares. One operator transports children for a mile and a half to school at five cents apiece. I know that he cannot do this if we are going to pass this legislation.

I am not saying that this should not be done to some of the larger concerns but those who have a few buses, I think they should be given some consideration.

I am mindful of the fact also in the City of Pittsburgh we have a number of motor bus carriers in the last two years, or I will say in the last year where there have been three or four raises, and right now the public is at the mercy of the public utilities there.

I ask this House to give this bill consideration and be



mindful of the small operators that they may operate in a manner which is befitting to the public in the state of Pennsylvania. I ask you to vote down this measure.

Mr. SMITH. Mr. Speaker, in answer to the gentleman I would like to tell him that we did consider all the carriers. To say that this would put up fare rates, I doubt that. I doubt it very much. It is only an eight mill tax and it certainly cannot go so far as to put in fare raises on any of these utility companies. We considered this bill because again it is an exclusion of certain groups and it does not make a fair tax practice to exclude some and tax others.

Mr. ANDREWS. Mr. Speaker, If I were convinced that there were no legal inhibitions as far as this bill is concerned, and if I were not convinced that the majority party having passed House Bill 1692 has all the money it needs—more than it needs twice over—I would support this bill. But being convinced that by means of a bill that was not paraded in its true aspects, that we have already oversubscribed the needs of the Commonwealth by passing House Bill 1692, I must needs oppose this measure.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and neys were taken and were as follows:

## YEAS—117

Banker,	Gleason,	Mazza,	Shoemaker,
Barkdoll,	Goodling,	McConnell,	Shotwell,
Baumunk,	Graybill,	McCormack,	Smith,
Bear,	Greenwood,	McCullough,	Sollenberger,
Blair,	Greer,	McInroy,	Spencer,
Bloom,	Gutendorf,	McKinney,	Stimmel,
Bolton,	Guthrie,	McMillen,	Stoner,
Bomberger,	Hall,	Metz,	Swartz,
Boorse,	Hamilton, W. H.,	Mikula,	Tahl,
Bower,	Harney,	Miller, H. G.,	Thompson, E. F.,
Brelsch,	Haudenschild,	Mintess,	Thompson, R. L.,
Brown,	Helm,	Moore, C. E.,	Tompkins,
Cella,	Hewitt,	Moore, H. A.,	Toomey,
Clapper,	Hocker,	Murray,	VanSant,
Clendenen,	Johnson,	Najaka,	Varner,
Cooper,	Jones, T. H. W.,	Naugle,	Wachhaus,
Costa,	Jump,	Pichney,	Waterhouse,
Dalrymple,	Keller,	Pitzer,	Watkins,
Davis,	Kent,	Polen,	Weidner,
Dennison,	Kline,	Price, H. W. Jr.,	Wescott,
Dowling,	Kohl,	Reagan,	Whalley,
DuBois,	Kratz,	Reilly, J. M.,	Williams,
Dunn,	Lelsey,	Rigby,	Wilt,
Erb,	Leonard, W. C.,	Riley, R. L.,	Wood,
Ewing,	Light,	Robertson,	Yeakel,
Ferster,	Loftus,	Royer,	Young,
Firmstone,	Lyons,	Rubin,	Ziegler,
Flack,	Madden,	Sax,	Sorg,
Frost,	Madigan,	Scott,	Speaker
Gibson,	Markley,		

## NAYS—70

Amarando,	Hamilton, R. K.,	McGee,	Sarraff,
Andrews,	Headlee,	McNally,	Scanlon,
Beaver,	Hersch,	Mihm,	Schmidt,
Berkstresser,	Jenkins,	Monroe,	Schuster,
Boles,	Jones, G. E.,	Moran,	Seyler,
Breth,	Jones, J. M.,	Muldowney,	Snider,
Bucchin,	Jones, P. F.,	Munley,	Stank,
Byrne,	Kamyk,	Musto,	Swope,
Conway,	Kornick,	Needham,	Taylor,
Corr,	Kubacki,	Olsen,	Toil,
Coyle,	Lederer,	Penglase,	Varallo,
Duffy,	Leonard, L.,	Peta,	Verona,
Fenrich,	Leven,	Petrosky,	Wargo,
Filo,	Limper,	Polaski,	Westrick,
Gaffney,	Lopresti,	Price, R. A.,	White,
Good,	Lovett,	Readinger,	Yester,
Guarnieri,	Lutty,	Reese,	Yetzer,
Hagerty,	McDermitt,	Rovansek,	

## NOT VOTING—20

Beech,  
Cochran,  
Dougherty,  
Fillp,  
Geer,

Hoggard,  
Hunter,  
Kolankiewicz,  
Lafore,  
Maxwell,

Miller, J. C.,  
Mills,  
Pettigrew,  
Pfaff,  
Reidenbach,

Rose,  
Rosen,  
Welsh,  
Wheeler,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

## BILL ON FINAL PASSAGE

Agreeably to rder

The House proceeded to the consideration on final passage of House Bill No. 1694 as follows:

An Act to further amend section twenty-four of the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" by removing exemptions of life insurance companies and companies doing business upon the mutual plan and certain purely mutual beneficial associations from the State tax on gross premiums premium deposits and assessments received from insurance business transacted within this Commonwealth and changing the rate of tax The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section twenty-four of the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Dmini one thousand eight hundred and seventy-nine" as last amended by the act approved the twenty-fifth day of May one thousand nine hundred thirty-nine (P. L. 212) is hereby further amended to read as follows

Section 24 It shall be the duty of the president secretary or other proper officer of each and every insurance company association or exchange incorporated by or under any law of this Commonwealth [except life insurance companies and companies doing business upon the] [mutual plan without any capital stock and purely mutual beneficial associations whose funds for the benefit of members their families or heirs are made up entirely of the weekly or monthly contributions of their members and the accumulated interest thereon] to make report in writing to the Department of Revenue on or before the fifteenth day of March in each year setting forth the entire amount of premiums premiums deposits or assessments received by such company association or exchange during the year ending with the thirty-first day of December preceding whether the said premiums premium deposits or assessments were received in money or in the form of notes credits or any other substitutes for money and whether the same were collected in this Commonwealth or elsewhere and every such company association or exchange shall pay into the State Treasury through the Department of Revenue within the time prescribed by law for the payment of State taxes settled by the Department of Revenue in addition to any other taxes to which it may be liable under the first and twenty-first sections of this act a tax of two per centum upon the gross amount of said premiums premium deposits annuity considerations and assessments received from business transacted with this Commonwealth provided however that a credit shall be allowed in the payment of said tax in an amount equal to the capital stock and corporate net income taxes paid to the Commonwealth for the same period

Such company association or exchange in reporting for taxation may deduct from the gross premiums premium



deposits an dassessments all amounts returned on policies cancelled or not taken and all premiums received for reinsurance and mutual companies associations exchanges may for any reason be required to report under this and stock companies with participating features which act in addition to the aforesaid deductions may deduct that portion of the advanced premiums premium deposits or assessments returned in cash or credited to members or policyholders whether as dividends earnings savings or return deposits upon the expiration or termination of their contracts Provided That hereafter the annual tax upon premiums of insurance companies of ther states or foreign governments shall be at the rate of two per centum upon the gross premiums of every character and description received from business done within this Commonwealth within the entire calendar year preceding the penalties for failure to make report and pay the tax as herein required shall be as provided by law

Section 2 This amendment shall become effective the first day of November one thousand nine hundred fifty-one

On the question,  
Shall the bill pass finally?

#### MOTION TO POSTPONE

Mr. ANDREWS. Mr. Speaker, for reasons already stated in connections with other measures, I move, without prejudice to the measure, that it be placed upon the postponed calendar.

I am willing to take the previous roll call to postpone if that suits the convenience of the Majority Leader.

Mr. SMITH. That will be perfectly all right with me, Mr. Speaker.

On the question

Will the House agree to the motion?

The yeas and nays were required by Mr. Andrews and Mr. Readinger, and were as follows:

#### YEAS—71

Amarando,	Hamilton, R. K.,	McGee,	Sarra,
Andrews,	Headlee,	McNally,	Scanlon,
Beaver,	Hersch,	Mihm,	Schmidt,
Berkstresser,	Jenkins,	Monroe,	Schuster,
Boles,	Jones, G. E.,	Moran,	Seyler,
Breth,	Jones, J. M.,	Muldowney,	Snider,
Bucchin,	Jones, P. F.,	Munley,	Stank,
Byrne,	Kamyk,	Needham,	Swope,
Cochran,	Kornick,	Olsen,	Taylor,
Corr,	Kubacki,	Penglase,	Toll,
Coyle,	Lederer,	Peta,	Varallo,
Duffy,	Leonard, L.,	Petrosky,	Verona,
Fenrich,	Leven,	Polaski,	Wargo,
Filo,	Limper,	Polen,	Westrick,
Gaffney,	Lopresti,	Price, R. A.,	Williams,
Good,	Lovett,	Readinger,	Yester,
Guarnieri,	Lutty,	Reese,	Yetzer,
Hagerty,	McDermitt,	Rovansek,	

#### NAYS—116

Banker,	Gibson,	Madigan,	Scott,
Barkdoll,	Gleason,	Markley,	Shoemaker,
Baumunk,	Goodling,	Mazza,	Shotwell,
Bear,	Graybill,	McConnell,	Smith,
Blair,	Greenwood,	McCormack,	Sollenberger,
Bloom,	Greer,	McCullough,	Spencer,
Bolton,	Gutendorf,	McInroy,	Stimmel,
Bomberger,	Guthrie,	McKinney,	Stoner,
Boorse,	Hall,	McMillen,	Swartz,
Bower,	Hamilton, W. H.,	Metz,	Tahl,
Breisch,	Harney,	Mikula,	Thompson, E. F.,
Brown,	Haudenshield,	Miller, H. G.,	Thompson, R. L.,
Cella,	Helm,	Mintess,	Tompkins,
Clapper,	Hewitt,	Moore, C. E.,	Toomey,
Clendenen,	Hocker,	Moore, H. A.,	VanSant,
Cooper,	Johnson,	Murray,	Varner,
Costa,	Jones, T. H. W.,	Najaka,	Wachhaus,
Dalrymple,	Jump,	Naugle,	Waterhouse,
Davis,	Keller,	Pichney,	Watkins,

Dennison,	Kent,	Pitzer,	Weidner,
Dowling,	Kline,	Price, H. W. Jr.,	Wescott,
DuBois,	Kohl,	Reagan,	Whalley,
Dunn,	Kratz,	Reilly, J. M.,	White,
Erb,	Leisey,	Rigby,	Wilt,
Ewing,	Leonard, W. C.,	Riley, R. L.,	Wood,
Ferster,	Light,	Robertson,	Yeakel,
Firmstone,	Loftus,	Royer,	Young,
Flack,	Lyons,	Rubin,	Ziegler,
Frost,	Madden,	Sax,	Sorg,

Speaker

#### NOT VOTING—20

Beech,	Hoggard,	Miller, J. C.,	Reidenbach,
Conway,	Hunter,	Mills,	Rose,
Dougherty,	Kolankiewicz,	Musto,	Rosen,
Filip,	Lafore,	Pettigrew,	Welsh,
Geer,	Maxwell,	Pfaff,	Wheeler,

So the question was determined in the negative and the motion was not agreed to.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS 113

Banker,	Gleason,	Markley,	Shoemaker,
Barkdoll,	Goodling,	Mazza,	Shotwell,
Baumunk,	Graybill,	McConnell,	Smith,
Blair,	Greer,	McCormack,	Sollenberger,
Bloom,	Gutendorf,	McCullough,	Spencer,
Bolton,	Guthrie,	McInroy,	Stimmel,
Bomberger,	Hall,	McKinney,	Stoner,
Boorse,	Hamilton, W. H.,	McMillen,	Swartz,
Bower,	Harney,	Metz,	Tahl,
Brown,	Haudenshield,	Mikula,	Thompson, E. F.,
Cella,	Helm,	Miller, H. G.,	Thompson, R. L.,
Clapper,	Hewitt,	Mintess,	Tompkins,
Clendenen,	Hocker,	Moore, C. E.,	Toomey,
Cooper,	Johnson,	Moore, H. A.,	VanSant,
Costa,	Jones, T. H. W.,	Najaka,	Varner,
Dalrymple,	Jump,	Naugle,	Wachhaus,
Davis,	Keller,	Pichney,	Waterhouse,
Dennison,	Kent,	Pitzer,	Watkins,
Dowling,	Kline,	Polen,	Weidner,
DuBois,	Kohl,	Price, H. W. Jr.,	Wescott,
Dunn,	Kratz,	Reagan,	Whalley,
Erb,	Leisey,	Reilly, J. M.,	Williams,
Ewing,	Leonard, W. C.,	Rigby,	Wilt,
Ferster,	Light,	Riley, R. L.,	Wood,
Firmstone,	Loftus,	Robertson,	Yeakel,
Flack,	Lyons,	Royer,	Young,
Frost,	Madden,	Rubin,	Ziegler,
Gibson,	Madigan,	Sax,	Sorg,
		Scott,	Speaker

#### NAYS—75

Amarando,	Hagerty,	McGee,	Sarra,
Andrews,	Hamilton, R. K.,	McNally,	Scanlon,
Bear,	Headlee,	Mihm,	Schmidt,
Beaver,	Hersch,	Monroe,	Schuster,
Berkstresser,	Jenkins,	Moran,	Seyler,
Boles,	Jones, G. E.,	Muldowney,	Snider,
Breisch,	Jones, J. M.,	Munley,	Stank,
Breth,	Jones, P. F.,	Murray,	Swope,
Bucchin,	Kamyk,	Musto,	Taylor,
Byrne,	Kornick,	Needham,	Toll,
Conway,	Kubacki,	Olsen,	Varallo,
Corr,	Lederer,	Penglase,	Verona,
Coyle,	Leonard, L.,	Peta,	Wargo,
Duffy,	Leven,	Petrosky,	Welsh,
Fenrich,	Limper,	Polaski,	Westrick,
Filo,	Lopresti,	Price, R. A.,	White,
Gaffney,	Lovett,	Readinger,	Yester,
Good,	Lutty,	Reese,	Yetzer,
Greenwood,	McDermitt,	Rovansek,	

#### NOT VOTING—19

Beech,	Guarnieri,	Maxwell,	Reidenbach,
Cochran,	Hoggard,	Miller, J. C.,	Rose,
Dougherty,	Hunter,	Mills,	Rosen,
Filip,	Kolankiewicz,	Pettigrew,	Wheeler,
Geer,	Lafore,	Pfaff,	



The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1695, as follows:

An Act to reenact the title and to reenact and amend the act approved the twenty-fourth day of August one thousand nine hundred fifty-one (Act No. 345) entitled "An act to provide revenue for State purposes by imposing a property tax for a limited period of time on the net income derived from sources within the Commonwealth of certain corporations joint-stock associations and limited partnerships excluding certain income providing for the assessment collection settlement and resettlement of taxes and reviews and appeal therefrom conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties" by further defining net income changing the due date of certain payments requiring additional reports and extending the provisions of the act for a further limited period of time

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title and all the sections of the act approved the twenty-fourth day of August one thousand nine hundred fifty-one (Act No. 345) entitled "An act to provide revenue for State purposes by imposing a property tax for a limited period of time on the net incomes derived from sources within the Commonwealth of certain corporations joint-stock associations and limited partnerships excluding certain income providing for the assessment collection settlement and resettlement of taxes and reviews and appeal therefrom conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties" are hereby reenacted and amended to read as follows

#### An Act

To provide revenue for State purposes by imposing a property tax for a limited period of time on the net incomes derived from sources within the Commonwealth of certain corporations joint-stock associations and limited partnerships excluding certain income providing for the assessment collection settlement and resettlement of taxes and reviews and appeal therefrom conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties

Section 1 Short Title This act shall be known and may be cited as the "Corporation Income Tax Law"

Section 2 Definitions The following words terms and phrases when used in this act shall have the meaning ascribed to them in this section except where the context clearly indicates a different meaning

"Corporation" A corporation having capital stock joint-stock association or limited partnership either organized under the laws of this Commonwealth the United States or any other state territory or foreign county or dependency and carrying on activities in this Commonwealth by or in the name of itself or any person partnership association limited partnership joint-stock association or corporation The word "corporation" shall not include non-profit corporations building and loan associations banks bank and trust companies national banks savings institutions trust companies title insurance companies beneficial life and limited life insurance companies

mutual fire mutual casualty and mutual life insurance companies foreign stock companies registered in this Commonwealth and therein engaged in doing business as life fire and casualty insurance companies and foreign surety companies

"Department" The Department of Revenue of this Commonwealth

"Net Income" 1 Net income for the calendar year or fiscal year as returned to and ascertained by the Federal Government or in the case of a corporation participating in the filing of consolidated returns to the Federal Government the net income which would have been returned to and ascertained by the Federal Government the net income which would have been returned to and ascertained by the Federal Government if separate returns had been made to the Federal Government for the current and prior taxable years subject however to any correction thereof for fraud evasion or error as finally ascertained by the Federal Government Providing That additional deductions shall be allowed from net income on account of any dividends received from any other corporation subject to the tax imposed by the act And providing further That no deduction shall be allowed for any Federal income or excess profits taxes whatsoever except the declared value excess profit tax and provided further That no deduction shall be allowed for net operating losses sustained by the corporation during any other fiscal or calendar year And provided further That in the case of stock life fire casualty and indemnity insurance companies operating on the mutual or participating plan the term "net income" shall not include the dividends paid to policyholders out of net income

2 In the case of corporations owning property or carrying on activities within and without this Commonwealth other than corporations carrying on activities as insurance or surety companies the net income of such corporation derived from sources within this Commonwealth for the fiscal or calendar year shall be determined by allocations and apportionments of net income as defined in clause one hereof made as follows

(a) Gains realized and losses sustained from the sale or exchange of capital assets if such assets consist of real estate or tangible personal property situated in the Commonwealth shall be allocated to this Commonwealth

(b) Gains realized and losses sustained from the sale or exchange of capital assets if such assets consist of real estate or tangible personal property situated outside of the Commonwealth shall not be allocated in any part to this Commonwealth

(c) The resultant net income if any after allocations shall be divided into three equal parts

(1) Of one-third such portion shall be attributed to the Commonwealth as shall be found by multiplying said one-third by a fraction whose numerator is the value of the corporation's tangible property situated within this Commonwealth and whose denominator is the value of all the corporation's tangible property wherever situated

(2) Of one-third such portion shall be attributed to the Commonwealth as shall be found by multiplying said one-third by a fraction whose numerator is the expenditures of the corporation for wages salaries commissions and other compensation to its employees and assignable to this Commonwealth as hereinafter provided and whose denominator is the total expenditures of the corporation for wages salaries commissions and other compensation to all its employees

(3) Of the remaining third such portion shall be attributed to the Commonwealth as shall be found by multiplying said third by a fraction whose numerator is the amount of the taxpayer's gross receipts from property and activities assignable to this Commonwealth as hereinafter provided and whose denominator is the amount of the taxpayer's gross receipts from all its property and activities

In cases where only two of the foregoing three rules are applicable the remainder of the net income of the corporation shall be divided into two equal parts only each of which shall be apportioned in accordance with one



of the remaining two rules. If only one of the three rules is applicable the part of the net income received from property and activities carried on within the Commonwealth shall be determined solely by that rule.

The amount assignable to this Commonwealth of expenditures of the corporation for wages salaries commissions or other compensation to its employees shall be such expenditures for the taxable year as represent the wages salaries commissions or other compensation of employees to the extent of services rendered or work performed in the Commonwealth and similar expenditures to employees not chiefly situated at connected with or sent out from premises for the transaction of business maintained by the corporation outside the Commonwealth.

The amount of the corporation's gross receipts from property and activities assignable to this Commonwealth shall be (1) the amount of its gross receipts for the taxable year from services rendered work and contracts performed and sales made in the Commonwealth and all other gross receipts except those negotiated or effected in behalf of the corporation by agents or agencies chiefly situated at connected with or sent out from premises for the transaction of business maintained by the taxpayer outside of the Commonwealth and except rentals and royalties and interest and dividends (2) rentals or royalties from property situated or from the use of patents within this Commonwealth and (3) dividends and interest except such dividends and interest attributable to the business conducted on premises maintained by the taxpayer outside the Commonwealth. If a corporation maintains an office warehouse or other place of business in a state other than this Commonwealth for the purpose of reducing its tax under this subsection the department shall in determining the amount of its gross receipts from property and activities assignable to this Commonwealth include therein the gross receipts attributed by the corporation to the business conducted at such place of business in another state. In the case of construction contracts negotiated or effected at an office in the State of Pennsylvania but performed outside the State the gross receipts under such contracts shall be assignable outside the State except that if the activities under any such contract to which the gross receipts are attributable shall occur partly within the State and partly outside the State such proportion of the gross receipts under said contract shall be assignable to Pennsylvania as the direct and indirect costs incurred in Pennsylvania under the contract for the taxable year bear to the total costs incurred thereunder for the taxable year. In the case of construction contracts negotiated or effected at an office outside the State but performed in the State the gross receipts under such contracts shall be assignable to the State except that if the activities under any such contract to which the gross receipts are attributable shall occur partly within the State and partly outside the State such proportion of the gross receipts under said contract shall be assignable to Pennsylvania as the direct and indirect costs incurred in the State under the contract for the taxable year bear to the total costs incurred thereunder for the taxable year.

A rule shall not be deemed to be inapplicable merely because all the tangible property or the expenditures of a corporation for wages salaries commissions or other compensation or the gross receipts of the corporation are found to be situated incurred or received without the Commonwealth.

3 In the case of corporations carrying on activities as insurance or surety companies within and without this Commonwealth the net income of such corporations derived from sources within this Commonwealth for the fiscal or calendar year shall be determined by multiplying net income as defined in clause one hereof by a fraction of which the numerator is the gross premiums received from activities carried on within the Commonwealth as hereinafter defined and of which the denominator is the amount of the gross premiums received from all its activities everywhere.

"Gross Premiums" shall mean the amount of dues fees and premiums stated in the policy contracts and shall

include gross premiums of every character and description received during the taxable year from all underwriting activities whether said premiums were received in money or in the form of notes credits or any other substitute for money less the following deductions:

(a) All premiums returned on policies cancelled or not taken.

(b) In the case of stock companies with participating features an additional deduction for that portion of the premiums returned to the policyholders.

(c) In the case of life insurance companies an additional deduction for dividends declared and actually used by policyholders in payment of renewal premiums.

"Gross premiums received from activities carried on in the Commonwealth" shall mean gross premiums received from policies and annuities written on property or risks located or resident in this Commonwealth whether such premiums were collected in this Commonwealth or elsewhere "sources within this Commonwealth" includes tangible or intangible property located or having a situs in this Commonwealth and any activities carried on in this Commonwealth regardless of whether carried on in intrastate or foreign commerce.

"Carrying on activities" shall include every act power or privilege exercised or enjoyed in this Commonwealth as an incident to or by virtue of the powers and privileges acquired by the nature of the corporate organization.

"Person" Every natural person association or corporation Whenever used in any clause prescribing and imposing a fine or imprisonment or both the term "person" as applied to associations shall mean the partners or members thereof and as applied to corporations the officers thereof.

The singular shall include the plural and the masculine shall include the feminine and neuter.

Section 3 Imposition of Tax Every corporation carrying on activities in this Commonwealth or owning property in this Commonwealth by or in the name of itself or any person partnership joint-stock association or corporation shall be subject to and shall pay a State property tax on net income derived from sources within this Commonwealth at the rate of five per centum per annum upon each dollar of such net income received by and accruing to such corporation during the calendar years one thousand nine hundred fifty-one [and] one thousand nine hundred fifty-two and one thousand nine hundred and fifty-three except where a corporation reports to the Federal Government on the basis of a fiscal year and has certified such fact to the department as required by section four of this act in which case such tax at the rate of five per centum shall be levied collected and paid upon each dollar of such net income received by and accruing to such corporation during the fiscal year commencing in the calendar years one thousand nine hundred fifty-one [and] one thousand nine hundred fifty-two and one thousand nine hundred and fifty-three and ending in the calendar years one thousand nine hundred fifty-two [and] one thousand nine hundred fifty-three and one thousand nine hundred and fifty-four. Provided however That such net income shall not include income for any period for which the corporation is subject to taxation under the Corporate Net Income Tax Act approved the sixteenth day of May one thousand nine hundred thirty-five (P. L. 208) as reenacted and amended according to or measured by net income.

Except as otherwise provided in this section the tax hereby imposed shall be in addition to all taxes now imposed on any corporation under the provisions of existing laws.

Section 4 [Report] Reports and Payment of Tax (a) For the purpose of ascertaining the amount of tax payable under this act it shall be the duty of every corporation liable to pay tax under this act on or before the fifteenth day of April one thousand nine hundred fifty-two [and] one thousand nine hundred fifty-three and one thousand nine hundred fifty-four to transmit to the department upon a form prescribed prepared and furnished by the department [a] an annual report under oath or affirmation of its president vice-president or other prin-



cipal officer and of its treasurer or assistant treasurer of net income taxable under the provisions of this act Such report shall set forth

[(a)] (1) A true copy of its return to the Federal Government of the annual net income arising or accruing in the calendar or fiscal year next preceding or such part or portion of said return as the department may designate

[(b)] (2) If no return was filed with the Federal Government the report made to the department shall show such information as would have been contained in a return to the Federal Government had one been made and

[(c)] (3) Such other information as the department may require

[The failure of any corporation liable to pay tax under this act to procure or receive any report form shall not excuse it from making a report

Every corporation upon the date its report is required herein to be made shall pay to the department not less than one-half of the tax due to the Commonwealth by it for such preceding year and the remaining one-half of such tax shall be paid within the thirty days next succeeding and except as otherwise provided by law no extension of time for the filing of an yreport granted by the department shall extend the date any tax imposed by this act shall be due and payable The amount of all taxes imposed under the provision of this]

(b) For the purpose of ascertaining the amount of tax payable under this act for the taxable year one thousand nine hundred fifty-three it shall be the duty of every corporation liable to pay tax under this act on or before the thirtieth day of April one thousand nine hundred fifty-three to transmit in like form and manner an additional tentative report Such report shall set forth

(1) The annual net income received or accruing in the calendar or fiscal year next preceding and reported to the department under the provisions of this act or

(2) The net income received or accruing in the first three months of the current calendar or fiscal year together with such information as would have been contained in a return to the Federal Government had one been required or made

(3) Such other information as the department may require

(c) The failure of any corporation liable to pay tax under this act to procure or receive any report form shall not excuse it from making a report

(d) For the taxable years up to and including the year one thousand nine hundred fifty-two every corporation upon the date its report is required herein to be made shall pay to the department not less than one-half of the tax due to the Commonwealth by it for such preceding year and the remaining one-half of such tax shall be paid within the thirty days next succeeding and except as otherwise provided by law no extension of time for the filing of any report granted by the department shall extend the date any tax imposed by this act shall be due and payable For the taxable year one thousand nine hundred fifty-three every corporation upon the date its tentative report is required herein to be made shall pay on account of the tax due for the current year at its election (1) not less than two and one-half per centum upon each dollar of net income of such corporation last reported as received or accrued during an entire preceding year or of such multiple of the net income last reported for a portion of such year as the entire year bears to the portion of the year for which the net income had been reported or (2) not less than ten per centum upon each dollar of net income of such corporation received or accrued during the first three months of the current calendar or fiscal year whichever is applicable The remaining portion of the tax due shall be paid upon the date the corporation's annual report is required herein to be made

(e) The amount of all taxes imposed under the provisions of this act not paid on or before the time as above provided shall bear interest at the rate of six (6) per centum per annum from the date they are due and pay-

able until paid except that if the taxable income has been or is increased by the Commissioner of Internal Revenue or by any other agency or court of the United States interest shall be computed on the additional tax due from thirty days after the corporation receives notice of the change of income until paid Provided however That any corporation may pay the full amount of such tax or any part thereof together with interest due to the date of payment without prejudice to its right to present and prosecute a petition for resettlement a petition for review or an appeal to court If it be thereafter determined that such taxes were overpaid the department shall enter a credit to the account of such corporation which may be used by it in the manner prescribed by law

(f) If the officers of any corporation shall neglect or refuse to make any report as herein required or shall knowingly make any false report an additional ten per centum of the amount of the tax shall be added by the department to the tax determined to be due

(g) If any corporation closes its fiscal year not upon the thirty-first day of December but upon some other date and reports to the Federal Government as of such other date or would so report were it to make a return to the Federal Government such corporation shall certify such fact to the Department of Revenue and shall make the annual report herein required within thirty (30) days after the return to the Federal Government is due or would be due were it to be required of such corporation subject in all respects to the provisions of this act The tentative report required of such corporation shall be due not later than four months after the end of the next preceding fiscal year

(h) If the corporation shall claim in its report that the return made to the Federal Government was inaccurate the amount claimed by it to be the net income taxable under this act and the basis of such claim of inaccuracy shall be fully specified

Section 5 Consolidated Reports The department shall not permit any corporation owning or controlling directly or indirectly any of the voting capital stock of another corporation or of other corporations subject to the provisions of this act to make a consolidated report showing the combined net income

Section 6 Extension of Time to File Reports The department may upon application made to it in such form as it shall prescribe on or prior to the last day for filing any annual report and upon proper cause shown grant to the corporation required to file such report an extension of not more than sixty (60) days within which such report may be filed and in case the Federal income tax authorities at any time grant a longer extension of time for filing such reports with the Federal Government the department may grant an additional extension of time for filing the annual report under this act of not more than thirty (30) days after the termination of the Federal extension but the amount of tax due shall in such cases nevertheless be subject to interest from the due dates and at the rates fixed by this act

Section 7 Changes Made by Federal Government (a) If the amount of the net income as returned by any corporation to the Federal Government is finally changed or corrected by the Commissioner of Internal Revenue or by any other agency or court of the United States such corporation within thirty (30) days after the receipt of such final change or correction shall make a corrected report under oath or affirmation to the department showing such finally changed or corrected net income upon which the tax is required to be paid to the United States In case a corporation fails to file a report of such correction which results in an increase in net income within the time prescribed there shall be added to the tax a penalty of five dollars (\$5.00) for every day during which such corporation is in default but the department may abate any such penalty in whole or in part

(b) If as a result of such final change or correction there should be any change made in the amount of the net income of any corporation upon which tax is im-



posed by this act the department shall have the power and its duty shall be to resettle such taxes. Whenever a resettlement shall have been made hereunder the department shall resettle the account according to law and shall credit or charge as the case may be the amount resulting from such resettlement upon the current accounts of the corporation with which it is made. The resettlement shall be subject to audit and approval by the Department of the Auditor General as in the case of original settlements and in case of the failure of the two departments to agree the resettlement shall be submitted to the Board of Finance and Revenue as in the case of original settlements.

(c) Where a report of change correction or redetermination of Federal income or Federal tax has been filed after a petition for review or an appeal has been taken such report shall be deemed a part of the original annual report upon petition of the taxpayer at any subsequent proceeding as though it had been filed with [the] such original report and no separate petition for review or appeal from the resettlement resulting from such report of change correction or redetermination shall be necessary.

**Section 8 Settlement and Resettlement** (a) All taxes due under this act shall be settled by the department and settlement shall be subject to audit and approval by the Department of the Auditor General and shall so far as possible be made so that notice thereof may reach the taxpayer before the end of a year after the tax report was required to be made.

(b) Promptly after the date of any such settlement the department shall send by mail or otherwise a copy thereof to such corporation. The tax imposed by this act shall be settled, resettled and otherwise imposed and adjusted in the same manner within the same periods of time and right of resettlement, review, appeal and refund as provided by law in the case of capital stock and franchise taxes imposed upon corporations.

(c) If within a period of two years after the date of any settlement the department is not satisfied with such settlement or if at any time the net income as returned by any corporation to the Federal Government is finally changed or corrected by the Commissioner of Internal Revenue or by any other agency or court of the United States with the result that tax in addition to the amount paid is due under this act the department is hereby authorized and empowered to make a resettlement of the tax due by such corporation based upon the facts contained in the report or upon any information within its possession or that shall come into its possession.

Whenever a resettlement shall have been made hereunder the department shall resettle the account according to law and shall credit or charge as the case may be the amount resulting from such resettlement upon the current accounts of the corporation with which it is made.

The resettlement shall be subject to audit and approval by the Department of the Auditor General as in the case of original settlement and in case of the failure of the two departments to agree the resettlement shall be submitted to the Board of Finance and Revenue as in the case of original settlements.

(d) If any corporation shall neglect or refuse to make any report and payment of tax required by this act the department shall estimate the tax due by such corporation and subject to audit and approval by the Department of the Auditor General settle the amount due by it for taxes, penalties and interest thereon as prescribed herein from which settlement there shall be no right of review or appeal but the department with the approval of the Department of the Auditor General may require a report to be filed and thereupon make a settlement based upon such report and cancel the estimated settlement.

**Section 9 Enforcement Rules and Regulations** Inquisitorial Powers of the Department (a) The department is hereby charged with the enforcement of the provisions of this act and is hereby authorized and empowered to prescribe, adopt, promulgate and enforce rules and regulations not inconsistent with this act relating to any matter of thing pertaining to the administration and enforce-

ment of the provisions of this act and the collection of taxes, penalties and interest imposed by this act. The department is hereby required to have such rules and regulations promulgated and adopted, printed and shall distribute the same to any person upon request.

(b) The department or any agent authorized in writing by it is hereby authorized to examine the books, papers and records and to investigate the character of the business of any corporation in order to verify the accuracy of any report made or if no report was made by such corporation to ascertain and settle the tax imposed by this act. Every such corporation is hereby directed and required to give to the department or its duly authorized agent the means, facilities and opportunity for such examinations and investigations as are hereby provided and authorized. Any information gained by the department as a result of any returns, investigations or verifications required to be made by this act shall be confidential except of official purposes and any person divulging such information shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than one hundred dollars (\$100.00) or more than one thousand dollars (\$1000.00) and costs of prosecution or to undergo imprisonment for not more than six (6) months or both in the discretion of the court.

(c) Whenever any person acting for or on behalf of the department shall in good faith institute legal proceedings for any violations of the provisions of this act and for any reason shall fail to recover costs of record such costs shall be a charge upon the proper county as shall such costs in the event defendant is imprisoned for failure to pay fine or costs or both and shall be audited and paid as are costs of like character in said county.

(d) The powers conferred by this act upon the department relating to the administration or enforcement of this act shall be in addition to but not exclusive of any other powers heretofore or hereafter conferred upon the department by law.

**Section 10 Retention of Records by Corporations** Penalty. Each corporation shall maintain and keep for a period of three (3) years after any report is filed under this act such record or records of its business within this Commonwealth for the period covered by such report and other pertinent papers as may be required by the department.

Any person violating any of the provisions of this section shall be guilty of a misdemeanor and shall upon conviction thereof be sentenced to pay a fine not exceeding one thousand dollars (\$1000.00) and costs of prosecution or to undergo imprisonment for not more than six (6) months or both in the discretion of the court.

**Section 11 Penalties** (a) Any person who shall wilfully make a false and fraudulent return of net income made taxable by this act shall be guilty of wilful and corrupt perjury and upon conviction thereof shall be subject to punishment as provided by law. Such penalty shall be in addition to any other penalties imposed by this act.

(b) Any person who wilfully fails, neglects or refuses to make a report or to pay the tax as herein prescribed or who shall refuse to permit the department to examine the books, papers and records of any corporation liable to pay tax under this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars (\$1000.00) and costs of prosecution or undergo imprisonment not exceeding six (6) months or both in the discretion of the court. Such penalty shall be in addition to any other penalties imposed by this act.

**Section 12 Constitutional Construction** The provisions of this act are severable and if any of its provisions shall be held unconstitutional the decision of the court shall not affect or impair any of the remaining provisions of this act. It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provisions not been included herein.

**Section 13 Effective Date** This act shall become effective immediately upon its final enactment and shall remain in force only for the imposition and collection of taxes on net income of corporations derived from sources within



the Commonwealth for the calendar years one thousand nine hundred fifty-one [and] one thousand nine hundred fifty-two and one thousand nine hundred fifty-three or for the fiscal years ending in the calendar years one thousand nine hundred fifty-two [and] one thousand nine hundred fifty-three and one thousand nine hundred fifty-four

On the question,

Will the House agree to the bill on third reading?

Mr. SARRAF. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Title, page 2, line 5, from top of the page, by striking out the words "further defining net income."

Amend Section I, page 5, line 6, by striking out the words "subject to the tax imposed by this Act."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

Mr. ANDREWS. Mr. Speaker, we will accept the same roll call that was had on the amendments to House Bill 1692, if that is agreeable to the Majority Leader.

Mr. SMITH. Mr. Speaker, that is agreeable to us.

The yeas and nays were required by Mr. Andrews and Mr. Readinger and were as follows:

## YEAS—71

Amarando,	Headlee,	McNally,	Sarraaf,
Andrews,	Hersch,	Mihm,	Scanlon,
Beaver,	Jenkins,	Monroe,	Schmidt,
Berkstresser,	Jones, G. E.,	Moran,	Schuster,
Boles,	Jones, J. M.,	Muldowney,	Seyler,
Breth,	Jones, P. F.,	Munley,	Snider,
Bucchin,	Kamyk,	Musto,	Stank,
Byrne,	Kornick,	Needham,	Swope,
Conway,	Kubacki,	Olsen,	Taylor,
Corr,	Lederer,	Penglase,	Toll,
Coyle,	Leonard, L.,	Peta,	Varallo,
Duffy,	Leven,	Petrosky,	Verona,
Fenrich,	Limper,	Polaski,	Wargo,
Filo,	Lopresti,	Polen,	Westrick,
Gaffney,	Lovett,	Price, R. A.,	Williams,
Good,	Lutty,	Readinger,	Yester,
Hagerty,	McDermitt,	Reese,	Yetzer,
Hamilton, R. K.,	McGee,	Rovansek,	

## NAYS—115

Banker,	Gibson,	Madigan,	Scott,
Barkdoll,	Gleason,	Markley,	Shoemaker,
Baumunk,	Goodling,	Mazza,	Shotwell,
Bear,	Graybill,	McConnell,	Smith,
Blair,	Greenwood,	McCormack,	Sollenberger,
Bloom,	Greer,	McCullough,	Spencer,
Bolton,	Gutendorf,	McInroy,	Stimmel,
Bomberger,	Guthrie,	McKinney,	Stoner,
Boorse,	Hall,	McMillen,	Swartz,
Bower,	Hamilton, W. H.,	Metz,	Tahl,
Brelsch,	Harney,	Mikula,	Thompson, E. F.,
Brown,	Haudenshield,	Miller, H. G.,	Thompson, R. L.,
Cella,	Helm,	Mintess,	Tompkins,
Clapper,	Hewitt,	Moore, C. E.,	Toomey,
Clendening,	Hocker,	Moore, H. A.,	VanSant,
Cooper,	Johnson,	Murray,	Varner,
Costa,	Jones, T. H. W.,	Najaka,	Wachhaus,
Dalrymple,	Jump,	Naugle,	Waterhouse,
Davis,	Keller,	Pichney,	Watkins,
Dennison,	Kent,	Pitzer,	Weidner,
Dowling,	Kline,	Price, H. W. Jr.,	Wescott,
DuBois,	Kohl,	Reagan,	Whalley,
Dunn,	Kratz,	Reilly, J. M.,	White,
Erb,	Lelsey,	Rigby,	Wilt,
Ewing,	Leonard, W. C.,	Riley, R. L.,	Wood,
Ferster,	Light,	Robertson,	Yeakel,

Firmstone,  
Flack,  
Frost,

Loftus,  
Lyons,  
Madden,

Royce,  
Rubin,  
Sax,

Ziegler,  
Sorg,  
Speaker

## NOT VOTING—21

Beech,  
Cochran,  
Dougherty,  
Fillip,  
Geer,

Guarn'eri,  
Hoggard,  
Hunter,  
Kolanklewicz,  
Lafore,

Maxwell,  
Miller, J. C.,  
Mills,  
Pettigrew,  
Pfaff,

Reidenbach,  
Rose,  
Rosen,  
Welsh,  
Wheeler,  
Young,

So the question was determined in the negative and the amendments were not agreed to.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—118

Banker,	Gleason,	Madigan,	Scott,
Barkdoll,	Goodling,	Markley,	Shoemaker,
Baumunk,	Graybill,	Mazza,	Shotwell,
Bear,	Greenwood,	McConnell,	Smith,
Blair,	Greer,	McCormack,	Sollenberger,
Bloom,	Guarnieri,	McCullough,	Spencer,
Bolton,	Gutendorf,	McInroy,	Stimmel,
Bomberger,	Guthrie,	McKinney,	Stoner,
Boorse,	Hall,	McMillen,	Swartz,
Bower,	Hamilton, W. H.,	Metz,	Tahl,
Brelsch,	Harney,	Mikula,	Thompson, E. F.,
Brown,	Haudenshield,	Miller, H. G.,	Thompson, R. L.,
Cella,	Helm,	Mintess,	Tompkins,
Clapper,	Hersch,	Moore, C. E.,	Toomey,
Clendening,	Hewitt,	Moore, H. A.,	VanSant,
Cooper,	Hocker,	Murray,	Varner,
Costa,	Johnson,	Najaka,	Wachhaus,
Dalrymple,	Jones, T. H. W.,	Naugle,	Waterhouse,
Davis,	Jump,	Pichney,	Watkins,
Dennison,	Keller,	Pitzer,	Weidner,
Kent,	Dowling,	Price, H. W. Jr.,	Wescott,
DuBois,	Kline,	Reagan,	Westrick,
Dunn,	Kohl,	Reilly, J. M.,	Whalley,
Erb,	Kratz,	Rigby,	Wilt,
Ewing,	Lelsey,	Riley, R. L.,	Wood,
Ferster,	Leonard, W. C.,	Robertson,	Yeakel,
Firmstone,	Light,	Royce,	Young,
Flack,	Loftus,	Rubin,	Ziegler,
Frost,	Lyons,	Sax,	Sorg,
Gibson,	Madden,		Speaker

## NAYS—70

Amarando,	Headlee,	Mihm,	Sarraaf,
Andrews,	Jenkins,	Monroe,	Scanlon,
Beaver,	Jones, G. E.,	Moran,	Schmidt,
Berkstresser,	Jones, J. M.,	Muldowney,	Schuster,
Boles,	Jones, P. F.,	Munley,	Seyler,
Breth,	Kamyk,	Musto,	Snider,
Bucchin,	Kornick,	Needham,	Stank,
Byrne,	Kubacki,	Olsen,	Swope,
Conway,	Lederer,	Penglase,	Taylor,
Corr,	Leonard, L.,	Peta,	Toll,
Coyle,	Leven,	Petrosky,	Varallo,
Duffy,	Limper,	Polaski,	Verona,
Fenrich,	Lopresti,	Polen,	Wargo,
Filo,	Lovett,	Price, R. A.,	Welsh,
Gaffney,	Lutty,	Readinger,	White,
Good,	McDermitt,	Reese,	Williams,
Hagerty,	McGee,	Rovansek,	Yester,
Hamilton, R. K.,	McNally,		Yetzer,

## NOT VOTING—19

Beech,  
Cochran,  
Dougherty,  
Fillip,  
Geer,

Hoggard,  
Hunter,  
Kolankiewicz,  
Lafore,  
Maxwell,

Miller, J. C.,  
Mills,  
Pettigrew,  
Pfaff,

Reidenbach,  
Rose,  
Rosen,  
Wheeler,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.



Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1696, as follows:

An Act to further amend section one of the act approved the fourth day of June one thousand nine hundred fifteen (P. L. 828) entitled "An act to provide revenue by imposing a State tax upon sales or agreements to sell or memoranda of sales of stock and upon deliveries or transfers of shares or certificates of stock in domestic and foreign corporations co-partnership associations and joint-stock associations providing the manner of collecting such tax and prescribing penalties" by further regulating the imposition of the tax

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the fourth day of June one thousand nine hundred fifteen (P. L. 828) entitled "An act to provide revenue by imposing a State tax upon sales or agreements to sell or memoranda of sales of stock and upon deliveries or transfers of shares or certificates of stock in domestic and foreign corporations co-partnership associations and joint-stock associations providing the manner of collecting such tax and prescribing penalties" as amended by the act approved the first day of June one thousand nine hundred forty-five (P. L. 1377) is hereby further amended to read as follows

Section 1 Be it enacted &c That a State tax of two cents on each one hundred dollars of the face [market] value or fraction thereof [not exceeding however two cents on each one hundred dollars of the face value or fraction thereof or in the case of shares or certificates of stock without designated monetary value not exceeding two cents per share] is hereby imposed on all sales or agreements to sell or memoranda of sales of stock and upon any and all deliveries or transfers of shares or certificates of stock in any domestic or foreign corporation or co-partnership association or joint-stock company made on or after the date when this act takes effect whether made upon or shown by the books of the corporation co-partnership association or joint-stock company or by any assignment in blank or by any delivery or by any paper or agreement or memorandum or other evidence of sale or transfer whether intermediate or final and whether investing the holder with the beneficial interest in or legal title to said stock merely with the possession or use thereof for any purpose or to secure the future payment of money or the future transfer of any stock

In cases where the shares or certificates of stock are issued without designated monetary value the tax hereby imposed shall be at the rate of two cents for each and every share of such stock instead of being based upon the face value thereof as hereinbefore provided

Every person or persons making or effectuating any such sale or transfer shall procure affix and cancel the stamps and pay the tax provided by this act Provided That stock of building and loan associations sales or agreements to sell or memoranda of sales of stock of said associations and all deliveries or transfers of shares or certificates of stock thereof shall be exempt from the provisions of this act

Section 2 This act shall become effective immediately upon its final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. ANDREWS. Mr. Speaker, the amount involved in this bill some estimate is \$250,000. I move that we have pity on their financial extremity and we will let them have this one.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—125

Andrews,	Gleason,	Madigan,	Scott,
Banker,	Goodling,	Markley,	Shoemaker,
Barkdoll,	Graybill,	Mazza,	Shotwell,
Baumunk,	Greenwood,	McConnell,	Smith,
Bear,	Greer,	McCormack,	Sollenberger,
Blair,	Guarnieri,	McCullough,	Spencer,
Bloom,	Gutendorf,	McInroy,	Stimmel,
Bolton,	Guthrie,	McKinney,	Stoner,
Bomberger,	Hall,	McMillen,	Swartz,
Boorse,	Hamilton, W. H.,	Metz,	Tahl,
Bower,	Harney,	Mikula,	Thompson, E. F.,
Breisch,	Haudenschild,	Miller, H. G.,	Thompson, R. L.,
Brown,	Helm,	Mintess,	Tompkins,
Cella,	Hersch,	Moore, C. E.,	Toomey,
Clapper,	Hewitt,	Moore, H. A.,	VanSant,
Clendening,	Hocker,	Murray,	Varner,
Cooper,	Johnson,	Najaka,	Wachhaus,
Costa,	Jones, T. H. W.,	Naugle,	Waterhouse,
Dalrymple,	Jump,	Pichney,	Watkins,
Davis,	Keller,	Pitzer,	Weidner,
Dennison,	Kent,	Polen,	Wescott,
Dowling,	Kline,	Price, H. W. Jr.,	Westrick,
DuBois,	Kohl,	Reagan,	Whalley,
Dunn,	Kratz,	Reilly, J. M.,	Williams,
Erb,	Lelsey,	Rigby,	Wilt,
Ewing,	Leonard, W. C.,	Riley, R. L.,	Wood,
Ferster,	Light,	Robertson,	Yeakel,
Fillo,	Loftus,	Rovansek,	Young,
Firmstone,	Lopresti,	Royer,	Ziegler,
Flack,	Lyons,	Rubin,	Sorg,
Frost,	Madden,	Sax,	Speaker
Gibson,			

#### NAYS—63

Amarando,	Headlee,	McNally,	Sarraf,
Beaver,	Jenkins,	Mihm,	Scanlon,
Berkstreser,	Jones, G. E.,	Monroe,	Schmidt,
Boles,	Jones, J. M.,	Moran,	Schuster,
Breth,	Jones, P. F.,	Muldowney,	Seyler,
Bucchin,	Kamyk,	Munley,	Snider,
Byrne,	Kornick,	Musto,	Stank,
Conway,	Kubacki,	Needham,	Swope,
Corr,	Lederer,	Olsen,	Taylor,
Coyle,	Leonard, L.,	Penglase,	Toll,
Duffy,	Leven,	Peta,	Varallo,
Fenrich,	Limper,	Petrosky,	Verona,
Gaffney,	Lovett,	Polaski,	Wargo,
Good,	Lutty,	Price, R. A.,	Welsh,
Hagerty,	McDermitt,	Readinger,	White,
Hamilton, R. K.,	McGee,	Reese,	Yester,
			Yetzer,

#### NOT VOTING—19

Beech,	Hoggard,	Miller, J. C.,	Reidenbach,
Cochran,	Hunter,	Mills,	Rose,
Dougherty,	Kolankiewicz,	Pettigrew,	Rosen,
Filip,	Lafore,	Pfaff,	Wheeler,
Geer,	Maxwell,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1697, as follows:

An Act to further amend section two of the act approved the twentieth day of June one thousand nine hundred nineteen (P. L. 521) entitled as amended "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a nonresident of the Common-



wealth at the time of his death defining and taxing transfers made in contemplation of death defining as a transfer and taxing the right of survivorship in property as to which such right exists and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal" by increasing the rate of tax in certain instances from ten per centum to twenty per centum.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two of the act approved the twentieth day of June one thousand nine hundred nineteen (P. L. 521) entitled as amended "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death defining and taxing transfers made in contemplation of death defining as a transfer and taxing the right of survivorship in property as to which such right exists and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal" as last amended by the act approved the twenty-seventh day of May one thousand nine hundred forty-three (P. L. 757) and the act approved the fourth day of June one thousand nine hundred forty-three (P. L. 868) is hereby further amended to read as follows

Section 2 All taxes imposed by this act shall be imposed upon the clear value of the property subject to the tax and shall be at the rate of two per centum upon the clear value of the property subject to such tax passing to or for the use of father mother husband wife children lineal descendants born in lawful wedlock legally adopted children children of a former husband or wife or the wife or widow of the son of a person dying seized or possessed thereof and also on the clear value of such property passing from the mother of an illegitimate child or from any person of whom the mother is a lineal descendant to such child his wife or widow and passing from an illegitimate child to his mother and at the rate of [ten] twenty per centum upon the clear value of the property subject to such tax passing to or for the use of any other person or persons bodies corporate or politic to be paid for the use of the Commonwealth Provided That when the transfer is by the intestate laws of this Commonwealth and at the expiration of seven years from the date of the death of the intestate the estate of the intestate has not been distributed the taxes imposed by this act shall be at the rate of eighty per centum upon the clear value of the property subject to such tax passing to or from the use of a first cousin or other relative more remote in degree than a first cousin and the taxes imposed by this proviso are imposed upon every transfer by the intestate laws of this Commonwealth of an estate or a portion of an estate which estate or portion thereof shall not have been distributed prior to the passage of this act In ascertaining the clear value of such estate the only deductions to be allowed from the gross values of such estates by the register of wills shall be the debts of the decedent reasonable and customary funeral expenses bequests or devises in trust in reasonable amounts the entire interest or income from which is to be perpetually applied to the care and preservation of the family burial lot or lots their enclosures and structures erected thereon reasonable expenses for the erection of monuments or grave stones grave and lot markers and the expenses of the administration of such estates and no deduction whatsoever shall be allowed for or on account of any taxes paid on such estates to the Government of the United States or to any other State or Terri-

tory except as otherwise provided in section one of this act Provided That the deductions herein allowed in the case of any indebtedness of the decedent shall when founded upon a promise or agreement belimited to the extent that they were contracted bona fide and for an adequate and full consideration in money or money's worth and provided further That whenever the allowance of any deduction by the register of wills from the gross value of such estates shall be in dispute the question of allowance shall be determined by the court having jurisdiction of the accounts of the personal representative of the decedent in the adjudication made by such court upon any such account and unless either party shall by exceptions to the account or to the adjudication hereon duly presented as provided by law raise its objection to the allowance or disallowance of a deduction for any credit claimed in the account or any award made in the adjudication as the case may be the adjudication confirming the account or making the award shall conclusively establish that the deduction should be allowed or disallowed as the case may be

Section 2 This act shall become effective immediately upon its final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

#### MOTION TO POSTPONE

Mr. ANDREWS. Mr. Speaker, this bill deserves more than passing attention. Were I convinced that the Commonwealth needed more many than was in sight and it were necessary to consider an inheritance tax, I would give much consideration to the question of whether it would be more prudent to make a slight increase in the direct inheritance tax or a drastic increase in the collateral tax.

My own view is that it would be more prudent to make a slight increase—say one percent—in the direct inheritance tax rather than double in drastic fashion the tax on collateral inheritances. I think that the majority section of this House should give consideration to that point of view.

Therefore, without prejudice to the measure, I move that House Bill 1697 be placed on the postponed calendar for serious consideration as to whether, if it is to be forced to passage, the form of it should or should not be changed.

On the question,

Will the House agree to the resolution?

The SPEAKER. Does the gentleman desire a roll call?

Mr. ANDREWS. Mr. Speaker, I desire a roll call and I would inquire as to whether the Majority Leader is adamant in his position that this proposed increase in collateral inheritance taxes is to be preferred to a smaller increase in direct inheritance taxes?

Mr. SMITH. Mr. Speaker, yes, I must say that I would prefer, and I am sure that the House would prefer to tax collateral inheritance rather than tax widows, children and blood lineage.

Mr. ANDREWS. Mr. Speaker, that I think is a destructive policy as far as the majority is concerned, and therefore we will accept any one of the previous roll calls as to postponing. The more of them who vote against postponing the better, from a political point of view.

The yeas and nays were required by Mr. Andrews and Mr. Readinger and were as follows:



## YEAS—71

Amarando,	Headlee,	McNally,	Sarraff,
Andrews,	Hersch,	Mihm,	Scanlon,
Beaver,	Jenkins,	Monroe,	Schmidt,
Berkstresser,	Jones, G. E.,	Moran,	Schuster,
Boies,	Jones, J. M.,	Muldowney,	Seyler,
Breth,	Jones, P. F.,	Munley,	Snider,
Bucchin,	Kamyk,	Musto,	Stank,
Byrne,	Kornick,	Needham,	Swope,
Conway,	Kubacki,	Olsen,	Taylor,
Corr,	Lederer,	Penglase,	Toll,
Coyle,	Leonard, L.,	Peta,	Varallo,
Duffy,	Leven,	Petrosky,	Verona,
Fenrich,	Limpre,	Polaski,	Wargo,
Filo,	Lopresti,	Polen,	Westrick,
Gaffney,	Lovett,	Price, R. A.,	Williams,
Good,	Lutty,	Readinger,	Yester,
Hagerty,	McDermitt,	Reese,	Yetzer,
Hamilton, R. K.	McGee,	Rovansek,	

## NAYS—115

Banker,	Gibson,	Madigan,	Scott,
Barkdoll,	Gleason,	Markley,	Shoemaker,
Baumunk,	Goodling,	Mazza,	Shotwell,
Bear,	Graybill,	McConnell,	Smith,
Blair,	Greenwood,	McCormack,	Sollenberger,
Bloom,	Greer,	McCullough,	Spencer,
Bolton,	Gutendorf,	McInroy,	Stimmel,
Bomberger,	Guthrie,	McKinney,	Stoner,
Boorse,	Hall,	McMillen,	Swartz,
Bower,	Hamilton, W. H.,	Metz,	Tahl,
Breisch,	Harney,	Mikula,	Thompson, E. F.,
Brown,	Haudenschild,	Miller, H. G.,	Thompson, R. L.,
Cella,	Helm,	Mintess,	Tompkins,
Clapper,	Hewitt,	Moore, C. E.,	Toomey,
Clendering,	Hocker,	Moore, H. A.,	VanSant,
Cooper,	Johnson,	Murray,	Varner,
Costa,	Jones, T. H. W.,	Najaka,	Wachhaus,
Dalrymple,	Jump,	Naugle,	Waterhouse,
Davis,	Keller,	Pichney,	Watkins,
Dennison,	Kent,	Pitzer,	Weidner,
Dowling,	Kline,	Price, H. W. Jr.,	Wescott,
DuBois,	Kohl,	Reagan,	Whalley,
Dunn,	Kratz,	Reilly, J. M.,	White,
Erb,	Leisey,	Rigby,	Wilt,
Ewing,	Leonard, W. C.,	Riley, R. L.,	Wood,
Ferster,	Light,	Robertson,	Yeakel,
Flack,	Loftus,	Royer,	Ziegler,
Firmstone,	Lyons,	Rubin,	Sorg.
Frost,	Madden,	Sax,	Speaker

## NOT VOTING—21

Beech,	Guarnieri,	Maxwell,	Reidenbach,
Cochran,	Hoggard,	Miller, J. C.,	Rose,
Dougherty,	Hunter,	Mills,	Rosen,
Filip,	Kolankiewicz,	Pettigrew,	Welsh,
Geer,	Lafore,	Pfaff,	Wheeler,
			Young,

So the question was determined in the negative and the motion was not agreed to

On the question recurring,

Shall the bill pass finally?

Mr. READINGER. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. Smith.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Smith, permit himself to be interrogated?

Mr. SMITH. I shall, Mr. Speaker.

Mr. READINGER. Mr. Speaker, has the gentleman been able to procure from the Pennsylvania Department of Revenue any information concerning the total amount of charitable gifts made by decedents in the last several years?

Mr. SMITH. Mr. Speaker, I checked with the Department and they told me that that information was not available anywhere that they knew of in the state.

Mr. READINGER. Mr. Speaker, does the gentleman know whether anyone on the Majority side has any credible information on this subject?

Mr. SMITH. Mr. Speaker, I do not know and cannot answer that question, but I would assume inasmuch as the Department of Revenue said it was not available at any place, I do not believe anyone on the majority side would know. If anyone does, I would be very glad to yield to him.

Mr. READINGER. Mr. Speaker, does the gentleman not think that we are acting very hastily on this bill, which was introduced for the first time on Monday and is on final passage today, in view of the fact that we do not have available to us at the present time the information which was requested?

Mr. SMITH. Mr. Speaker, the idea of this bill was known to everyone almost two weeks ago. I do not think we are acting in haste. We know whom we are taxing. Again, we cannot say exactly what it is going to bring in because we do not know who is going to die. So whether we wait two weeks, three weeks, two months—we still do not know who is going to die. We do not know whether any individuals who have a lot of money are going to will anything to charity. The Revenue Department would not be able to find that out prior to their death.

I cannot say what has been done in the past. The Revenue Department said they did not know what has happened in the past, and I am sure we do not know what is going to happen in the future so far as death or so far as bequeathing money to charity or any other collateral individual is concerned.

Mr. READINGER. Mr. Speaker, I thank the gentleman.

Whether one believes that the Commonwealth needs additional tax money or not, in my opinion this is a highly unwise bill to pass.

I have not the slightest idea how much money is left by will to various charitable institutions in Pennsylvania each year by people who die. Those amounts must necessarily vary because the number of people dying varies and the amounts they leave to charity change from year to year. But I did figure it would be very helpful if we were given an opportunity to get together the information indicating the amount of charitable gifts made in Pennsylvania which will be taxed by this bill.

To double the tax as this bill does on charitable gifts may and will, in my opinion, have a very serious effect on the willingness of testators to leave any sizable amounts to charitable institutions. If a person has no close relatives to whom he desires to leave his money, he usually does leave it to some charity or other; but if he knows that only eighty cents out of each dollar he leaves to that charity is going to go to that charity it may very likely have the effect of causing a lot of wealthy people in their late years to move out of the state of Pennsylvania and establish a domicile or a home in another state.

I do not know what the rate is in New Jersey or the rate in the surrounding States, but I dare say it is a great deal lower than 20 percent. If those people do move out of the state of Pennsylvania, there is a great likelihood that they might find new charities in the new state into which they move and might leave their money to those charities.

Of course, you want revenue, but is there any sense in obtaining 8, 10 or \$12, millions in revenue and losing many, many more millions in charitable gifts? When these charities do not receive funds or funds to the extent they



have received, the money usually comes from only one other source, and that is the taxpayers. If the charities are going to function the way they have in the past they cannot get that money any other place. I know that you are familiar with the operation of hospitals—they are state-aided in Pennsylvania, and many other charitable institutions receive state aid, they receive local aid—all of which come from the taxpayers money.

I do not know why there is so much haste in passing this particular tax bill. Another ten days or two weeks would not make much difference so far as we are concerned, but it might make a tremendous difference to the charities of Pennsylvania.

I am going to oppose this bill for the reason that I believe the adverse effect on charitable gifts certainly is much greater than the benefits to be derived from taxes.

Mr. ANDREWS. Mr. Speaker, the colloquy between the gentleman from Berks and the Majority Leader illustrates one of the fundamental defects of this program.

What will it raise? That is the question.

\$20 million.

Well how do you know?

Well, we do not know; there are no facts; there are no figures.

How many people are classed on the average of dying and leaving charitable bequests?

We do not have any figures.

Who has any figures?

Nobody has any figures; cannot tell you anything about it.

How much is the bill going to raise?

\$20 million.

Now I say that is one hell of a way to make a tax program.

Mr. SMITH. Mr. Speaker, I did not say that I did not know how much the bill would raise. But I did say I did not know how much money was going to charities. And I repeat that.

I can give the gentleman figures of what the present collateral tax brought in for the last few years. I cannot give him exact figures; they will vary two million, three million, four million, as I say, we do not know who is going to die. Maybe Mr. Greenwood in the House here has a better idea.

1943 to 1945 under the present ten percent it raised \$24 million.

1945 to 1947 it raised \$22 million.

1947 to 1949 we hit the jackpot. I do not know who died, but it raised \$28 million.

1949 to 1951 it raised another \$28 million.

Either richer men are dying or they are making more money. I do not know. We are estimating \$20 million. It could bring in another \$2 million; another \$4 million.

I would like to answer Mr. Readinger's question as to people moving out of our state. Some of these figures I will admit are in states where they have a graduated inheritance tax on the collateral.

In Montana they go as high as thirty-two percent.

In New York they go to twenty percent.

In North Carolina they have seventeen percent.

In North Dakota they have twenty-three percent.

In Arizona they have twenty-five percent. That is a healthy state, they tell me.

South Dakota is twenty percent.

Texas is twenty percent.

Washington is twenty-five percent.

West Virginia is thirty percent.

Wisconsin is forty percent.

And in Minnesota it goes as high as sixty percent. I do not know where these fellows are going to move, Mr. Readinger, but they do not have too much to pick from.

Mr. READINGER. Mr. Speaker I desire to interrogate the gentleman from Philadelphia.

The SPEAKER. Will the gentleman from Philadelphia Mr. Smith, permit himself to be interrogated?

Mr. SMITH. I shall Mr. Speaker.

Mr. READINGER. I desire to ask the gentleman whether he is talking about an inheritance tax on collateral relatives or charities? In Pennsylvania we have not had the same rate proposed here, but what about the other states?

Mr. SMITH. I am not saying it is on the collateral. I cannot say whether it has been broken down in these states, Mr. Speaker, as to charities or inheritance by individuals, but I do know that is the percentage.

Mr. READINGER. Then as far as you know, Mr. Smith in all of the states the rate on charities might be as low as one-half of one percent, might it not?

Mr. SMITH. It could be, but I doubt that very much because they run anywhere from ten per cent up, they are fairly high. I would say that it would not be one a half percent to charity.

Mr. READINGER. The gentleman does admit, though, that he does not know what he is talking about on this particular subject at the moment.

Mr. SMITH. I have answered that I know so much that I would not move out of Pennsylvania for twenty percent.

Mr. READINGER. I thank the gentleman for his stability.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—113

Banker.	Gleason.	Madden.	Scott.
Barkdoll.	Goodling.	Madigan.	Shoemaker.
Baumunk.	Graybill.	Markley.	Shotwell.
Bear.	Greenwood.	Mazza.	Smith.
Blair.	Greer.	McConnell.	Sollenberger.
Bloom.	Guarnieri.	McCormack.	Spencer.
Bolton.	Gutendorf.	McCullough.	Stimmel.
Bomberger.	Guthrie.	McInroy.	Stoner.
Boorse.	Hall.	McKinney.	Swartz.
Bower.	Hamilton, W. H.	McMillen.	Tahl.
Brelsch.	Harney.	Metz.	Thompson, E. F.
Brown.	Haudenshield.	Mikula.	Thompson, R. L.
Cella.	Helm.	Miller, H. G.	Tompkins.
Clapper.	Hewitt.	Mintess.	Toomey.
Clendening.	Hocker.	Moore, C. E.	VanSant.
Costa.	Johnson.	Moore, H. A.	Varner.
Dalrymple.	Jones, T. H. W.	Najaka.	Wachhaus.
Davis.	Jump.	Naugle.	Waterhouse.
Dennison.	Keller.	Pichney.	Watkins.
Dowling.	Kent.	Pitzer.	Weldner.
DuBois.	Kline.	Price, H. W. Jr.	Whalley.
Dunn.	Kohl.	Reilly, J. M.	Wilt.
Erb.	Kratz.	Rigby.	Wood.
Ewing.	Lelsey.	Riley, R. L.	Yeakel.
Ferster.	Leonard, W. C.	Robertson.	Young.
Firmstone.	Light.	Royer.	Ziegler.
Flack.	Loftus.	Rubin.	Sorg.
Frost.	Lyons.	Sax.	
Gibson.			Speaker



## NAYS—76

Amarando,	Headlee,	Mihm.	Sarraf.
Andrews,	Hersch,	Monroe.	Scanlon.
Beaver,	Jenkins,	Moran.	Schmidt.
Berkstresser,	Jones, G. E.,	Muldowney,	Schuster.
Boles,	Jones, J. M.,	Munley,	Seyler.
Breth,	Jones, P. F.,	Murray.	Snider.
Bucchin,	Kamyk,	Musto.	Stank,
Byrne,	Kornick,	Needham,	Swope.
Conway,	Kubacki,	Olsen,	Taylor.
Cooper,	Lederer,	Penglase,	Toll,
Corr,	Leonard, L.,	Peta,	Varallo,
Coyle,	Leven,	Petrosky,	Verona,
Duffy,	Limper,	Polaski,	Wargo.
Fehrlich,	Lopresti,	Polen,	Welsh.
Filo,	Lovett,	Price, R. A.,	Westrick,
Gaffney,	Lutty,	Readinger,	White,
Good,	McDermitt,	Reagan,	Williams,
Hagerty,	McGee,	Reese,	Yester,
Hamilton, R. K.,	McNally,	Rovansek.	Yetzer,

## NOT VOTING—18

Beech,	Hoggard,	Miller, J. C.,	Reidenbach,
Cochran,	Hunter,	Mills,	Rose,
Dougherty,	Kolankiewicz,	Pettigrew,	Rosen.
Filip,	Lafore,	Pfaff,	Wheeler,
Geer,	Maxwell,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

## BILLS ON FINAL PASSAGE

Agreeably to order

The House proceeded to the consideration on final passage of House Bill No. 1698 as follows:

An Act to provide revenue by imposing a State tax upon certain documents prescribing and regulating the method and manner of evidencing the payment of such tax conferring powers and imposing duties upon certain persons partnerships associations and corporations recorders of deeds and the Department of Revenue saving certain local taxes and authorizing amendments extensions and supplements to the ordinances and resolutions relating thereto and providing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Short Title This act shall be known and may be cited as "The Realty Transfer Tax Act"

Section 2 The following words when used in this act shall have meanings ascribed to them in this section except in those instances where the context clearly indicates a different meaning

"Association" A partnership limited partnership or any other form of unincorporated enterprise owned or conducted by two or more persons

"Corporation" A corporation or joint-stock association organized under the laws of this Commonwealth the United or any other state territory or foreign country or dependency including but not limited to banking institutions

"Department" The Department of Revenue of this Commonwealth

"Document" Any deed instrument or writing whereby any lands tenements or hereditaments or any interest therein shall be granted bargained sold or otherwise conveyed to the grantee purchaser or any other person but does not include wills mortgages transfers between husband and wife and leases excepting those leases which contain options to purchase and mineral coal and gas leases

"Person" Every natural person association or corporation Whenever used in any clause prescribing and imposing a fine or imprisonment of both the term "person" as applied to association shall mean the partners or

members thereof and as applied to corporations the officers thereof

"Value" In the case of any document granting bargained selling or otherwise conveying any land tenement or hereditament or interest therein the amount of the actual consideration therefor exclusive of liens or other encumbrances thereon where such liens or other encumbrances also encumber other lands tenements or hereditaments Provided That where such document shall set forth a small or nominal consideration the "value" thereof shall be determined from the price set forth in or actual consideration for the contract of sale or in the case of a gift from the actual monetary worth of the property granted bargained sold or otherwise conveyed which in either event shall not be less than the amount of the highest assessment of such lands tenements or hereditaments for local tax purposes

Section 3 Every person who makes executes issues or delivers any document or in whose behalf any document is made executed issued or delivered shall be subject to pay for and in respect to such document or for or in respect of the vellum parchment or paper upon which such document is written or printed a State tax at the rate of one (1) percentum of the value of the property represented by such document which State tax shall be payable at the time of making execution issuance or delivery of such document

Section 4 The payment of the tax imposed by this act shall be evidenced by the affixing of a documentary stamp or stamps to every document by the person making executing issuing or delivering such document Such stamps shall be affixed in such manner that their removal will require the continued application of steam or water and the person using or affixing such stamps shall write or stamp or cause to be written or stamped thereon the initials of his name and the date upon which such stamps are affixed or used so that such stamps may not again be used Provided That the department may prescribe such other method of cancellation as it may deem expedient

Section 5 The department shall prescribe prepare and furnish adhesive stamps of such denominations and quantities as may be necessary for the payment of the tax imposed and assessed by this act The department shall make provisions for the sale of such stamps in such places as it may deem necessary

The department may appoint records of deeds or other persons within or without the Commonwealth as agents in accordance with the provisions of The Fiscal Code of the Act of April 9 1929 (P. L. 343) as amended for the sale of stamps to be used in paying the tax herein imposed upon documents and may allow a commission to said agents of one-half of one percent of the face value of the stamps

All moneys paid into the State Treasury during the effective period of this act shall be credited to the General Fund

Section 6 The department is hereby charged with the enforcement of the provisions of this act and is hereby authorized and empowered to prescribe adopt promulgate and enforce rules and regulations relating to

(a) The method and means to be used in affixing or cancelling of stamps in substitution for or in addition to the method and means provided in this act

(b) The denominations and sale of stamps

(c) Any other matter or thing pertaining to the administration and enforcement of the provisions of this act

Section 7 No document upon which tax is imposed by this act shall be made the basis of any action or other legal proceeding nor shall proof thereof be offered or received in evidence in any court of this Commonwealth unless a documentary stamp or stamps as provided in this act have been affixed thereto

Section 8 Every document upon which tax is imposed by this act when lodged with or presented to any recorder of deeds in this Commonwealth for recording shall set forth therein and as a part of such document the true full and complete value thereof or shall be accompanied by an affidavit executed by a responsible person connected



with the transaction showing such connection and setting forth the true full and complete value thereof

Any such recorder of deeds who shall record any document upon which tax is imposed by this act without the proper documentary stamp or stamps affixed thereto as required by this act as is indicated in such document or accompanying affidavit shall upon summary conviction before any magistrate alderman or justice of the peace or other officer having the powers of a committing magistrate be sentenced to pay a fine of fifty dollars (\$50.00) and costs of prosecution and in default of payment thereof undergo imprisonment for not more than thirty (30) days. Provided That when any document shall have been recorded it shall be presumed that all requirements of law affecting the title to any real property conveyed thereby have been complied with

Section 9 (a) It shall be unlawful for any person to

1 Make execute issue delivery or accept or cause to be made executed issued delivered or accepted any document without the full amount of tax thereon being duly paid or

2 Make use of any documentary stamp to denote payment of any tax imposed by this act without cancelling such stamp as required by the act or as prescribed by the department or

3 Fail neglect or refuse to comply with or violate the rules and regulations prescribed adopted and promulgated by the department under the provisions of this act

Any person violating any of the provisions of this subsection (a) shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than five hundred dollars (\$500.00) and costs of prosecution or to undergo imprisonment of not more than ninety (90) days or both in the discretion of the court (b) It shall be unlawful for any person to

1 Fraudulently cut tear or remove from a document any documentary stamp or

2 Fraudulently affix to any document upon which tax is imposed by this act any documentary stamp which has been cut torn or removed from any other document upon which tax is imposed by this act or any documentary stamp of insufficient value or any forged or counterfeited stamp or any impression of any forged or counterfeited stamp die plate or other article or

3 Wilfully remove or alter the cancellation marks on any documentary stamp or restore any such documentary stamp with intent to use or cause the same to be used after it has already been used or knowingly buy sell offer for sale or give away any such altered or restored stamp to any person for use or knowingly use the same or

4 Knowingly have in his possession any altered or restored documentary stamp which has been removed from any document upon which tax is imposed by this act. Provided That the possession of such stamps shall be prima facie evidence of an intent to violate the provisions of this clause or

5 Knowingly or wilfully prepare keep sell offer for sale or have in his possession any forged or counterfeited documentary stamp

Any person violating any of the provisions of this subsection (b) shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than five hundred dollars (\$500.00) nor more than one thousand dollars (\$1,000.00) and costs of prosecution or to undergo imprisonment for not more than five (5) years or both in the discretion of the court

Section 10 Notwithstanding anything contained in any law to the contrary the validity of any ordinance or part of any ordinance or any resolution or part of any resolution and any amendments or supplements thereto now or hereafter enacted or adopted by any political subdivision providing for or relating to the imposition levy or collection of any tax shall not be affected or impaired by anything contained in this act

Section 11 This act shall become effective the first day of December one thousand nine hundred fifty-one and shall

remain in force until and including the thirty-first day of May one thousand nine hundred fifty-three

On the question,

Shall the bill pass finally?

SOHMER—November 30th

#### MOTION TO POSTPONE

Mr. ANDREWS. Mr. Speaker, for reasons stated in connection with other measures, and without prejudice to the measure, we move that House Bill 1698 be placed upon the postponed calendar.

On the question,

Will the House agree to the motion?

Mr. ANDREWS. Mr. Speaker, we reiterate for purposes of the record our opinion that under House Bill 1692 in the form passed by the House they have more money than anybody ever dreamed this Legislature would give a Governor.

Mr. LOPRESTI. Mr. Speaker, in connection with this motion to postpone I want to point out that there are several things in the bill, at least one very important thing, that should be considered and straightened out by a possible amendment.

I believe the bill contains a provision that leases with an option to purchase shall bear a documentary tax. I do not know on what basis the tax can be collected where the option to purchase is for an indefinite sum, a sum to be determined some time in the future. And in a great many leases that is the case, leases made to the individual with an option to buy in the event the owner desires to sell at some future date.

In many instances the provision goes further and says that the option is to accept any figure which the seller can get from some other buyer. It is rather an indefinite option, and in a great many instances I do not know on what basis you can determine the tax where you have such an option.

In addition to that it is not clear in my mind whether under this bill you tax the lease which contains the option and then when the option is exercised and the deed delivered you once again tax the individual on the deal. That is one of the things that should be studied. I am quite certain this bill is not clear.

Then, of course, you have the case of judicial sales. This act does not exempt judicial sales where there is a case of distress. What is the sheriff going to do in those particular cases? You cannot compel the former owner to pay the tax. He is in distress. He has not paid his loan payments; he is not going to pay the tax. Are we going to look to the institution who is buying it in on a distress sale to pay the tax when they get it, and then later on pay the tax again when they sell it? This bill is not clear on that score.

I submit to you, members of the House, this bill needs plenty of further consideration, or we are going to be in a lot of messes before the thing is over.

For that reason I believe this motion should be agreed to. We should give it consideration. Correct it and then pass it in some form that we can administer it properly.

On the question recurring,

Will the House agree to the motion?

The yeas and nays were required by Mr. Andrews and Mr. Readinger and were as follows:



## YEAS—71

Amarando.	Headlee,	McNally,	Sarra,
Andrews,	Hersch,	Mihm,	Scanlon,
Beaver,	Jenkins,	Monroe,	Schmidt,
Berkstresser,	Jones, G. E.,	Moran,	Schuster,
Boles,	Jones, J. M.,	Muldowney,	Seyler,
Breth,	Jones, P. F.,	Munley,	Snider,
Bucchin,	Kamyk,	Musto,	Stank,
Byrne,	Kornick,	Needham,	Swope,
Conway,	Kubacki,	Olsen,	Taylor,
Corr,	Lederer,	Penglase,	Toll,
Coyle,	Leonard, L.,	Peta,	Varallo,
Duffy,	Leven,	Petrosky,	Verona,
Fenrich,	Limper,	Polaski,	Wargo,
Filo,	Lopresti,	Polen,	Westrick,
Gaffney,	Lovett,	Price, R. A.,	Williams,
Good,	Lutty,	Readinger,	Yester,
Hagerty,	McDermitt,	Reese,	Yetzer,
Hamilton, R. K.,	McGee,	Rovansek,	

## NAYS—115

Banker,	Gibson,	Madigan,	Scott,
Barkdoll,	Gleason,	Markley,	Shoemaker,
Baumunk,	Goodling,	Mazza,	Shotwell,
Bear,	Graybill,	McConnell,	Smith,
Blair,	Greenwood,	McCormack,	Sollenberger,
Bloom,	Greer,	McCullough,	Spencer,
Bolton,	Gutendorf,	McInroy,	Stimmel,
Bomberger,	Guthrie,	McKinney,	Stoner,
Boorse,	Hall,	McMillen,	Swartz,
Bower,	Hamilton, W. H.,	Metz,	Tahl,
Breisch,	Harney,	Mikula,	Thompson, E. F.,
Brown,	Haudenschild,	Miller, H. G.,	Thompson, R. L.,
Cella,	Helm,	Mintess,	Tompkins,
Clapper,	Hewitt,	Moore, C. E.,	Toomey,
Clendening,	Hocker,	Moore, H. A.,	VanSant,
Cooper,	Johnson,	Murray,	Varner,
Costa,	Jones, T. H. W.,	Najaka,	Wachhaus,
Dalrymple,	Jump,	Naugle,	Waterhouse,
Davis,	Keller,	Pichney,	Watkins,
Dennison,	Kent,	Pitzer,	Weidner,
Dowling,	Kline,	Price, H. W. Jr.,	Wescott,
DuBois,	Kohl,	Reagan,	Whalley,
Dunn,	Kratz,	Reilly, J. M.,	White,
Erb,	Lelsey,	Rigby,	Wilt,
Ewing,	Leonard, W. C.,	Riley, R. L.,	Wood,
Ferster,	Light,	Robertson,	Yeakel,
Firmstone,	Loftus,	Royer,	Ziegler,
Flack,	Lyons,	Rubin,	Sorg,
Frost,	Madden,	Sax,	Speaker

## NOT VOTING—21

Beech,	Guarnieri,	Maxwell,	Reidenbach,
Cochran,	Hoggard,	Miller, J. C.,	Rose,
Dougherty,	Hunter,	Mills,	Rosen,
Filip,	Kolankiewicz,	Pettigrew,	Welsh,
Geer,	Lafore,	Pfaff,	Wheeler,
			Young,

So the question was determined in the negative and the motion was not agreed to.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—112

Banker,	Gibson,	Madden,	Sax,
Barkdoll,	Gleason,	Madigan,	Scott,
Baumunk,	Goodling,	Markley,	Shoemaker,
Blair,	Graybill,	Mazza,	Shotwell,
Bloom,	Greenwood,	McCullough,	Smith,
Bolton,	Greer,	McCormack,	Sollenberger,
Bomberger,	Gutendorf,	McInroy,	Spencer,
Boorse,	Guthrie,	McKinney,	Stimmel,
Bower,	Hall,	McMillen,	Stoner,
Breisch,	Hamilton, W. H.,	Metz,	Swartz,
Brown,	Harney,	Mikula,	Tahl,
Cella,	Helm,	Miller, H. G.,	Thompson, E. F.,
Clapper,	Hewitt,	Mintess,	Thompson, R. L.,
Clendening,	Hocker,	Moore, C. E.,	Tompkins,
Conway,	Johnson,	Moore, H. A.,	Toomey,
Costa,	Jones, T. H. W.,	Murray,	VanSant,

Dalrymple,	Jump,	Najaka,	Varner,
Davis,	Keller,	Naugle,	Wachhaus,
Dennison,	Kent,	Pichney,	Waterhouse,
Dowling,	Kline,	Pitzer,	Watkins,
DuBois,	Kohl,	Price, H. W. Jr.,	Weidner,
Dunn,	Kratz,	Reagan,	Wescott,
Erb,	Lederer,	Reilly, J. M.,	Whalley,
Ewing,	Lelsey,	Rigby,	Wilt,
Ferster,	Leonard, W. C.,	Riley, R. L.,	Wood,
Firmstone,	Light,	Robertson,	Yeakel,
Flack,	Loftus,	Royer,	Ziegler,
Frost,	Lyons,	Rubin,	Sorg,

Speaker

## NAYS—76

Amarando,	Hamilton, R. K.,	McNally,	Scanlon,
Andrews,	Headlee,	Mihm,	Schmidt,
Bear,	Hersch,	Monroe,	Schuster,
Beaver,	Jenkins,	Moran,	Seyler,
Berkstresser,	Jones, G. E.,	Muldowney,	Snider,
Boles,	Jones, J. M.,	Munley,	Stank,
Booth,	Jones, P. F.,	Musto,	Swope,
Bucchin,	Kamyk,	Needham,	Taylor,
	Kornick,	Olsen,	Toll,
Cooper,	Kubacki,	Penglase,	Varallo,
Corr,	Leonard, L.,	Peta,	Verona,
	Leven,	Petrosky,	Wargo,
Duffy,	Limper,	Polaski,	Welsh,
Fenrich,	Lopresti,	Polen,	Westrick,
Filo,	Lovett,	Price, R. A.,	White,
Gaffney,	Lutty,	Readinger,	Williams,
Good,	McConnell,	Reese,	Yester,
Guarnieri,	McDermitt,	Rovansek,	Yetzer,
Hagerty,	McGee,	Sarra,	Young,

## NOT VOTING—19

Beech,	Haudenschild,	Maxwell,	Reidenbach,
Cochran,	Hoggard,	Miller, J. C.,	Rose,
Dougherty,	Hunter,	Mills,	Rosen,
Filip,	Kolankiewicz,	Pettigrew,	Wheeler,
Geer,	Lafore,	Pfaff,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order

The House proceeded to the consideration on final passage of House Bill No. 1699 as follows:

An Act to further amend the title and the act approved the twentieth day of June one thousand nine hundred nineteen (P. L. 521) entitled as amended "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death defining and taxing transfers made in contemplation of death defining as a transfer and taxing the right of survivorship in property as to which such right exists and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal" by imposing duties on surviving parties and banks or other institutions or depositories of joint accounts or accounts in trust and by adding a new section pertaining to the opening and examining of safe deposit boxes of decedents and providing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title of the act approved the twentieth day of June one thousand nine hundred nineteen (P. L. 521) entitled as amended "An act providing for the imposition and collection of certain taxes upon the transfer



of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death defining and taxing transfers made in contemplation of death defining as a transfer and taxing the right of survivorship in property as to which such right exists and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer has been paid and providing penalties and citing certain acts for repeal" as last amended by the act approved the fourteenth day of July one thousand nine hundred thirty-six (P. L. 44) is hereby further amended to read as follows

#### An Act

Providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death defining and taxing transfers made in contemplation of death defining as a transfer and taxing the right of survivorship in property as to which such right exists and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax the transfer thereof has been paid imposing duties on surviving parties and banks or other institutions or depositories of joint accounts or accounts in trust and with respect to safe deposit boxes of decedents and providing penalties and citing certain acts for repeal

Section 2 Paragraph (e) of section one of the said act as last amended by the act approved the eleventh day of May one thousand nine hundred forty-nine (P. L. 1083) is hereby further amended to read as follows

(e) Whenever any property real or personal is held in the joint names of two or more persons except as husband and wife or is deposited in banks or other institutions or depositories in the joint names of two or more persons except as husband and wife so that upon the death of one of them the survivor or survivors have a right to the immediate ownership or possession and enjoyment of the whole property the accrual of such right by the death of one of them shall be deemed a transfer taxable under the provisions of this act of a fractional portion of such property to be determined by dividing the value of the whole property by the number of joint tenants in existence immediately preceding the death of the deceased joint tenant Subject to the provisions of paragraph (c) of this section the provisions of paragraph (e) shall apply regardless of when such joint estate was first created

Whenever personal property is deposited in banks or other institutions or depositories in trust for or payable on death to another or in the joint names of two or more persons except by a husband and wife and one of the parties to such deposit shall die [it shall be the duty of] such bank or other institution or depository [within ten days after knowledge of such death to notify the Department of Revenue of such death giving the name of such deceased person the date of creation of the joint deposit the amount on deposit at date of death with such bank or other institution or depository and the name and address of the survivor or survivors to such account] shall require the surviving party or parties of such joint deposit or deposit in trust or payable on death to another to produce a waiver from the Department of Revenue certifying to the payment of tax imposed by this section upon such deposit before any funds may be withdrawn or transferred from such deposit Provided however That in the case of a joint deposit with the right of survivorship such waiver shall be produced only with respect to the pro rata share of such funds as formerly

belonging to the decedent Any bank or other institution or depository which after knowledge of any such death shall fail [immediately to notify the Department of Revenue] to obtain a waiver as herein required shall be liable to a penalty of one hundred dollars (\$100.00) to be recovered by the said department as debts of like amount are by law recoverable

Section 3 That after section thirty-seven of the said act the following new section is hereby added

Section 37 A whenever a decedent has leased purchased licensed or otherwise obtained the use of a safe deposit box or vault in any safe deposit company trust company corporation bank or other similar institution whether or not the safe deposit box or vault is in the name of the decedent or in the joint names of the decedent and one or more other persons the safe deposit company trust company corporation bank or other institution shall deny to the executors administrators or legal representatives of said decedent or the survivor or survivors of the joint lessees of the safe deposit box or vault or any other person any access to such safe deposit box or vault following the death of decedent unless notice of the time and place of the intended opening of such safe deposit box or vault be served upon the register of wills of the county wherein the decedent died a resident or in the case of a non-resident decedent upon the Department of Revenue at least ten (10) days prior to said opening or such lesser period of time as may be consented to in writing by the register of wills or the Department of Revenue as the case may be It shall be lawful for the appraiser or other representative of the Department of Revenue to examine all securities deposits or assets contained in such safe deposit box or vault at the time of such opening The Secretary of Revenue may prescribe reasonable rules and regulations to carry out the terms of this section Failure to serve such notice or failure to allow such examination shall render said safe deposit company trust company corporation bank or other institution having knowledge of the death of said decedent liable to the payment of the amount of tax and interest due or thereafter to become due upon the said securities deposits or other assets contained in said safe deposit box or vault together with a penalty of one thousand dollars (\$1,000.00) such penalty and tax and interest may be enforced in an action brought by the Attorney General on behalf of the Department of Revenue in any court of competent jurisdiction

Section 4 This act shall become effective immediately upon its final enactment

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—120

Andrews,	Gleason,	Madigan,	Schmidt,
Banker	Goodling,	Markley,	Scott,
Barkdoll,	Graybill,	Mazza,	Shoemaker,
Baumunk,	Greenwood,	McCormack,	Shotwell,
Blair,	Greer,	McCullough,	Smith,
Bloom,	Guarnieri,	McDermitt,	Sollenberger,
Bolton,	Gutendorf,	McInroy,	Spencer,
Bomberger,	Guthrie,	McKinney,	Stimmel,
Boorse,	Hall,	McMillen,	Stoner,
Bower,	Hamilton, W. H.,	Metz,	Swartz,
Breisch,	Harney,	Mikula,	Tahl,
Brown,	Haudenschild,	Miller, H. G.,	Thompson, E. F.,
Cella,	Helm,	Mintess,	Thompson, R. L.,
Clapper,	Hewitt,	Moore, C. E.,	Tompkins,
Clendening,	Hocker,	Moore, H. A.,	Toomey,
Conway,	Johnson,	Murray,	VanSant,
Costa,	Jones, T. H. W.,	Najaka,	Varner,
Dalrymple,	Jump,	Naugle,	Wachhaus,
Davis,	Keller,	Plchney,	Waterhouse,
Dennison,	Kent,	Pitzer,	Watkins,
Dowling,	Kline,	Readinger,	Weidner,
DuBois,	Kohl,	Reagan,	Wescott,
Dunn,	Kratz,	Reilly, J. M.,	Westrick,
Erb,	Lelsey,	Rigby,	Whalley,
Ewing,	Leonard, W. C.,	Riley, R. L.,	Williams,



Ferster,	Light,	Robertson,	Wilt,
Firmstone,	Loftus,	Rovansek,	Wood,
Flack,	Lopresti,	Royer,	Yeakel,
Frost,	Lyons,	Rubin,	Ziegler,
Gibson,	Madden,	Sax,	Sorg,

Speaker

## NAYS—68

Bear,	Headlee,	McNally,	Sarra,
Beaver,	Hersch,	Mihm,	Scanlon,
Berkstresser,	Jenkins,	Monroe,	Schuster,
Boles,	Jones, G. E.,	Moran,	Seyler,
Breth,	Jones, J. M.,	Muldowney,	Snider,
Bucchin,	Jones, P. F.,	Munley,	Stank,
Byrne,	Kamyk,	Musto,	Swope,
Cooper,	Kornick,	Needham,	Taylor,
Corr,	Kubacki,	Olsen,	Toll,
Coyle,	Lederer,	Penglase,	Varallo,
Duffy,	Leonard, L.,	Peta,	Verona,
Fenrich,	Leven,	Petrosky,	Wargo,
Filo,	Limper,	Polaski,	Welsh,
Gaffney,	Lovett,	Polen,	White,
Good,	Lutty,	Price, H. W. Jr.,	Yester,
Hagerty,	McConnell,	Price, R. A.,	Yetzer,
Hamilton, R. K.,	McGee,	Reese,	Young,

## NOT VOTING—19

Amarando,	Geer,	Maxwell,	Reidenbach,
Beech,	Hoggard,	Miller, J. C.,	Rose,
Cochran,	Hunter,	Mills,	Rosen,
Dougherty,	Kolankiewicz,	Pettigrew,	Wheeler,
Filip,	Lafore,	Pfaff,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

## BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1416, as follows:

An Act to amend the act approved the eighteenth day of April one thousand nine hundred forty-nine (P. L. 512) entitled "An act relating to the administration and distribution of decedents' estates trust estates minors' estates and absentees' estates both as to real and personal property and the procedure relating thereto including the disposition of such estates or portions thereof and the determination of title thereto without the appointment of a fiduciary in certain cases the appointment bond removal and discharge of fiduciaries of such estates their powers duties and liabilities the rights of persons dealing with such fiduciaries and the rights of persons claiming an interest in such estates or in property distributed therefrom whether as claimants or distributees and containing provisions concerning guardians of the person of minors the powers duties and liabilities of sureties and of foreign fiduciaries the abatement survival and control of actions and rights of action and rights of action and the presumption of death and also generally dealing with the jurisdiction powers and procedure of the orphans' court and of the register of wills in all matters relating to fiduciaries" by providing for the examination of safe deposit boxes rented in the names of decedents by an appraiser appointed by the Secretary of Revenue

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the eighteenth day of April one thousand nine hundred forty-nine (P. L. 512) entitled "An act relating to the administration and distribution of decedents' estates trust estates minors' estates and absentees' estates both as to real and personal property and the procedure relating thereto including the disposition of such estates or portions thereof and the determination of title thereto without the appointment of a fiduciary in certain cases the appointment bond removal and discharge of fiduciaries of such estates their powers duties and liabilities the rights of persons dealing with such

fiduciaries and the rights of persons claiming an interest in such estates or in property distributed therefrom whether as claimants or distributees and containing provisions concerning guardians of the person of minors the powers duties and liabilities of sureties and of foreign fiduciaries the abatement survival and control of actions and rights of action and the presumption of death and also generally dealing with the jurisdiction powers and procedure of the orphans' court and of the register of wills in all matters relating to fiduciaries" is hereby amended by adding after section 404 a new section to read as follows

Section 405 Safe Deposit Boxes No safe deposit box rented in the name of a decedent either alone or jointly shall be opened the first time after the death of the decedent except in the presence of an appraiser appointed by the Secretary of Revenue and the contents thereof shall not be removed until they have been examined by an appraiser appointed as aforesaid

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—122

Andrews,	Graybill,	Markley,	Shoemaker,
Banker,	Greenwood,	Mazza,	Shotwell,
Barkdoll,	Greer,	McCormack,	Smith,
Baumunk,	Guarnieri,	McCullough,	Snider,
Blair,	Gutendorf,	McDermitt,	Sollenberger,
Bloom,	Guthrie,	McInroy,	Spencer,
Bolton,	Hall,	McKinney,	Stimmel,
Bomberger,	Hamilton, W. H.,	McMillen,	Stoner,
Boorse,	Harney,	Metz,	Swartz,
Bower,	Haudenshield,	Mikula,	Tahl,
Brelsich,	Headlee,	Miller, H. G.,	Thompson, E. F.,
Brown,	Helm,	Mintess,	Thompson, R. L.,
Cella,	Hewitt,	Moore, C. E.,	Tompkins,
Clapper,	Hocker,	Moore, H. A.,	Toomey,
Clendening,	Johnson,	Murray,	VanSant,
Costa,	Jones, T. H. W.,	Najaka,	Varner,
Dalrymple,	Jump,	Naugle,	Wachhaus,
Davis,	Keller,	Pichney,	Waterhouse,
Dennison,	Kent,	Pitzer,	Watkins,
Dowling,	Kline,	Price, H. W. Jr.,	Weidner,
DuBois,	Kohl,	Readinger,	Wescott,
Dunn,	Kratz,	Reilly, J. M.,	Westrick,
Erb,	Lederer,	Rigby,	Whalley,
Ewing,	Lelsey,	Riley, R. L.,	Williams,
Ferster,	Leonard, W. C.,	Robertson,	Wilt,
Firmstone,	Light,	Rovansek,	Wood,
Flack,	Loftus,	Royer,	Yeakel,
Frost,	Lopresti,	Rubin,	Ziegler,
Gibson,	Lyons,	Sax,	Sorg,
Gleason,	Madden,	Schmidt,	
Goodling,	Madigan,	Scott,	Speaker

## NAYS—65

Bear,	Hamilton, R. K.,	Mihm,	Reese,
Beaver,	Jenkins,	Mills,	Sarra,
Berkstresser,	Jones, G. E.,	Monroe,	Scanlon,
Boles,	Jones, J. M.,	Moran,	Schuster,
Breth,	Jones, P. F.,	Muldowney,	Seyler,
Bucchin,	Kamyk,	Munley,	Stank,
Byrne,	Kornick,	Musto,	Swope,
Conway,	Kubacki,	Needham,	Taylor,
Cooper,	Leonard, L.,	Olsen,	Toll,
Corr,	Leven,	Penglase,	Varallo,
Coyle,	Limper,	Peta,	Verona,
Duffy,	Lovett,	Petrosky,	Wargo,
Fenrich,	Lutty,	Polaski,	Welsh,
Filo,	McConnell,	Polen,	White,
Gaffney,	McGee,	Price, R. A.,	Yester,
Good,	McNally,	Reagan,	Yetzer,
Hagerty,			Young,

## NOT VOTING—20

Amarando,	Geer,	Lafore,	Reidenbach,
Beech,	Hersch,	Maxwell,	Rose,
Cochran,	Hoggard,	Miller, J. C.,	Rosen,
Dougherty,	Hunter,	Pettigrew,	Wheeler,
Filip,	Kolankiewicz,	Pfaff,	



The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

### PERMISSION TO ADDRESS HOUSE

Mr. SMITH asked and obtained unanimous consent to address the House.

Mr. Speaker, in the many times and many sessions that I have been in this House I have heard a lot of resolutions being offered; condolence, birthday, congratulatory, and I have often watched some of the Members particularly when it came to birthdays.

I have often wondered why they had such a sad look on their face. I thought maybe it was because they were getting older. But then I found that some of our Members have birthdays when we are not in session. Come June we would be out of session and, By Gosh! we would miss that fellow's birthday because we were not in session.

Well, here we are this year in just about one of the longest sessions we have ever had. Sometimes I see hope in some individual's face because he thinks, well, if we made this session just a little bit longer possibly somebody will say "happy birthday" to me or they might sing "Happy Birthday."

Then what do we do? We take a recess. It was not a Republican trick, I can assure you. All I can say is that fate stepped in. One of the very prominent men in this House had a birthday and I know in his heart he has been hoping and hoping that some day somebody would be here to offer a resolution or that we would all be here. Doggone it! we take a recess and the fellow loses his birthday again.

Now, I did want to do this before the tax program was adopted, because I did not want to be accused of influencing him, but I have gone to a lot of bother to get a very nice present for the Minority Leader of the House, and I would like to give him this present from the Tax Committee that formulated one of the best tax programs we ever passed.

Mr. ANDREWS. Mr. Speaker, the beauty of the package is only excelled by the sentiment which inspired the gift. Now, after you have waited 177 years for a Pennsylvania Legislature to be in session on your birthday, and then have the Majority Leadership declare a recess, dark thoughts can be pardoned.

I am very, very glad that the Majority Leader called attention to this situation, because I was upon the point of rising to a question of personal privilege as to whether this recess was really dedicated to the formulation of a tax program or was simply inspired by sheer malice to make certain that the occasion would never arise until I had lived 177 years more to have my birthday made a matter of note.

I would like to open the package, but the knot with which it is tied is so beautiful, and the flower is so beautiful—it is a perfectly lovely thing. I do not want to destroy it, but I wish the Majority Leader would tell me what is in it. I want to show this package to Mrs. Andrews, and I want her to see how pretty it is.

Mr. SMITH. Mr. Speaker, we had to dress it up nice because it is fifteen packs of Prince Albert tobacco.

Mr. ANDREWS. Mr. Speaker, just this week at the caucus I was the recipient of a gift, a pipe that would have contained two packages of Prince Albert tobacco.

### BILLS INTRODUCED AND REFERRED

By Mr. RIGBY.

HOUSE BILL No. 1719.

An Act authorizing the use of artificially colored oleo-margarine, butterine and other similar products in state institutions.

Referred to the Committee on Agriculture and Dairy Industries.

By Mr. WOOD.

HOUSE BILL No. 1720.

An Act making an appropriation to the Department of Property and Supplies for the payment of rates, rentals and other charges that may become due on leases and other contracts executed by such department with The General State Authority, for the use and occupancy by the Commonwealth of various projects, structures, buildings and facilities of the Authority, or for the services rendered by the Authority or its projects.

Referred to the Committee on Appropriations.

By Mr. WOOD.

HOUSE BILL No. 1721.

An Act making an appropriation to the State Treasurer for the purpose of paying salaries and wages of State Officers and employees, and other ordinary and general expenses in the interim between the thirty-first day of May, one thousand nine hundred fifty-one, and such time as the funds provided by the General Appropriation Act become available, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred fifty-one.

Referred to the Committee on Appropriations.

By Mr. HAUDENSHIELD.

HOUSE BILL No. 1722.

An Act to add Section 10.1 to the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employees' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employees, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employees serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by providing for credit for service in connection with mothers' assistance and the Mothers' Assistance Fund under certain conditions.

Referred to the Committee on State Government.

By Mr. McMILLEN.

HOUSE BILL No. 1723.

An Act to further amend Sections 1 and 2 of the act, approved the eighteenth day of April, one thousand nine hundred thirty-five (P. L. 48), entitled "An act requiring banks, trust companies, bank and trust companies, private bankers, and building and loan associations to disclose the amount of deposits and investments of persons applying for or receiving unemployment relief under certain circumstances," by requiring certain persons, corporations, organizations, associations, and societies to disclose information concerning pensions and other benefits of applicants or recipients of public assistance or of persons responsible for the support of such applicants or recipients.

Referred to the Committee on Welfare.



By Mr. WESCOTT.

HOUSE BILL No. 1724.

An Act to add subsection (h) to section 802.4 of the act approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence, imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties, imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by authorizing the use of additional red reflectors.

Referred to the Committee on Motor Vehicles.

By Messrs. SEYER and GOODLING.

HOUSE BILL No. 1725.

An Act requiring the Commonwealth of Pennsylvania to appropriate moneys for assistance to political subdivisions and municipal authorities in the acquisition, construction and improvement of airports and other aeronautical facilities.

Referred to the Committee on Appropriations.

#### PERMISSION GRANTED COMMITTEES TO MEET DURING SESSION

Mr. TAHL asked and obtained permission for the Committee on Cities and Counties—First Class to meet during the session of the House.

Mr. DALRYMPLE asked and obtained permission for the Committee on Cities—Third Class to meet during the session of the House.

Mr. WOOD asked and obtained permission for the Committee on Appropriations to meet during the session of the House.

Mr. GIBSON asked and obtained permission for the Committee on Fisheries to meet during the session of the House.

#### PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. KAMYK asked and obtained unanimous consent to add additional sponsors to a bill to be introduced by him.

#### SENATE MESSAGE

##### TIME OF NEXT MEETING

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, September 17, 1951.

Resolved, (if the House of Representatives concur), that when the Senate adjourns this week, it reconvenes on Monday, September 24, 1951, at two o'clock p. m., Eastern Standard Time; and when the House of Repre-

sentatives adjourns this week, it reconvene on Monday, September 24, 1951, at three thirty o'clock p. m., Eastern Standard Time.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

#### PERMISSION GRANTED COMMITTEES TO MEET DURING SESSION

Mr. WATKINS asked and obtained permission for the Committee on State Government to meet during the session of the House.

#### COMMUNICATION AND BILL TAKEN FROM TABLE

Mr. ROYER. Mr. Speaker, I move that House Bill No. 815, Printer's No. 586 together with communication from the Governor be taken from the table.

The motion was agreed to.

#### COMMUNICATION FROM GOVERNOR

##### APPROVAL OF HOUSE CONCURRENT RESOLUTION RECALLING HOUSE BILL No. 815

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, August 17, 1951.  
To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 815, Printer's No. 586, for proposed amendments.

Accordingly, the original bill is herewith returned.

JOHN S. FINE.

#### RECONSIDERATION OF VOTE

Mr. ROYER. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

Mr. HOCKER. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Lancaster Mr. Royer vote on the final passage of this bill?

Mr. ROYER. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Dauphin, Mr. Hocker, vote in the final passage of this bill?

Mr. HOCKER. Mr. Speaker, I voted in the majority.

On the the question,

Will the House agree to the motion?

It was agreed to.

Mr. ROYER. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. ROYER. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Title, page 2, next to last line of title, by inserting after the word "Revenue" the following: "shall."

Amend Title, page 2, last line of title, by inserting after the word "every" the following: "registered."



Amend Sec. 1 (Sec. 501), page 4, line 2, by inserting a bracket before the word "to."

Amend Sec. 1 (Sec. 501), page 4, line 4, by striking out the bracket before the word "two."

Amend Sec. 1 (Sec. 501), page 4, line 5, by striking out the bracket after the word "plates."

Amend Sec. 1 (Sec. 501), page 4, line 5, by inserting after the word "and" the following: "] one registration plate."

Amend Sec. 1 (Sec. 501), page 4, line 5, by inserting after the word "registered" the following: "motor vehicle."

Amend Sec. 1 (Sec. 501), page 4, line 7, by inserting after the word "in" the following: "motor vehicles, trailers, semi-trailers."

Amend Sec. 1 (Sec. 501), page 4, line 8, by inserting a bracket before the word "one" and after the word "plate."

Amend Sec. 2 (Sec. 503), page 4, line 13, by inserting a bracket before and after the word "Every" and inserting immediately thereafter "The."

Amend Sec. 3 (Sec. 505), page 5, line 9, by inserting after the word "both]" the following: "a."

Amend Sec. 3 (Sec. 505), page 5, line 9, by inserting brackets before and after the word "plates" and inserting immediately thereafter "plate."

Amend Sec. 3 (Sec. 505), page 5, line 10, by inserting a bracket before the word "or" where it appears the first time, and after the word "become" and inserting immediately thereafter "becomes."

Amend Sec. 3 (Sec. 505), page 5, line 12, by inserting a bracket before and after the word "were" and inserting immediately thereafter "was."

Amend Bill, page 5, by inserting after line 14, a new section to read as follows: "Section 4. Section one of this act shall become effective immediately upon final enactment but shall not apply to the current registration year. Section two of this act shall become effective on the fifteenth day of the month preceding the registration year commencing in one thousand nine hundred fifty-two. Section three of this act shall become effective the first day of the registration year commencing in one thousand nine hundred fifty-two."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

### BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

#### HOUSE BILL No. 745.

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions

and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by creating the Pennsylvania Library Council prescribing its powers and duties providing for a State librarian and for certification of libraries and librarians and for minimum standards for public library service

#### HOUSE BILL No. 1123.

An Act to provide for the registration and protection of trade-marks and to secure the rights property and interests therein providing for the assignment cancellation and revocation thereof and imposing penalties for violations conferring powers and imposing duties upon the Secretary of the Commonwealth in the administration thereof and to repeal all acts inconsistent therewith

#### HOUSE BILL No. 1205.

An Act defining analytical-biochemical-biological laboratory regulating the operation of the same requiring such laboratories to obtain permits and to be operated under the direct supervision of qualified persons imposing certain duties upon the Department of Health and providing penalties

Whereas the health and lives of the citizens of this Commonwealth are endangered by incompetent supervision of analytical-biochemical-biological laboratory tests and

Whereas a due regard for public health and preservation of human life demands that none but scientists competent and properly qualified by sufficient training in the fundamental sciences and experienced in their applications in the analytical-biochemical-biological laboratory shall be permitted to supervise the work of such laboratories

#### HOUSE BILL No. 1351.

An Act to further amend subsection C of Section 1 of the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 1145) entitled "An act empowering cities of the second class cities of the second class A cities of the third class boroughs towns townships of the first class school districts of the second class school districts of the third class and school districts of the fourth class to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes and permitting penalties to be imposed and enforced providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court" by temporarily excluding under certain conditions taxes imposed on real property transfers in certain school districts in determining tax limitations

#### HOUSE BILL No. 1445.

An Act to add section three hundred twenty-eight to the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by making it a crime to falsify a material fact or make fraudulent statements in any matter within the jurisdiction of any department board or commission of the Commonwealth and prescribing penalties



## HOUSE BILL No. 1505.

An Act to amend the act approved the twelfth day of June one thousand nine hundred thirty-one (P. L. 510) entitled "An act providing for the licensure and regulation of certain private nursing homes and private hospitals conferring certain powers and duties upon the Department of Welfare and providing penalties" by further providing for the licensure and regulation of such nursing homes and hospitals

## SENATE BILL No. 738.

An Act to further amend subsections (a) of Section 1110 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by eliminating requirement that the form and arrangement of ballot labels on voting machines be approved by the Secretary of the Commonwealth

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

## PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. McKINNEY asked and obtained permission for the Committee on Judiciary to meet during the session of the House.

## SENATE MESSAGE

SENATE INSISTS ON AMENDMENTS  
NON-CONCURRED IN BY HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 1370, entitled:

An Act to further amend Section 2004 of the act approved the twenty-third day of June one thousand nine hundred thirty-one (Pamphlet Laws 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by limiting to forty-eight hours the work week of police officers except in emergencies

Mr. JOHNSON. Mr. Speaker, I move that the House insist upon its non-concurrence in the amendments made and insisted upon by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON  
HOUSE BILL NO. 1370

The SPEAKER. The Chair appoints as a Committee of Conference on said bill, Messrs. Dalrymple, Dowling and Polaski.

Ordered, That the Clerk inform the Senate accordingly.

BILL ON FINAL PASSAGE RECALLED  
FROM GOVERNOR

Agreeably to order

The House proceeded to the consideration on final passage of House Bill No. 1348, as follows:

An Act to amend Section 1 of the act approved the eighth day of May one thousand nine hundred one (P. L. 150) entitled "An act providing for the raising of revenue for State purposes by imposing upon certain foreign corporations limited partnership and joint-stock associations a bonus of one-third of one per centum upon the capital actually employed in Pennsylvania and requiring the filing of certain reports in the office of the Auditor General" by exempting from the provisions thereof foreign nonprofit corporations

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1 of the act approved the eighth day of May one thousand nine hundred one (P. L. 150) entitled "An act providing for the raising of revenue for State purposes by imposing upon certain foreign corporations limited partnership and joint-stock associations a bonus of one-third of one per centum upon the capital actually employed in Pennsylvania and requiring the filing of certain reports in the office of the Auditor General" is hereby amended to read as follows

Section 1 Be it enacted &c That from and after the passage of this act all corporations limited partnerships or joint stock associations except foreign insurance companies and foreign nonprofit corporations which do not have any capital stock and which shall have been issued a certificate of authority to do business from the Department of State chartered or created by or under the laws of any other State or of the United States or of any foreign country whose principal office or chief place of business is located in this Commonwealth or which have any part of their capital actually employed wholly within this State in addition to complying with the laws now in force as to such corporations limited partnership or joint-stock associations shall pay to the State Treasurer for the use of the Commonwealth a bonus of one-third of one per centum upon the amount of their capital actually employed or to be employed wholly within the State of Pennsylvania and a like bonus upon each subsequent increase of capital so employed

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—204

Amarando,	Goodling,	Maxwell,	Rubin,
Andrews,	Graybill,	Mazza,	Sarraf,
Barkdoll,	Greenwood,	McConnell,	Sax,
Baumunk,	Greer,	McCormack,	Scanlon,
Bear,	Guarnieri,	McCullough,	Schmidt,
Beaver,	Gutendorf,	McDermitt,	Schuster,
Beech,	Guthrie,	McGee,	Scott,
Berkstresser,	Hagerty,	McInroy,	Seyler,
Blair,	Hall,	McKinney,	Shoemaker,
Bloom,	Hamilton, R. K.,	McMillen,	Shotwell,
Boles,	Hamilton, W. H.,	McNally,	Smith,
Bolton,	Harney,	Meiz,	Snider,
Bomberger,	Haudenschild,	Mihm,	Sollenberger,
Boorse,	Headlee,	Mikula,	Spencer,
Bower,	Helm,	Miller, H. G.,	Stank,
Breisch,	Hersch,	Mills,	Stimmel,
Breth,	Hewitt,	Mintess,	Stoner,
Brown,	Hocker,	Monroe,	Swartz,
Bucchin,	Hoggard,	Moore, C. E.,	Swope,
Byrne,	Hunter,	Moore, H. A.,	Tahl,
Cella,	Jenkins,	Moran,	Taylor,
Clapper,	Johnson,	Muldowney,	Thompson, E. F.,
Clendening,	Jones, G. E.,	Munley,	Thompson, R. L.,
Cochran,	Jones, J. M.,	Murray,	Toll,
Conway,	Jones, P. F.,	Musto,	Tompkins,
Cooper,	Jones, T. H. W.,	Najaka,	Toomey,
Corr,	Jump,	Naugle,	VanSant,
Costa,	Kamyk,	Needham,	Varallo,
Coyle,	Keller,	Olsen,	Varnier,
Dalrymple,	Kent,	Penglase,	Verona,
	Kilne,	Peta,	Wachhaus,



Davis,	Kohl,	Petrosky,	Wargo,
Dennisson,	Kolanklewica,	Pettigrew,	Waterhouse,
Dougherty,	Kornick,	Pfaff,	Watkins,
Dowling,	Kratz,	Pichney,	Weidner,
DuBois,	Kubacki,	Pitzer,	Welsh,
Duffy,	Lederer,	Polaski,	Wescott,
Dunn,	Lelsey,	Polen,	Westrick,
Erb,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Ewing,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Fenrich,	Leven,	Readinger,	White,
Ferster,	Light,	Reagan,	Williams,
Fillip,	Limper,	Reese,	Wilt,
Filo,	Loftus,	Reilly, J. M.,	Wood,
Firmstone,	Lopresti,	Rigby,	Yeakel,
Flack,	Lovett,	Riley, R. L.,	Yester,
Frost,	Lutty,	Robertson,	Yetzer,
Gaffney,	Lyons,	Rose,	Young,
Geer,	Madden,	Rosen,	Ziegler,
Gibson,	Madigan,	Rovansek,	Sorg,
Gleason,	Markley,	Royer,	Speaker
Good,			

NAYS—0

NOT VOTING—3

Lafore, Miller, J. C., Reidenbach.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

### BILL ON FINAL PASSAGE

Agreeably to order

The House proceeded to the consideration on final passage of House Bill No. 1626, as follows:

An Act to further amend the act approved the thirteenth day of May one thousand nine hundred twenty-five (P. L. 644) entitled "An act relating to and regulating the solicitation of moneys and property for charitable religious benevolent humane and patriotic purposes" by extending its provisions to additional activities agencies and purposes requiring accounting limiting administration costs and use of money collected and further regulating solicitation and exemptions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections 1 and 4 of the act approved the thirteenth day of May one thousand nine hundred twenty-five (P. L. 644) entitled "An act relating to and regulating the solicitation of moneys and property for charitable religious benevolent humane and patriotic purposes" as last amended by the act approved the twenty-eighth day of June one thousand nine hundred fifty-one (Act No 174) are hereby further amended to read as follows

Section 1 Be it enacted &c That [thirty days] from and after the approval of this act is shall be unlawful for any person copartnership association or corporation except in accordance with the provisions of this act to appeal to the public for donations pledges or subscriptions in money or in other property or to sell or offer for sale to the public memberships periodicals books advertising space household products or any thing or object whatever to raise money or to secure or attempt to secure money pledges or donations or other property by promoting any public bazaar sale entertainment or exhibition or by any similar means for any charitable benevolent or patriotic purpose or for the purpose of ministering to the material or spiritual needs of human beings either in the United States or elsewhere or of relieving suffering of animals or of inculcating patriotism unless the appeal is authorized by and an accounting of the money or other property is [to be] given [to] by a corporation copartnership or association holding a valid certificate of registration from the Department of Public Instruction issued as herein provided

Section 4 If the Department of Public Instruction after

full investigation and careful study of the purposes management functioning and activities of the copartnership association or corporation filing in application for a certificate of registration deems the corporation copartnership or association filing such statement a proper one and not inimical to the public welfare or safety and its appeal or proposed appeals to be for truly charitable benevolent or patriotic purposes or for the purpose of ministering to the material or spiritual needs of human beings in the United States or elsewhere or of relieving suffering of animals or of inculcating patriotism it shall issue to such corporation copartnership or association filing the required statement a certificate of registration [for the particular purpose described and for the necessary period] but the department shall not issue any certificate of registration to any such corporation copartnership or association [which pays or agrees to pay to any individual corporation copartnership or association a commission or compensation in excess of fifteen per centum of the amount collected or the sale price of any thing or object or the gross receipts from any public bazaar sale entertainment or exhibition or any similar means for services] whose over-all costs for administration operation commission or compensation of any fund raising campaign shall exceed thirty per centum of total amount received from all sources In the case of mail solicitation postage actually used in the solicitation of funds may be excluded from the costs of administration Provided That not more than seventy-five percentum of bona fide written pledges or subscriptions not actually collected may be included in computing costs of administration operation commission or compensation of any fund raising campaign [and the] The department shall revoke any certificate of registration which may be granted if and when any corporation copartnership or association shall pay or agree to pay an amount in excess of [fifteen] thirty per centum for administration operation commission or compensation as herein provided If the department deems the corporation copartnership or association an improper one or the purposes of its appeal improper under the provisions of this act it shall refuse to issue a certificate of registration No registration certificate shall be valid for a longer period than one year from its date of issue The Department of Public Instruction before granting a certificate as herein provided may hold such hearings as may be deemed necessary to satisfy itself that the copartnership association or corporation filing a statement is entitled to a certificate of registration in accordance with this act

Section 2 Section 6 of said act is hereby amended to read as follows

Section 6 [All statements filed under the provisions of this act shall be public records and shall be open to inspection in the office of the department at such time and under such conditions as the department may by regulation proscriber] No person corporation copartnership or association may solicit or collect any pledges subscriptions or contributions in money or other property for or on behalf of any charitable corporation copartnership or association as hereinbefore defined without a written authorization from the corporation copartnership or association for which the contribution is made and the authorization must be shown to any person on request The authorization must be signed by an officer of the corporation or a member of the copartnership or association for which the contribution is collected

Section 3 Section 7 of said act as last amended by the act approved the fifth day of June one thousand nine hundred forty-seven (P. L. 474) and the act approved the twenty-eighth day of June one thousand nine hundred fifty-one (P. L. ) Act No. 174 is hereby further amended to read as follows

Section 7 [(a)] No person corporation copartnership or association wheresoever situate shall solicit or collect pledges subscriptions or contributions in money or other property for any of the purposes set forth in section one of the act [(1) For or on behalf of any person corporation



copartnership or association nor manage direct or supervise such solicitation or collections nor furnish the plan or method therefor all exceptions or exemptions contained in section eleven of this act to the contrary notwithstanding [(2) And] and accept or receive pay bonus or compensation for so doing the amount or value of which in one year shall exceed one hundred fifty dollars (\$150) either in money or other thing of value whether as wages salary commission expenses fees for supervision or charges for the use of any plan or method [(3) Unless] unless he or it shall have first registered with the Department of Public Instruction and given to it such information relative to his or its solicitation activity as may be required from time to time by the said department's rules or regulations

[(b)] It shall be unlawful for any person corporation copartnership or association so registering to use or exploit the fact of his or its having so registered to lead the public to believe that such registration in any wise constitutes an endorsement or certification of him or it or of any cause or organization for which he or it is soliciting or collecting

[(c) No person corporation copartnership or association may solicit or collect any contributions in money or other property for or on behalf of any charitable corporation copartnership or association as hereinbefore defined without a written authorization from the corporation copartnership or association for which the contribution is made and the authorization must be shown to any person on request. The authorization must be signed by an officer of the corporation or a member of the copartnership or association for which the contribution is collected and must set forth the percentage of collection bonus or other compensation for collection to be paid to the person corporation copartnership or association so soliciting or collecting contributions

(d) No person corporation copartnership or association may accept or receive any bonus or compensation as set forth in subsection (a) hereof the amount or value of which shall exceed fifteen per cent of the gross sum of money or value of property actually collected

(e) Any person corporation copartnership or association which has accepted or received a bonus or compensation for collecting or soliciting as set forth in subsection (a) hereof exceeding fifteen percent of the amount of money or value of property actually collected shall be obliged to repay or return the excess together with treble damages. Any charitable corporation copartnership or association as defined by section one of this act may sue for and recover either in assumpsit or trespass such excess notwithstanding the fact that the officers of such charitable organization may have contracted in its name to pay such excessive compensation or bonus

Section 4 The provisions of this act shall become effective immediately upon final enactment

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—204

Amarando,	Goodling,	Maxwell,	Rubin.
Andrews,	Graybill,	Mazza,	Sarraff.
Banker,	Greenwood,	McConnell,	Sax,
Barkdoll,	Greer,	McCormack,	Scanlon.
Baumunk,	Guarnieri,	McCullough,	Schmidt,
Bear,	Gutendorf,	McDermitt,	Schuster,
Beaver,	Guthrie,	McGee,	Scott,
Beech,	Hagerty,	McInroy,	Seyler,
Berkstresser,	Hall,	McKinney,	Shoemaker,
Blair,	Hamilton, R. K.,	McMillen,	Shotwell,
Bloom,	Hamilton, W. H.,	McNally,	Smith,
Boles,	Harney,	Metz,	Snider,
Bolton,	Haudenshield,	Mihm,	Sollenberger.
Bomberger,	Headlee,	Mikula,	Spencer,
Boorse,	Helm,	Miller, H. G.,	Stank,
Bower,	Hersch,	Mills,	Stimmel,

Brelsich,	Hewitt,	Mintess,	Stoner,
Breth,	Hocker,	Monroe,	Swartz,
Brown,	Hoggard,	Moore, C. E.,	Swope,
Bucchin,	Hunter,	Moore, H. A.,	Tahl,
Byrne,	Jenkins,	Moran,	Taylor,
Cella,	Johnson,	Muldowney,	Thompson, E. F.,
Clapper,	Jones, G. E.,	Munley,	Thompson, R. L.,
Clendenning,	Jones, J. M.,	Murray,	Toll,
Cochran,	Jones, P. F.,	Musto,	Tompkins,
Conway,	Jones, T. H. W.,	Najaka,	Toomey,
Cooper,	Jump,	Naugle,	VanSant,
Corr,	Kamyk,	Needham,	Varallo,
Costa,	Keller,	Olsen,	Varner,
Coyle,	Kent,	Penglase,	Verona,
Dalrymple,	Kline,	Peta,	Wachhaus,
Davis,	Kohl,	Petrosky,	Wargo,
Dennison,	Kolankiewicz,	Pettigrew,	Waterhouse,
Dougherty,	Kornick,	Pfaff,	Watkins,
Dowling,	Kratz,	Pichney,	Weidner,
DuBois,	Kubacki,	Pitzer,	Welsh,
Duffy,	Lederer,	Polaski,	Wescott,
Dunn,	Lelsey,	Polen,	Westrick,
Erb,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Ewing,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Fenrich,	Leven,	Readinger,	White,
Ferster,	Light,	Reagan,	Williams,
Fillo,	Limper,	Reese,	Wilt,
Firmstone,	Loftus,	Reilly, J. M.,	Wood,
Flack,	Lopresti,	Rigby,	Yeakel,
Frost,	Lovett,	Riley, R. L.,	Yester,
Gaffney,	Lutty,	Robertson,	Yetzer,
Gibson,	Lyons,	Rose,	Young,
Geer,	Madden,	Rosen,	Ziegler,
Gleason,	Madigan,	Rovansek,	Sorg,
Good	Markley,	Royer,	Speaker

#### NAYS—0

#### NOT VOTING—3

Lafore,

Miller, J. C.,

Reidenbach.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

#### BILLS PASSED OVER

There being no objection

Senate Bill No. 653, Printer's No. 550,

Senate Bill No. 654, Printer's No. 551, and

Senate Bill No. 655, Printer's No. 552,

were passed over at the request of the SPEAKER.

#### BILLS ON THIRD READING

##### BILL PASSED OVER

There being no objection,

House Bill No. 488, Printer's No. 476

was passed over at the request of Mr. SARRAF.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 744, as follows:

An Act to amend Article VIII of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registrations of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the



Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by requiring overhead exhaust outlets on diesel motor vehicles

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Article VIII of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" is hereby amended by adding at the end thereof a new section to read as follows

Section 830 Exhaust Outlets on Motor Vehicles Every motor vehicle powered by a diesel engine when operated upon a highway shall be equipped with an overhead exhaust outlet approved by the Secretary and so constructed that exhaust fumes are discharged above and behind the top of such motor vehicle

Penalty Any person violating any of the provisions of this section upon summary conviction before a magistrate shall be sentenced to pay a fine of ten (\$10) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

Section 2 The provisions of this act shall become effective on the first day of June one thousand nine hundred fifty-two

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—200

Amarando,	Graybill,	Maxwell,	Rubin.
Andrews,	Greenwood,	Mazza,	Sarraf.
Banker,	Greer,	McConnell,	Sax,
Barkdoll,	Gutendorf,	McCormack,	Scanlon.
Baumunk,	Guthrie,	McCullough,	Schmidt,
Bear,	Guarnieri,	McDermitt,	Schuster.
Beaver,	Hagerty,	McGee,	Scott,
Beeoh,	Hall,	McInroy,	Seyler.
Berkstresser,	Hamilton, W. H.,	McKinney,	Shoemaker,
Blair,	Harney,	McMillen,	Shotwell,
Bloom,	Haudenshield,	McNally,	Smith,
Boles,	Headlee,	Metz,	Snider,
Bolton,	Helm,	Mihm,	Sollenberger.
Bomberger,	Hersch,	Mikula,	Spencer,
Boorse,	Hewitt,	Miller, H. G.,	Stank,

Bower,	Hocker,	Mills,	Stimmel,
Breisch,	Hoggard,	Mintess,	Stoner,
Breth,	Hunter,	Monroe,	Swartz,
Brown,	Jenkins,	Moore, C. E.,	Swope,
Bucchin,	Johnson,	Moore, H. A.,	Tahl,
Byrne,	Jones, G. E.,	Moran,	Taylor,
Cella,	Jones, J. M.,	Muldowney,	Thompson, E. F.,
Clapper,	Jones, P. F.,	Munley,	Thompson, R. L.,
Clendening,	Jones, T. H. W.,	Murray,	Toll,
Cochran,	Jump,	Musto,	Tompkins,
Conway,	Kamyk,	Najaka,	Toomey,
Cooper,	Keller,	Naugle,	VanSant,
Corr,	Kent,	Needham,	Varallo,
Costa,	Kline,	Olsen,	Varnier,
Coyle,	Kohl,	Peta,	Verona,
Dalrymple,	Kolankiewicz,	Penglase,	Wachhaus,
Davis,	Kornick,	Petrosky,	Wargo,
Dennison,	Kratz,	Pettigrew,	Waterhouse,
Dougherty,	Kubacki,	Pfaff,	Watkins,
Dowling,	Lederer,	Pichney,	Weidner,
Duffy,	Lelsey,	Pitzer,	Welsh,
Dunn,	Leonard, L.,	Polaski,	Wescott,
Erb,	Leonard, W. C.,	Polen,	Westrick,
Ewing,	Leven,	Price, H. W. Jr.,	Whalley,
Fenrich,	Light,	Price, R. A.,	Wheeler,
Ferster,	Limper,	Readinger,	White,
Filip,	Loftus,	Reese,	Williams,
Filo,	Lopresti,	Reagan,	Wilt,
Firmstone,	Lovett,	Reilly, J. M.,	Wood,
Flack,	Lutty,	Rigby,	Yeakel,
Gaffney,	Lyons,	Riley, R. L.,	Yester,
Geer,	Madden,	Robertson,	Yetzer,
Gibson,	Madigan,	Rose,	Young,
Gleason,	Markiey,	Rosen,	Ziegler,
Good,		Rovansek,	Sorg,
		Royer,	Speaker

#### NAYS—4

DuBois,	Frost,	Goodling,	Hamilton, R. K.,
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#### NOT VOTING—3

Lafore,	Miller, J. C.,	Reidenbach,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

#### BILL PASSED OVER

There being no objection

House Bill No. 1580, Printer's No. 883 was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1606, entitled:

An Act to further amend the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2681) entitled "An act relating to and regulating the manufacture storing and possession of explosives requiring permits for magazines and prescribing permit fees and providing penalties" by regulating the transportation of explosives requiring permits for blasting including prosecution by the Pennsylvania State Police and otherwise extending the regulation of explosives and increasing fees

On the question,

Will the House agree to the bill on third reading?

Mr. WHITE. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Section 1, page 3, line 4, by inserting at the end of the line after the word "Commission" the follow-



ing: "or to the transportation of explosives upon common carriers by air when such transportation is in conformity with regulations of the Civil Aeronautics Board of the United States."

Amend Section 9, page 6, line 13, by inserting after the word "person" and before the word "using" the following: "except for exclusions contained in section one of this act."

Amend Section 9, page 6, line 16, by inserting at the end of the line after the parenthesis following the figure "\$1" the following: "Whenever a person excluded under section one of this act desires to apply for a license and be certified by the Department of Labor and Industry, he may so apply and be certified upon the payment of the license fee of one dollar (\$1); thereafter such person shall be bound by the provisions of this act."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1607, as follows:

An Act providing for the marking of liquified petroleum gas containers and prohibiting the refilling or use of such containers without authorization by the owner thereof authorizing the Department of Labor and Industry after public hearing to prescribe uniform regulations for safety in the design construction location installation and operation of equipment for storing handling transporting by tank truck or tank trailer and utilizing liquified petroleum gases for fuel purposes and for the odorization of said gases used therewith prohibiting the adoption by municipalities or other political subdivisions of ordinances or regulations in conflict with this act providing for prosecutions for violations of this act by summary proceedings and prescribing the penalty therefor

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Definitions As used in this act "Liquified Petroleum Gas" shall mean and include any material which is composed predominately of any of the following hydrocarbons or mixtures of the same propane propylene butanes (normal butane or isobutane) and butylenes

"Department" shall mean the Department of Labor and Industry of the Commonwealth of Pennsylvania

"Establishment" shall mean any room building or place within this Commonwealth where persons are employed or permitted to work for compensation of any kind to whomever payable and any place of public assembly or business to which the public has access and shall include homes apartments private dwellings or other places as designated by the department

"Person" shall mean any individual firm partnership unincorporated association corporation or municipality and shall include the Commonwealth

"Place of Public Assembly" shall mean any building or portion thereof designed intended and used for occupation by persons for purposes of entertainment instruction or amusement and shall include churches.

"School" shall mean any building or portion thereof where persons assemble for purposes of education and shall include public and private schools academies colleges and universities

Wherever the singular is used in this act it shall be

construed to include the plural and wherever the masculine gender is used it shall be construed to include the feminine and neuter

Section 2 No person firm or corporation other than the owner and those authorized by the owner so to do shall sell fill refill deliver or permit to be delivered or use in any manner any liquefied petroleum gas container or receptacle for any gas compound or for any other purpose

Section 3 The Department of Labor and Industry shall make promulgate and enforce regulations setting forth minimum general standards covering the design installation and construction of containers and pertinent equipment for the storage and handling of liquefied petroleum gases and specifying the odorization of said gases Said regulations shall be such as are reasonably necessary for the protection of the health welfare and safety of the public and persons using such materials and shall be in substantial conformity with the generally accepted standards of safety concerning the same subject matter Such regulations shall be adopted by the Department of Labor and Industry only after a public hearing thereon It is hereby declared that regulations in substantial conformity with the published standards of the National Fire Protection Association for the design installation and construction of containers and pertinent equipment for the storage and handling of liquefied petroleum gases shall be deemed to be in substantial conformity with the generally accepted standards of safety concerning the same subject matter

Section 4 It shall be unlawful for any person firm association or corporation on and after the effective date of this act to violate any of the provisions hereof or of the regulations of the Department of Labor and Industry made pursuant hereto

Section 5 No municipality or any other political subdivision shall adopt or enforce any ordinance or regulation in conflict with the provisions of this act or with the regulations promulgated under section two of this act

Section 6 Prosecutions for violations of the provisions of this act or the rules and regulations of the department may be instituted by the department and shall be in the form of summary proceedings before an alderman magistrate or justice of the peace Upon conviction after a hearing the penalties herein provided for shall be imposed and shall be final unless an appeal be taken to a court of proper jurisdiction in the manner prescribed by law

Section 7 Any person who shall violate any of the provisions of this act or the rules and regulations of the department as herein provided for shall be penalized to pay a fine of not less than fifty dollars (\$50.00) nor more than two hundred dollars (\$200.00) or in default of payment thereof to imprisonment for a period of not less than one (1) month nor more than three (3) months

Section 8 All fines collected under this act shall be forwarded to the Department of Labor and Industry which shall transmit the same to the State Treasury through the Department of Revenue

Section 9 The provisions of this act are severable and in the event that any provisions thereof should be declared unconstitutional it is hereby declared to be the legislative intent that the remaining portions would have been enacted notwithstanding such judicial determination of the invalidity of any particular provision or provisions in any respect

Section 10 All acts and parts of acts general local or special and inconsistent with or supplied by this act are hereby repealed except the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1513) as amended by the act approved the twenty-seventh day of May one thousand nine hundred thirty-seven (P. L. 912) the act approved the fifth day of June one thousand nine hundred thirty-seven (P. L. 1662) and the act approved the twentieth day of June one thousand nine hundred forty-seven (P. L. 716) These acts shall be administered jointly as their provisions may apply

Section 11 This act shall become effective the first day of January one thousand nine hundred fifty-two



And said bill having been read at length the third time, considered and agreed to.

On the question,  
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—203

Amarando.	Goodling.	Maxwell.	Rubin.
Andrews.	Graybill.	Mazza.	Sarraff.
Banker.	Greenwood.	McConnell.	Sax.
Barkdoll.	Greer.	McCormack.	Scanlon.
Baumunk.	Guarnieri.	McCullough.	Schmidt.
Bear.	Gutendorf.	McDermitt.	Schuster.
Beaver.	Guthrie.	McGee.	Scott.
Beech.	Hagerty.	McInroy.	Seyler.
Berkstresser.	Hall.	McKinney.	Shoemaker.
Blair.	Hamilton, R. K.	McMillen.	Shotwell.
Bloom.	Hamilton, W. H.	McNally.	Smith.
Boles.	Harney.	Metz.	Snider.
Boiton.	Haudenschild.	Mihm.	Sollenberger.
Bomberger.	Headlee.	Mikula.	Spencer.
Boores.	Helm.	Miller, H. G.	Stammel.
Bower.	Hersch.	Mills.	Stank.
Brelsch.	Hewitt.	Mintess.	Stoner.
Breth.	Hocker.	Monroe.	Swartz.
Brown.	Hoggard.	Moore, C. E.	Swope.
Buechlin.	Hunter.	Moore, H. A.	Tahl.
Byrne.	Jenkins.	Moran.	Taylor.
Celia.	Johnson.	Muldowney.	Thompson, E. F.
Clapper.	Jones, G. E.	Munley.	Thompson, R. L.
Clendening.	Jones, J. M.	Murray.	Toll.
Cochran.	Jones, P. F.	Musto.	Tompkins.
Conway.	Jones, T. H. W.	Najaka.	Toomey.
Cooper.	Jump.	Naugle.	VanSant.
Corr.	Kamyk.	Needham.	Varallo.
Costa.	Keller.	Olsen.	Varnier.
Coyle.	Kent.	Penglase.	Verona.
Dalrymple.	Kline.	Peta.	Wachhaus.
Davis.	Kohl.	Petrosky.	Wargo.
Dennison.	Kolankiewicz.	Pettigrew.	Waterhouse.
Dougherty.	Kornick.	Pfaff.	Watkins.
Dowling.	Kratz.	Pichney.	Weidner.
Duffy.	Kubacki.	Pitzer.	Welsh.
Dunn.	Lederer.	Polaski.	Westcott.
Erb.	Leisey.	Polen.	Westrick.
Ewing.	Leonard, L.	Price, H. W. Jr.	Whalley.
Fenrich.	Leonard, W. C.	Price, R. A.	Wheeler.
Ferster.	Leven.	Readinger.	White.
Filip.	Light.	Reagan.	Williams.
Filo.	Limper.	Reese.	Wilt.
Firmstone.	Loftus.	Reilly, J. M.	Wood.
Flack.	Lopresti.	Risby.	Yeakel.
Frost.	Lovett.	Riley, R. L.	Yester.
Gaffney.	Lutty.	Robertson.	Yetzer.
Geer.	Lyons.	Rose.	Young.
Gibson.	Madden.	Rosen.	Ziegler.
Gleason.	Madigan.	Rovansek.	Sorg.
Good.	Markley.	Royer.	Speaker

## NAYS—1

DuBois.

## NCT VOTING—3

Lafore.

Miller, J. C.

Reidenbach.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

### PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. FLACK asked and obtained permission for the Committee on Professional Licensure to meet during the session of the House.

### BILLS ON THIRD READING

#### BILL PASSED OVER

There being no objection

House Bill No. 1624, Printer's No. 889

was passed over at the request of Mr. McMILLEN.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1639, as follows:

An Act defining and providing for the licensing and regulation of private driver education or training schools conferring powers and imposing duties on the Department of Public Instruction and imposing penalties. The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The following words and phrases as used in this act shall have the meaning ascribed to them in this section unless the context clearly requires otherwise

(1) "Private driver education or training school" or "school" shall mean a school maintained classes conducted or instruction offered by any individual association partnership or corporation for a consideration profit or tuition the purpose of which is to educate or train an individual or individuals either practically or theoretically or both to operate or drive a motor vehicle.

(2) "Agent" shall mean any person whether employed by a private driver education or training school or operating in his own behalf or whether acting in behalf of any school located within or outside of this Commonwealth who shall personally solicit any individual within the Commonwealth of Pennsylvania to enroll in a school

(3) "Department" shall mean the Department of Public Instruction

(4) "Motor vehicle" shall mean every motor vehicle as defined in the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) as amended known as "The Vehicle Code"

Section 2 The provisions of this act shall not apply to colleges or universities schools maintained or classes conducted by employers for their own employees where no fee or tuition is charged schools or classes owned and operated by or under the authority of bona fide religious institutions or by the Commonwealth or any political subdivision thereof or schools accredited by accrediting associations approved by the Department of Public Instruction or schools licensed by the State Board of Private Academic Schools

Section 3 The provisions of this act shall be administered by the Department of Public Instruction

Section 4 The qualifications for licensure and the standards of licensure

(1) School Plant

(a) General

(i) The situs of a school branch school and practice driver training area shall be a distance of at least fifteen hundred (1500) feet from any official examination point used by the Pennsylvania State Police for examining motor vehicle operators which distance shall be measured along the public streets by the nearest route from the school branch school or practice driver training area to the said point

(ii) The outdoor area used during the first three (3) hours of practical instruction by persons who hold a learner's permit shall be one which is reasonably free of pedestrian and vehicular traffic and shall not include primary traffic arteries main highway routes or other thoroughfares that carry large amounts of the said traffic

(b) In the case of a school where five (5) or more students are assembled as a group for theoretical instruction in driver education

(i) The premises equipment and facilities of the school shall conform to all safety and sanitary requirements of the Commonwealth of Pennsylvania or any of its political subdivisions applicable thereto

(ii) The provisions for the health physical welfare and safety of student personnel shall be those prescribed by the governmental authorities having jurisdiction over such matters

(iii) The artificial lighting facilities shall provide a



minimum of twenty-five (25) foot-candles of illumination on the horizontal surfaces of all indoor activity areas used for school purposes

(iv) The heating facilities shall be sufficient to provide for the maintenance of normal room temperatures in all rooms occupied by students when the outside temperature is less than normal room temperature. When the school does not use mechanical ventilation windows shall be used and equipped for ventilating purposes

(v) The premises facilities and any alterations or additions to the premises or facilities must be approved by the Department of Public Instruction before the premises or facilities may be used for school purposes and before any of the said alterations or additions may be made

#### (2) Teacher and Director Qualifications

(a) Every teacher in a school shall be a citizen of the United States at least twenty-one (21) years of age and a person of good moral character

(b) Every teacher shall have a valid motor vehicle operator's license issued by the Commonwealth of Pennsylvania and shall submit documentary evidence of having driven a minimum of fifteen thousand (15,000) miles under all kinds of weather conditions in both urban and rural areas

(c) Every teacher must maintain during any consecutive three-year period a driving record which does not include more than one (1) reportable accident as defined in the Vehicle Code resulting in suspension or revocation of his motor vehicle operator's license

(d) Every teacher must pass (1) a written theoretical examination prepared and administered by the Superintendent of Public Instruction or such agency as he may designate and embracing subject matter pertinent to the care operation and use of a motor vehicle on the highways and to general highway safety principles and practices and (2) a practical examination prepared and administered by the Secretary of Revenue or such agency as he may designate for the purpose of testing a teacher's competency and fitness in the operation of a motor vehicle

(e) Every teacher shall present a certificate from a physician legally qualified to practice medicine in the Commonwealth of Pennsylvania setting forth that said person is neither mentally nor physically disqualified by reason of tuberculosis nor any other chronic or acute physical defect from performing the duties of a driver education teacher

(f) Every teacher shall submit documentary evidence of at least one (1) year's successful teaching experience in a private or public driver training school or class or submit documentary evidence of the successful completion of a minimum of three (3) semester hours of study in Driver Education at a Teachers Training institution of collegiate level approved or credited by the Department of Public Instruction or in the case of an institution located outside this Commonwealth by the comparable educational authority of another state. Provided however That anyone presently engaged in teaching driver education who does not possess the qualifications herein required may be given a temporary certificate by the Department of Public Instruction and shall within the period of one year from the date of such temporary certificate present the necessary qualifications. Application for such temporary certificate must be made within ninety days from the effective date of this act

(g) A director or supervisor of a school or branch thereof shall meet the qualifications of a teacher as set forth hereinbefore in this section and shall have had a minimum of two (2) years' successful teaching experience in a private or public driver training school or class. Three (3) semester hours of study in driver education as set forth in Section 4 (2) (f) may be substituted for each year of teaching experience

(h) Every school that employs five (5) or more full-time teachers or an equivalent number of part-time teachers shall designate a director who shall meet the qualifications prescribed in Section 4 (2) (g) and who shall devote at least one-half of his time to the performance of administrative and supervisory duties

#### (3) Instructional Equipment and Materials

(a) The amount and type of school furniture instructional equipment and instructional materials shall be governed by the character and scope of the educational program of the school the number of pupils enrolled and the objectives of the educational program of the school and shall conform to generally accepted educational standards

(b) The amount and type of school furniture and of instructional equipment and materials shall not be required to exceed or to vary from that which is generally used in connection with the programs of driver education in public schools of like character and scope

(c) Every school shall provide text test and reference materials including pamphlets and visual aids for the instruction in the theoretical and practical phases of driver training

(d) Every car used for practical driver training shall be a recent model not more than five (5) years old with special equipment as follows operable extra brake and extra clutch pedals defroster and heater in working order rear-view mirror placed on the inside of the car in the vicinity of the cowl two (2) outside rear-view mirrors one on each side of the vehicle and cushions for the proper seating of the students

(e) Every school shall provide insurance coverage on all cars used for practical driver training. This coverage shall include at least (A) 50-100 thousand dollars public liability (b) five thousand dollars property damage (c) two thousand dollars medical

#### (4) Program of Instruction

(a) The minimum length of the driver education or training course for persons who have a learner's permit shall be twelve (12) clock hours distributed as follows four (4) clock hours of theoretical instruction and eight (8) clock hours of practical instruction

(b) Theoretical instruction in driver Education shall include subject matter relating to rules and regulations of the road pedestrian safety good driving practices types and application of automobile insurance care and mechanics of motor vehicles driver responsibility theory of driving and the use of safety devices types and purposes of cowl instruments

(c) Practical instruction in driver education shall include the demonstration of and instruction in starting stopping shifting turning backing parking and steering

#### (5) Fees

(a) Every school shall inform each student prior to the time instruction commences of the character and amount of any and all fees or charges made for enrollment or registration tuition use of equipment texts and reference materials supplies and any other service equipment or materials provided by the school

#### (6) Records

(a) Every school shall establish and maintain complete accurate and detailed financial records that shall include data pertaining to assets liabilities sources and amount of income and the character and amount of expenditures. The said records shall be kept current and available for inspection during regular school hours by one or more representatives of the department

(b) Every school shall maintain adequate records of individuals and each school shall maintain a permanent cumulative record card for each pupil. Such record card shall indicate the number of clock hours of instruction received by each pupil and shall contain information on attendance achievement test scores personal characteristics health and other pertinent topics. Such records shall be kept current and available for inspection at all times during regular school hours by one or more representatives of the department

#### (7) Prospectus Information

(a) Printed catalogs bulletins pamphlets or any other form of prospectus information shall be specific and accurate with respect to the requirements for admission to the school number of clock hours of instruction to complete the course tuition and all other fees or charges. Copies of any form of prospectus information shall be filed with the department

#### (8) Agents



(a) Each agent shall be a person of good moral character a citizen of the United States and at least twenty-one (21) years of age

(b) An agent representing a school which is located outside this Commonwealth shall submit to the department such information and data pertaining to the said school as the department may deem necessary and require in order to validate any representation made in behalf of the said school by the said agent. The department may require the said information and data to be certified by such educational authorities of the other state as the department may designate

(c) An agent's license shall not be granted to an agent of a school which is located outside this Commonwealth unless the said school maintains educational standards and policies that are substantially equivalent to those prescribed herein for driver training schools in the Commonwealth of Pennsylvania

(d) Each agent shall display or produce his agent's license certificate when requested to do so by prospective students or a representative of the department

(9) Ownership

(a) Each individual proprietor of a school each member of a partnership association or company that owns a school and each officer and director of a corporation that owns a school who is directly connected with the conduct and operation of the educational program shall be a person of good moral character a citizen of the United States and at least twenty-one (21) years of age. The said persons and any school employee thereof shall not be addicted to the use of alcoholic liquors morphine cocaine or other drugs having a similar effect and shall not be mentally incompetent

(b) A license shall be granted to the owner of a particular school for the specific ownership constituency and the specific school situs designated in the application for a license. Any change in ownership or in school situs must be approved by the board prior to the date of the said change

(c) A change in ownership requires an application for an original license which application shall be submitted to the department at least thirty (30) days in advance of the effective date of the said change and the school shall not be conducted or operated under the new or different individual proprietorship partnership association company or corporation until and unless an original license has been granted and issued to the new or different ownership constituency

Section 5 (a) No private driver education or training school shall continue operation or be established within the Commonwealth unless such school shall within six (6) months after the effective date of this act apply for and obtain from the department a license in the manner and form prescribed by the department

(b) Within this Commonwealth no person or persons shall advertise in behalf of or solicit prospective students to enroll in a school to be established within the Commonwealth prior to the establishment of such school unless such person or persons shall apply to the department for a license in the manner and form prescribed by the department and shall receive from the department authorization to conduct such activities

(c) Within this Commonwealth no person or persons shall solicit prospective students to enroll in a school to be established outside the Commonwealth prior to the establishment of such school unless such person or persons shall apply for and obtain from the department an agent's license in the manner and form prescribed by the department

(d) No person or persons shall solicit any prospective student within this Commonwealth to enroll in a school located within or outside this Commonwealth unless such school has been approved by the department and unless such person or persons shall apply for and obtain from the department an agent's license in the manner and form prescribed by the department

Section 6 Before any license is issued a verified application shall be made in writing to the department on a form prepared and furnished by the department. An appli-

cation from a school shall require a statement showing (1) the title or name of the school or classes together with ownership and controlling officers thereof (2) the specific course of instruction which will be offered (3) the place or places where such instruction will be given (4) a specific listing of the equipment available for instruction in each field (5) the maximum enrollment to be accommodated on equipment available in each specific field (6) the qualifications of instructors and supervisors in each specific field (7) financial resources available to equip and to maintain the school or classes (8) such additional information as the department may deem necessary to enable it to determine the adequacy of the program of instruction and matters pertaining thereto (9) an expression of willingness at the discretion of the department at any time it may designate to provide a surety company bond in favor of the Commonwealth of Pennsylvania conditioned for the protection of the contractual rights of students

Section 7 If the department finds that the application and the school or classes or agent for which a license is sought complies with the provisions of this act and the rules and regulations of the department promulgated under the provisions of this act the department shall issue an original license to the applicant

Section 8 Any license issued to a school shall be restricted to the fields or courses specifically indicated in the application for a license. Any license issued to an agent shall be restricted to the school or schools specifically listed in the application for a license. A licensed school shall present a supplementary application as may be directed by the department for approval of additional fields or courses in which it is desired to offer instruction during the effective period of the license. A licensed agent desiring to solicit prospective students to enroll in schools other than those specifically listed in any application for license shall present a supplementary application as may be directed by the department for approval to solicit for such schools or additional schools

Section 9 Each original license issued shall be effective from the date of issue until the first day of July following the issuance of the original license and shall be renewed annually thereafter on a form prepared and furnished by the department. Each licensing year is to continue from the first day of July to the following thirtieth day of June inclusive. Each school shall have a separate license which shall not be transferable

Section 10 Each original application for a license to conduct a school shall be accompanied by a license fee of one hundred dollars (\$100) and each application for the renewal of such license shall be accompanied by a license fee of fifty dollars (\$50). No fee shall be charged for a supplementary application for the approval of additional fields or courses of instruction. Fees for agents shall be five dollars (\$5) per year. All license fees shall be paid into the General Fund in the State Treasury through the Department of Revenue. No license fees shall be refunded in the event any license is suspended or revoked

Section 11 The department shall maintain a list of schools and agents licensed under the provisions of this act which shall be available for the information of the public

Section 12 No private driver education or training school shall be granted a license or shall be permitted to continue to operate under a granted license unless

(1) It shall permit the department and its representatives to inspect the school or classes and shall make available to the department at any time when requested to do so full information pertaining to any or all items of information contained in the application form which is currently provided by the department to applicants for license

(2) It shall prominently display the current approved license where it may be inspected by students visitors and designated officials of the department

(3) The advertising and representatives made by anyone representing the school or classes as an agent or contractual agent to prospective students shall be free from misrepresentation or fraud



(a) A school shall not use any name other than its licensed name for advertising or publicity purposes nor shall a school advertise or imply that it is "supervised" "recommended" "endorsed" "accredited" or "approved" by the Department of Public Instruction or the Commonwealth of Pennsylvania

(b) A school shall not claim or imply that it is endorsed by colleges universities or other institutions of higher learning bus companies trucking associations automobile clubs or taxi companies unless written evidence of that fact is presented to the department by the endorsing college university bus company trucking association automobile club or taxi company

(c) A school shall not claim or imply that it will guarantee employment upon completion of the course or guarantee the securing of a license to drive an automobile

(d) A school shall not by means of "blind" advertisements or advertisements in the "help wanted" or other employment columns of newspapers and other publications solicit prospective students to enroll in the school

Section 13 The department shall have the power to refuse to issue and the power to suspend or revoke a license in any case where the department shall find

(1) That the licensee has violated any of the provisions of this act or any of the rules and regulations of the department

(2) That the applicant or licensee has knowingly presented to the department false incomplete or misleading information relating to licensure

(3) That the applicant or licensee has pleaded guilty entered a plea of nolo contendere or has been found guilty of a crime involving moral turpitude by a judge or jury in any State or Federal court

(4) That the applicant licensee or any employee in a school is addicted to the use of alcoholic liquors morphine cocaine or other drugs having a similar effect or is or shall become mentally incompetent

(5) That the applicant or licensee has failed or refused to permit the department or its representatives to inspect the school or classes or has failed or refused to make available to the department at any time when requested to do so full information pertaining to any or all items of information contained in an application for license or pertaining to the program of instruction and matters relating thereto

(6) That the applicant has failed or refused to submit to the department an application for license in the manner and form prescribed by the department

(7) That a licensed school has failed or refused to display the current approved license where it may be inspected by students visitors and designated officers of the department

(8) That a licensed agent has failed or refused to display or produce his license when requested to do so by prospective students or designated officials of the department

(9) That the applicant or licensee has failed to provide or maintain premises equipment or conditions which are adequate safe and sanitary in accordance with such standards of the Commonwealth or any of its political subdivisions as are applicable to such premises and equipment

(10) That the licensee has perpetrated or committed fraud or deceit in advertising the school or classes or in presenting to prospective students written or oral information relating to the school or classes or to employment opportunities

(11) That the licensee is employing teachers supervisors or administrators who have not been approved by the department or agents who have not been licensed by the department

(12) That the licensee has failed to provide and maintain adequate premises equipment materials or supplies or has exceeded the maximum enrollment for which the school or class was licensed

(13) That the licensee has failed to provide and maintain adequate standards of instruction or an adequate and qualified administrative supervisory or teaching staff

(14) That the applicant or licensee is unable to provide and maintain financial resources in sufficient amount to

equip and maintain adequately and effectively the school or classes

(15) That the licensee has move dthe school into new premises or facilities or has altered or made additions to premises or facilities before notifying the department of such change and before receiving from the department approval for the new premises or facilities alterations or additions

(16) That the licensee has offered training or instruction in courses or subjects which have not been approved and authorized by the department

(17) That a licensed agent has solicited prospective students to enroll in a school which has not been approved by the department and which is not listed on the license issued by the department

(18) That there was a change in the township of the school without the approval of the department

(19) That the school was operated or conducted under an ownership constituency not approved by the department

The procedure to be followed in the refusal suspension and revocation of licenses and in appeals taken from action of the department shall be that prescribed by the act approved the fourth day of June one thousand nine hundred forty-five (P. L. 1388) known as the "Administrative Agency Law" and its amendments

Section 14 The Department of Public Instruction shall have power to make adopt and enforce rules and regulations for the enforcement of this act The Superintendent of Public Instruction may appoint an advisory committee of seven members two members of which shall be selected from persons active in the private driver education field two members shall be public school administrators one member shall be from the membership of the Pennsylvania Association of Highway Safety Educators one member shall be from the personnel of the Department of Revenue and one member shall be from the personnel of the Pennsylvania State Police It shall be the duty of the committee to advise and to make recommendations to the department regarding rules and regulations for the licensing of schools and agents

Section 15 Any person who shall violate or fail to comply with any of the provisions of this act or any of the rules or regulations promulgated thereunder shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than fifty dollars (\$50) nor more than five hundred dollars (\$500) or to undergo imprisonment for not more than one (1) year or both If the violation shall lbe by a corporation partnership or association the officers and directors of such corporation or the members of such partnership or association its agents and employes with guilty knowledge of the fact shall also be guilty of misdemeanor and upon conviction thereof shall be punished as hereinbefore provided

Section 16 The provisions of this act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—203

Amarando,	Goodling,	Maxwell,	Rubin.
Andrews,	Graybill,	Mazza,	Sarraf.
Barker,	Greenwood,	McConnell,	Sax,
Barkdoll,	Greer,	McCormack,	Scanlon.
Baumunk,	Guarnieri,	McCullough,	Schmidt.
Bear,	Gutendorf,	McDermitt,	Schuster.
Beaver,	Guthrie,	McNally,	Scott,
Beach,	Hagerty,	McGee,	Seyler.
Berkstresser,	Hall,	McInroy,	Shoemaker,
Blair,	Hamilton, R. K.,	McKinney,	Shotwell,
Bloom,	Hamilton, W. H.,	McMillen,	Smith,
Boles,	Harney,	Metz,	Snider,
Bolton,	Haudenshield,	Mihm,	Sollenberger,
Bomberger,	Headlee,	Mikula,	Spencer,



Boorse, Bower, Breisch, Breth, Brown, Bucchin, Byrne, Cella, Clapper, Clendening, Cochran, Conway, Cooper, Corr, Costa, Coyle, Dalrymple, Davis, Dennison, Dougherty, Dowling, Duffy, Dunn, Erb, Ewing, Fenrich, Ferster, Filip, Filo, Firmstone, Flack, Frost, Gaffney, Geer, Gibson, Gleason, Good,	Helm, Hersch, Hewitt, Hocker, Hoggard, Hunter, Jenkins, Johnson, Jones, G. E., Jones, J. M., Jones, P. F., Jones, T. H. W., Jump, Kamyk, Keller, Kohl, Kornick, Kratz, Kubacki, Lederer, Lelsey, Leonard, L., Leonard, W. C., Leven, Light, Limper, Loftus, Lopresti, Lovett, Lutty, Lyons, Madden, Madigan, Markley,	Miller, H. G., Mills, Mintess, Monroe, Moore, C. E., Moore, H. A., Moran, Muldowney, Munley, Murray, Musto, Najaka, Naugle, Needham, Olsen, Penglase, Peta, Petrosky, Pettigrew, Pfaff, Pichney, Pitzer, Polaski, Polen, Price, H. W. Jr., Price, R. A., Readinger, Reagan, Reese, Relly, J. M., Rigby, Riley, R. L., Robertson, Rose, Rosen, Rovansek, Royer,	Stank, Stimmel, Stoner, Swartz, Swope, Tahl, Taylor, Thompson, E. F., Thompson, R. L., Toll, Tompkins, Toomey, VanSant, Varallo, Varner, Verona, Wachhaus, Wargo, Waterhouse, Watkins, Weidner, Welsh, Wescott, Westrick, Wheeler, White, Williams, Wilt, Wood, Yeakel, Yester, Young, Ziegler, Sorg, Speaker
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## NAYS—1

## NOT VOTING—3

DuBois,	Lafore,	Miller, J. C.,	Reidenbach,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1658, as follows:

A Joint Resolution proposing an amendment to article eight section eighteen of the Constitution of the Commonwealth of Pennsylvania by further providing for absentee voting by qualified war veterans

The General Assembly of the Commonwealth of Pennsylvania hereby resolves as follows

Section 1 The following amendment to the Constitution of Pennsylvania be and the same is hereby proposed in accordance with the provisions of the eighteenth article thereof

That section eighteen article eight is hereby amended to read as follows

Section 18 The General Assembly may by general law provide a manner in which and the time and place at which qualified war veteran voters may vote who are unable to attend at their proper polling places because of being bed-ridden or otherwise physically incapacitated and may provide for the return and canvass of their votes in the election district in which they respectively reside Positive proof of being bedridden or otherwise physically incapacitated shall be given by affidavit or by certification of a physician hospital or other authenticated source

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—204

Amarando, Andrews, Banker, Barkdoll, Baumunk, Bear, Beaver, Beech, Berkstresser, Blair, Bloom, Boles, Bolton, Bomberger, Boorse, Bower, Breisch, Breth, Brown, Bucchin, Byrne, Cella, Clapper, Clendening, Cochran, Conway, Cooper, Corr, Costa, Coyle, Dalrymple, Davis, Dennison, Dougherty, Dowling, DuBois, Duffy, Dunn, Erb, Ewing, Fenrich, Ferster, Filip, Filo, Firmstone, Flack, Frost, Gaffney, Geer, Gibson, Gleason,	Good, Goodling, Graybill, Greenwood, Geer, Guarnieri, Gutendorf, Guthrie, Hagerty, Hall, Hamilton, R. E., Hamilton, W. H., Harney, Haudenshield, Headlee, Helm, Hersch, Hewitt, Hocker, Hoggard, Hunter, Jenkins, Johnson, Jones, G. E., Jones, J. M., Jones, P. F., Jones, T. H. W., Jump, Kamyk, Keller, Kent, Kohl, Kornick, Kratz, Kubacki, Lederer, Lelsey, Leonard, L., Leonard, W. C., Leven, Light, Limper, Loftus, Lopresti, Lovett, Lutty, Lyons, Madden, Madigan, Markley,	Markley, Maxwell, Mazza, McConnell, McCullough, McCormack, McDermitt, McGee, McInroy, McKinney, McMillen, McNally, Melz, Mihm, Mikula, Miller, H. G., Mills, Mintess, Monroe, Moore, C. E., Moore, H. A., Moran, Muldowney, Munley, Murray, Musto, Najaka, Naugle, Needham, Olsen, Penglase, Peta, Petrosky, Pettigrew, Pfaff, Pichney, Pitzer, Polaski, Polen, Price, H. W. Jr., Price, R. A., Readinger, Reagan, Reese, Relly, J. M., Rigby, Riley, R. L., Robertson, Rose, Rosen, Rovansek,	Royer, Rubin, Sarraf, Sax, Scanlon, Schmidt, Schuster, Scott, Seyler, Shoemaker, Shotwell, Smith, Snider, Sollenberger, Spencer, Stank, Stimmel, Stoner, Swartz, Swope, Tahl, Taylor, Thompson, E. F., Thompson, R. L., Toll, Tompkins, Toomey, VanSant, Varallo, Varner, Verona, Wachhaus, Wargo, Waterhouse, Watkins, Weidner, Welsh, Wescott, Westrick, Whalley, Wheeler, White, Williams, Wilt, Wood, Yeakel, Yester, Young, Ziegler, Sorg, Speaker
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## NAYS—0

## NOT VOTING—3

Lafore,	Miller, J. C.,	Reidenbach,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1664, as follows:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to



deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by further fixing fees for annual registration and chassis and maximum gross weights of certain commercial vehicles

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 703 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the act approved the twenty-sixth day of May one thousand nine hundred forty-three (P. L. 618) is hereby further amended to read as follows

Section 703 Commercial Motor Vehicles and Truck Tractors with Pneumatic Tires Commercial motor vehicles and truck tractors with pneumatic tires other than those electrically operated shall be divided into eight (8) classes and the fee for annual registration of such vehicles in each of the respective classes based on the gross chassis weight as given and certified to by the manufacturer shall be as follows

#### Four-Wheeled

Class	Chassis Weight in Pounds	Fee
R....	Less than 2000 .....	\$ 16.50
S....	2000 and over but less than 3000 .....	26.00
T....	3000 and over but less than 4000 .....	35.00
U....	4000 and over but less than 5000 .....	45.00
V....	5000 and over but less than 6000 .....	70.00
W....	6000 and over but less than 7500 .....	96.00
Y....	7500 and over but less than 9000 .....	120.00
Z....	9000 and over .....	175.00

#### Six-wheeled (3 Axles)

Class	Chassis Weight in Pounds	Fee
RZ....	2000 and over but less than 3000 .....	\$ 40.00
SZ....	3000 and over but less than 4000 .....	50.00
TZ....	4000 and over but less than 5000 .....	60.00
UZ....	5000 and over but less than 6000 .....	98.00
VZ....	6000 and over but less than 7500 .....	168.00
WZ....	7500 and over but less than 9000 .....	186.00
YZ....	9000 and over but less than 12000 .....	215.00
ZZ....	12000 and over .....	250.00

#### Eight-wheeled (4 Axles in pairs) Commercial Vehicles

Class	Chassis Weight in Pounds	Fee
RX....	3000 and over but less than 4000 .....	\$ 50.00
SX....	4000 and over but less than 5000 .....	60.00

TX....	5000 and over but less than 6000 .....	106.00
UX....	6000 and over but less than 7500 .....	186.00
VX....	7500 and over but less than 9000 .....	203.00
WX....	9000 and over but less than 12000 .....	239.00
YX....	12000 and over but less than 13500 .....	294.00
ZX....	13500 and over .....	350.00

Section 2 Subsections (a) and (f) of section 903 of said act as last amended by the act approved the twenty-seventh day of April one thousand nine hundred forty-five (P. L. 328) is hereby further amended to read as follows

#### Section 903 Weight of Vehicles and Loads

(a) Commercial motor vehicles and truck tractors other than those electrically operated shall not be used or operated on any highway with gross weight exceeding those specified for the several classes and weights of chassis as follows

Four-wheeled (2 Axles) Class	Chassis Weight in Pounds	Maximum Gross Weight in Pounds
R....	Less than 2000 .....	5000
S....	2000 and over but less than 3000 .....	7000
T....	3000 and over but less than 4000 .....	11000
U....	4000 and over but less than 5000 .....	15000
V....	5000 and over but less than 6000 .....	19000
W....	6000 and over but less than 6000 .....	19000
W....	6000 and over but less than 7500 .....	23000
Y....	7500 and over but less than 9000 .....	27000
Z....	9000 and over .....	30000

#### Six-wheeled

(3 Axles) Class	Chassis Weight in Pounds	Maximum Gross Weight in Pounds
AZ....	2000 and over but less than 3000 .....	12000
SZ....	3000 and over but less than 4000 .....	14000
TZ....	4000 and over but less than 5000 .....	16000
UZ....	5000 and over but less than 6000 .....	24000
VZ....	6000 and over but less than 7500 .....	28000
WZ....	7500 and over but less than 9000 .....	32000
YZ....	9000 and over but less than 12000 .....	36000
ZZ....	12000 and over .....	40000

#### Eight-wheeled (4 Axles in pairs) Commercial Vehicles

Class	Chassis Weight in Pounds	Maximum Gross Weight in Pounds
RX....	3000 and over but less than 4000 .....	14000
SX....	4000 and over but less than 5000 .....	16000
TX....	5000 and over but less than 6000 .....	26000
UX....	6000 and over but less than 7500 .....	31000
VX....	7500 and over but less than 9000 .....	35000
WX....	9000 and over but less than 12000 .....	40000
YX....	12000 and over but less than 13500 .....	47000
ZX....	13500 and over .....	60000

\* \* \* \* \*

(f) No [six or more wheeled] three axle vehicle except fire department equipment and eight-wheeled (4 axles in pairs) commercial vehicles shall be operated upon any highway with [gross] weight in excess of [forty thousand (40,000) pounds or in excess of eight thousand (8000) pounds on the front axle or in excess of eighteen thousand (18,000) pounds on any one of the rear axles or] twenty thousand (20,000) pounds upon any one axle or in excess of thirty-six thousand (36,000) pounds on a pair of axles less than seventy-two (72) inches apart no vehicle shall be operated upon any highway with weight in excess of eight hundred (800) pounds on any one wheel for each nominal inch of width of tire on such wheel [and the two rear axles shall be parallel and shall not be less than thirty-six (36) inches apart]

\* \* \* \* \*

Section 3 Section 903 of said act is hereby amended by adding after subsection (f) thereof two new subsections to read as follows

#### Section 903 Weight of Vehicles and Loads

\* \* \* \* \*



(f.1) No six or more wheeled vehicle with two front axles and one rear axle except fire department equipment shall be operated upon any highway with gross weight in excess of forty-seven thousand (47,000) pounds or in excess of twenty thousand (20,000) pounds on any axle or in excess of eight hundred (800) pounds on any one wheel for each nominal inch of width of tire on such wheel and the two front axles shall be parallel and shall not be less than fifty (50) inches apart

(f.2) No eight or more wheeled vehicle with a pair of front axles and a pair of rear axles except fire department equipment shall be operated upon any highway with a gross weight in excess of sixty thousand (60,000) pounds or in excess of thirty-six thousand (36,000) pounds on a pair of axles less than seventy-two (72) inches apart or in excess of eight hundred (800) pounds on any one wheel for each nominal inch of width of tire on such wheel. The two front axles shall be parallel and shall not be less than fifty (50) inches apart and the two rear axles shall be parallel and shall not be less than fifty (50) inches apart

Section 4 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—203

Amarando,	Goodling,	Maxwell,	Rubin,
Andrews,	Graybill,	Mazza,	Sarrafa,
Banker,	Greenwood,	McConnell,	Sax,
Barkdoll,	Greer,	McCormack,	Scanlon,
Baumunk,	Guarnieri,	McCullough,	Schmidt,
Bear,	Gutendorf,	McDermitt,	Schuster,
Beaver,	Guthrie,	McGee,	Scott,
Beech,	Hagerty,	McInroy,	Seyler,
Berkstresser,	Hall,	McKinney,	Shoemaker,
Blair,	Hamilton, R. K.,	McMillen,	Shotwell,
Bloom,	Hamilton, W. H.,	McNally,	Smith,
Boles,	Harney,	Metz,	Snider,
Bolton,	Haudenschild,	Mihm,	Sollenberger,
Bomberger,	Headlee,	Mikula,	Spencer,
Boorse,	Helm,	Miller, H. G.,	Stank,
Bower,	Hersch,	Mills,	Stimmel,
Breisach,	Hewitt,	Mintess,	Stoner,
Breth,	Hocker,	Monroe,	Swartz,
Brown,	Hoggard,	Moore, C. E.,	Swope,
Bucchin,	Hunter,	Moore, H. A.,	Tahl,
Byrne,	Jenkins,	Moran,	Taylor,
Cella,	Johnson,	Muldowney,	Thompson, E. F.,
Clapper,	Jones, G. E.,	Munley,	Thompson, R. L.,
Clendening,	Jones, J. M.,	Murray,	Toll,
Cochran,	Jones, P. F.,	Musto,	Tompkins,
Conway,	Jones, T. H. W.,	Najaka,	Toomey,
Cooper,	Jump,	Naugle,	VanSant,
Corr,	Kamyk,	Needham,	Varallo,
Costa,	Keller,	Olsen,	Varnar,
Coyle,	Kent,	Penglase,	Verona,
Dalrymple,	Kline,	Peta,	Wachhaus,
Davis,	Kohl,	Petrosky,	Wargo,
Dennison,	Kolankiewicz,	Pettigrew,	Waterhouse,
Dougherty,	Kornick,	Pfaff,	Watkins,
Dowling,	Kratz,	Pichney,	Weidner,
Duffy,	Kubacki,	Pitzer,	Welsh,
Dunn,	Lederer,	Polaski,	Wescott,
Erb,	Leisey,	Polen,	Westrick,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Ferster,	Leven,	Readinger,	White,
Filip,	Light,	Reagan,	Williams,
Filo,	Limper,	Reese,	Wilt,
Firmstone,	Loftus,	Reilly, J. M.,	Wood,
Flack,	Lopresti,	Rigby,	Yeakel,
Frost,	Lovett,	Riley, R. L.,	Yester,
Gaffney,	Lutty,	Robertson,	Yetzer,
Geer,	Lyons,	Rose,	Young,
Gibson,	Madden,	Rosen,	Ziegler,
Gleason,	Madigan,	Rovansek,	Sorg,
Good,	Markley,	Royer,	Speaker

## NAYS—1

DuBois,

## NOT VOTING—3

Lafore,

Miller, J. C.,

Reidenbach,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1669, as follows:

An Act to amend section one thousand three hundred ten point one of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" by providing for the sale of escheatable property by the Secretary of Revenue The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one thousand three hundred ten point one of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" as added by the act approved the ninth day of May one thousand nine hundred forty-nine (P. L. 1013) is hereby amended to read as follows



Section 1310.1 [Conversion of Personal Property Taken Without Escheat Any personal property which has heretofore or shall hereafter come into the possession of the Secretary of Revenue without escheat shall from time to time be converted into cash in such manner and under such terms and conditions as may be fixed by the Court of Common Pleas of Dauphin County upon petition of the Secretary of Revenue The proceeds of such conversions shall be paid into the State Treasury and shall be subject to being refunded upon petition to the Board of Finance and Revenue in the same manner as other life refunds are made] Sale of Escheatable Property by the Secretary of Revenue Whenever the Secretary of Revenue shall come into the possession of any escheatable property other than cash or real estate either by escheat or without escheat it shall be lawful for him to convert such property into cash in the following manner The Secretary shall in the best interests of the Commonwealth determine whether the various items of property shall be sold singly or in lots He then shall advertise once a week for the period of at least three weeks in three newspapers of general circulation one in Dauphin County one in Philadelphia County and one in Allegheny County respectively describing the said property stating a time at which it shall be available for inspection and specifying a date at which bids will be received for the sale thereof Upon receipt of one or more bids the Secretary shall sell said property to the highest bidder but the Secretary may decline to accept any or all bids for the reason that he deems them to be inadequate Upon the sale of such property the purchaser shall take an absolute title and should the property consist of registered securities the person partnership or corporation issuing the same shall make a proper transfer on its books The proceeds of such sale shall be paid into the State Treasury If the property in question comes into the possession of the Secretary of Revenue without escheat the proceeds from the sale thereof shall be subject to refund in conformity with the provisions of the act approved the sixteenth day of May one thousand nine hundred nineteen (P. L. 177) entitled "An act providing for the payment into the State Treasury without escheat of certain moneys and property subject to escheat under the provisions of any act of the General Assembly and for the refund thereof with interest to persons entitled thereto and making an appropriation for such refund" its amendments and supplements but any money paid into the State Treasury in any such case shall be paid into it through the Department of Revenue

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—204

Amarando,	Goodling,	Maxwell,	Rubin,
Andrews,	Graybill,	Mazza,	Sarra,
Banker,	Greenwood,	McConnell,	Sax,
Barkdoll,	Greer,	McCormack,	Scanlon,
Baumunk,	Guarnieri,	McCullough,	Schmidt,
Bear,	Gutendorf,	McDermitt,	Schuster,
Beaver,	Guthrie,	McGee,	Scott,
Beech,	Hagerty,	McInroy,	Seyler,
Berkstresser,	Hall,	McKinney,	Shoemaker,
Blair,	Hamilton, R. K.,	McMillen,	Shotwell,
Bloom,	Hamilton, W. H.,	McNally,	Smith,
Boles,	Harney,	Metz,	Snider,
Bolton,	Haudenschild,	Mihm,	Sollenberger,
Bomberger,	Headlee,	Mikula,	Spencer,
Boorse,	Helm,	Miller, H. G.,	Stank,
Bower,	Hersch,	Mills,	Stimmel,
Breisch,	Hewitt,	Mintess,	Stoner,
Breth,	Hocker,	Monroe,	Swartz,
Brown,	Hoggard,	Moore, C. E.,	Swope,
Bucchin,	Hunter,	Moore, H. A.,	Tahl,
Byrne,	Jenkins,	Moran,	Taylor,
Cella,	Johnson,	Muldowney,	Thompson, E. F.,
Clapper,	Jones, G. E.,	Munley,	Thompson, R. L.,

Glendening,	Jones, J. M.,	Murray,	Toll,
Cochran,	Jones, P. F.,	Musto,	Tompkins,
Conway,	Jones, T. H. W.,	Najaka,	Toomey,
Cooper,	Jump,	Naugle,	VanSant,
Corr,	Kamyk,	Needham,	Varallo,
Costa,	Keller,	Olsen,	Varnier,
Coyle,	Kent,	Penglase,	Verona,
Dalrymple,	Kline,	Peta,	Wachhaus,
Davis,	Kohl,	Petrosky,	Wargo,
Dennison,	Kolankiewicz,	Pettigrew,	Waterhouse,
Dougherty,	Kornick,	Pfaff,	Watkins,
Dowling,	Kratz,	Pichney,	Weidner,
DuBois,	Kubacki,	Pitzer,	Welsh,
Duffy,	Lederer,	Polaski,	Wescott,
Dunn,	Leisey,	Polen,	Westrick,
Erb,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Ewing,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Fenrich,	Leven,	Readinger,	White,
Ferster,	Light,	Reagan,	Williams,
Filip,	Limper,	Reese,	Wilt,
Filo,	Loftus,	Reilly, J. M.,	Wood,
Firmstone,	Lopresti,	Rigby,	Yeakel,
Flack,	Lovett,	Riley, R. L.,	Yester,
Frost,	Lutty,	Robertson,	Yetzer,
Gaffney,	Lyons,	Rose,	Young,
Geer,	Madden,	Rosen,	Ziegler,
Gibson,	Madigan,	Rovanssek,	Sorg,
Gleason,	Markley,	Royer,	Speaker
Good,			

## NAYS—0

## NOT VOTING—3

Lafore,	Miller, J. C.,	Reidenbach,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 41, entitled:

A Supplement to the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by extending certain benefits heretofore granted to school employees entering the armed forces of the United States to certain other similarly qualified school employees

On the question,

Will the House agree to the bill on third reading?

Mr. SOLLENBERGER. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Sec. 1, page 2, line 2, by inserting after the word "districts" "or vocational school districts"

Amend Sec. 1, page 2, line 10, by inserting after the word "Commonwealth" the following: "other than the district by which employed immediately prior to entrance into the armed forces of the United States"

Amend Sec. 1, page 3, line 5, by striking out "A Like" and inserting in lieu thereof: "an"

Amend Sec. 1, page 3, line 5, by striking out the words "as the"

Amend Sec. 1, page 3, line 5, by striking out the word "of" and inserting in lieu thereof "to"



Amend Sec. 1, page 3, line 6, by inserting after the word "the" the following "amount of"

Amend Sec. 1, page 3, line 6, by striking out "on account of" and inserting in lieu thereof "otherwise required for a period equal to the period of"

Amend Sec. 1, page 3, line 6, by inserting after the word "such" the following "military"

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question recurring,

Will the House agree to the amendments?

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 104, entitled

An Act providing for the sentencing of persons convicted of certain crimes to an indeterminate sentence having a minimum of one day and a maximum of life in certain cases authorizing the criminal courts to impose such a sentence and certain temporary sentences in connection therewith requiring psychiatric examinations of such persons before the imposition of such a sentence conferring powers and imposing duties upon the Department of Welfare and the Pennsylvania Board of Parole and providing for the parole conditional parole or absolute discharge of persons so sentenced and the procedure relating thereto

On the question,

Will the House agree to the bill on third reading?

Mr. McKINNEY. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Title, page 1, line 4 from top of title, by striking out the word "sentences" and inserting in lieu thereof "confinement"

Amend Title, page 2, line 1 of title, by striking out the words "conditional parole or absolute discharge" and inserting in lieu thereof "and reparole"

Amend Sec. 1, page 2, line 3 by striking out the word "and" and inserting in lieu thereof "with intent to commit sodomy"

Amend Sec. 3, page 3, line 17, by striking out the word "imprisonment" and inserting in lieu thereof "confinement"

Amend Sec. 3, page 3, line 17, by striking out the word "jail" the following "in which"

Amend Sec. 3, page 4, line 1, by striking out "thirty (30)" and inserting in lieu thereof "sixty (60)"

Amend Sec. 3, page 4, line 5, by inserting after the word "make" the following "a"

Amend Sec. 3, page 4, lines 9 and 10, by striking out the word "imprisonment" and inserting in lieu thereof "confinement"

Amend Sec. 3, page 4, line 11 by striking out the word "now"

Amend Sec. 4, page 5, line 2, by inserting after the word "convicted" the following "either at a clinic State Hospital or other State institution designated by the court or"

Amend Sec. 4, page 5, line 3, by striking out the words

"imprisonment or" and inserting in lieu thereof "confinement or it"

Amend Sec. 4, page 5, line 5, by inserting after the word "purposes" the following "or State hospital or other State institution"

Amend Sec. 4, page 5, line 6, by striking out the word "clinic" and inserting in lieu thereof "institution"

Amend Sec. 5, page 5, line 19, by striking out the word "imprisonment" and inserting in lieu thereof "confinement"

Amend Sec. 5, page 5, line 19, by inserting after the word "provided" the following "and costs of transportation"

Amend Sec. 5, page 6, line 1, by inserting after the word "Welfare" the following "Provided, That, where the psychiatric examination is made by a psychiatrist designated by the court, the costs thereof shall be borne by the county."

Amend Sec. 5, page 6, line 3, by inserting after the word "a" the following "county jail"

Amend Sec. 6, page 6, lines 9 and 10, by striking out the words "for the purpose of affording such services"

Amend Sec. 6, page 6, line 13, by striking out the words "after conditional"

Amend Sec. 7, page 7, lines 8 and 9, by striking out the words "or discharge"

Amend Sec. 8, page 7, line 16, by inserting before the word "control" the following "exclusive"

Amend Sec. 8, page 7, line 16, by striking out the words "or discharge" and inserting in lieu thereof "and reparole"

Amend Sec. 8, page 7, line 17, by inserting after the word "a" the following "county jail"

Amend Sec. 8, page 7, line 19, by striking out the words "grant a"

Amend Sec. 8, page 7, line 19, by striking out the words "or absolute discharge to" and inserting in lieu thereof "and reparole and commit and recommit for violation of parole"

Amend Sec. 8, page 8, line 3, by striking out the word "discharge" and inserting in lieu thereof "reparole"

Amend Sec. 8, page 8, line 6, by striking out the words "and of"

Amend Sec. 8, page 8, line 7, by inserting after the word "reports" the following "and the view of the committing court"

Amend Sec. 9, page 8, line 11, by inserting after the word "parole" where it appears the first time the following "and"

Amend Sec. 9, page 8, line 11, by striking out the words "and discharge from parole"

Amend Sec. 10, page 8, lines 13 to 19 inclusive by striking out all of said lines

Amend Sec. 10, page 9, lines 1 to 12 inclusive by striking out all of said lines

Amend Sec. 11, page 9, line 13, by striking out the figure "11" and inserting in lieu thereof "10"

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

#### BILLS PASSED OVER

There being no objection

Senate Bill No. 319, Printer's No. 270

Senate Bill No. 494, Printer's No. 528

Senate Bill No. 500, Printer's No. 183



Senate Bill No. 502, Printer's No. 536  
 Senate Bill No. 503, Printer's No. 537  
 Senate Bill No. 504, Printer's No. 224  
 Senate Bill No. 656, Printer's No. 405  
 Senate Bill No. 658, Printer's No. 504  
 Senate Bill No. 675, Printer's No. 489  
 Senate Bill No. 676, Printer's No. 535  
 Senate Bill No. 677, Printer's No. 491  
 Senate Bill No. 678, Printer's No. 492  
 Senate Bill No. 679, Printer's No. 478  
 Senate Bill No. 680, Printer's No. 516  
 Senate Bill No. 681, Printer's No. 545  
 Senate Bill No. 682, Printer's No. 397  
 Senate Bill No. 708, Printer's No. 338  
 Senate Bill No. 729, Printer's No. 402 and  
 Senate Bill No. 742 Printer's No. 461.

were passed over at the request of the SPEAKER.

### REPORTS FROM COMMITTEES

Mr. POLASKI from the Committee on Cities—Third Class, reported as amended, House Bill No. 550, entitled:

An Act to further amend section 33 of the act, approved the twenty-fifth day of May, one thousand nine hundred forty-five (P. L. 1050), entitled "An act relating to the collection of taxes levied by counties, county institution districts, cities of the third class, boroughs, towns, townships, certain school districts and vocational school districts; conferring powers and imposing duties on tax collectors, courts and various officers of said political subdivisions; and prescribing penalties," by changing the salaries of the tax collector in cities of the third class.

Mr. FLACK from the Committee on Appropriations, reported as amended, House Bill No. 470, entitled:

An Act to further amend clause (e) of section 9 of the act approved the twenty-fourth of June one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" by increasing pensions for the blind and providing pensions for blind persons heretofore ineligible for pensions

Mr. WILLIAM C. LEONARD from the Committee on Professional Licensure, reported as committed, House Bill No. 1047, entitled:

An Act to further amend the act approved the first day of May, one thousand nine hundred twenty-nine (P. L. 1216) entitled "An act to define real estate brokers and real estate salesmen; and providing for the licensing, regulation, and supervision of resident and nonresident real estate brokers and real estate salesmen and their business," by further defining "real estate brokers" and "real estate salesmen" authorizing the issuance of limited real estate brokers' and salesmen's licenses within a limited field or branch of the real estate business and prescribing the powers and duties of the department and commission with respect thereto, further regulating licensing and the suspension and revocation of such li-

censes; prohibiting the use of names of real estate salesmen in the corporate or partnership names of corporations or partnerships engaged in the real estate business and further regulating the payment of commissions.

Mr. HAGERTY from the Committee on City and County—First Class, reported as committed, House Bill No. 1264, entitled:

An Act to further amend Section 1201 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners; counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by providing that in cities of the first class informations, charging violations of any summary provisions of The Vehicle Code shall be brought before the traffic court in such cities.

Mr. LYONS from the Committee on State Government, reported as committed, House Bill No. 1468, entitled:

An Act to add section 10.1 to the act approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employees' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employees, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds, imposing powers and duties upon the heads of departments in which State employees serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by providing for credit for years of service for certain former employees of the public school system.

Mr. HARRY W. PRICE, Jr. from the Committee on State Government, reported as committed, House Bill No. 1469, entitled:

An Act to add section 12.2 to the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "An act establishing a public school employees' retirement system, and creating a retirement board for the administration thereof, establishing certain funds from contributions by the Commonwealth and manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employees; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by providing for the furnishing of information and the transfer of certain moneys by the board to the State Employees' Retirement Board and Fund.



Mr. GOODLING from the Committee on State Government, reported as committed, House Bill No. 1583, entitled:

An Act to amend Section 450 of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative word of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employees in certain departments, boards and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments, boards and commissions shall be determined," by increasing the membership of the State Board of Public Assistance.

Mr. RUBIN from the Committee on Welfare, reported as committed, House Bill No. 1638, entitled:

An Act to further amend section thirteen of the act, approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 955), entitled, as amended "An act to promote public health, safety, morals, and welfare by declaring the necessity of creating public bodies, corporate and politic, to be known as housing authorities to engage in slum clearance, and to undertake project, to provide dwelling accommodations for persons of low income; providing for the organization of such housing authorities; defining their powers and duties; providing for the exercise of such powers, including the acquisition of property by purchase, gift or eminent domain, the renting and selling of property, and including borrowing money, issuing bonds, and other obligations, and giving security therefor; prescribing the remedies of abligees of housing authorities; authorizing housing authorities to enter into agreements, including agreements with the United States, the Commonwealth, and political subdivisions and municipalities thereof; defining the application of zoning, sanitary, and building laws and regulations to projects build to maintained by such housing authorities; exempting the property and securities of such housing authorities from taxation; and imposing duties and conferring powers upon the State Planning Board, and certain other State officers and departments," by providing that rentals to persons dependent upon veterans' benefits or public assistance or similar income payments from government agencies shall not be more than that charged to other families of comparable size and income.

Mr. BLAIR from the Committee on Fisheries, reported as committed, House Bill No. 1701, entitled:

An Act to amend the act, approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," by authorizing the stocking of waters on lands posted against trespassing when the public is permitted to fish therein.

Mr. PENGLASE from the Committee on State Government, reported as committed, House Bill No. 1710, entitled:

An Act to further amend Section 1 of the act, approved the twenty-fourth day of June, one thousand nine hundred nineteen (P. L. 579), entitled "An act to fix the salary and mileage of the members of the General Assembly, and to provide for the furnishing of such postage, stationery, and supplies, as may be necessary for the conduct of their offices, and repealing all acts or parts of acts inconsistent therewith," by increasing the salary of members of the General Assembly, and providing a salary and payment of expenses in the event of annual sessions.

Mr. LOVETT from the Committee on Appropriations, reported as committed, House Bill No. 1720, entitled:

An Act making an appropriation to the Department of Property and Supplies for the payment of rates, rentals and other charges that may become due on leases and other contracts executed by such department with The General State Authority, for the use and occupancy by the Commonwealth of various projects, structures, buildings and facilities of the Authority, or for the services rendered by the Authority or its projects.

Mr. STANK from the Committee on Appropriations, reported as committed, House Bill No. 1721, entitled:

An Act making an appropriation to the State Treasurer for the purpose of paying salaries and wages of State Officers and employees, and other ordinary and general expenses in the interim between the thirty-first day of May, one thousand nine hundred fifty-one, and such time as the funds provided by the General Appropriation Act become available, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred fifty-one.

Mr. SCHMIDT from the Committee on State Government, reported as committed, Senate Bill No. 763, entitled:

An Act to amend Section 6 of the act, approved the fifth day of June, one thousand nine hundred forty-seven (P. L. 422), entitled "An act authorizing the Department of Forests and Waters to provide for stream clearance and stream channel rectifications; to construct and maintain dams, reservoirs, lakes and other works and improvements for impounding flood waters, and conserving the water supply of the Commonwealth; and for creating additional recreational areas; to acquire by purchase, condemnation or otherwise, certain lands for such purposes; to construct and maintain flood forecasting and warning systems;" by extending the powers of the department in consulting, cooperating, negotiating and entering into contracts and agreements for planning, constructing, financing, maintaining and operating works or facilities.

Mr. DOWLING from the Committee on Judiciary, reported as committed, Senate Bill No. 819, entitled:

An Act to further amend the act approved the first day of June one thousand nine hundred forty-five (P. L. 1358) entitled "An act relating to chattel mortgages on any chattel or chattels of any kind or description including but not limited to livestock poultry farm machinery farm equipment and crops grown growing or to be grown designating the operation and effect of the lien of such mortgages providing for the filing indexing and docketing of such mortgages and related instruments in prothonotaries' offices and prescribing prothonotaries' fees providing for the filing in Pennsylvania of similar lien instruments originally filed or recorded in other states regulating the assignment release satisfaction and extension of the lien of such mortgages prescribing methods of foreclosure defining defaults and violations and fixing penalties" by providing that chattel mortgages may be given as security for principal obligations other than



bonds or notes eliminating the requirement of witnesses providing additional remedies to mortgages as against third persons and providing that the provisions of the act be liberally construed.

Mrs. VARALLO from the Committee on Appropriations, reported as committed, Senate Bill No. 836, entitled:

An Act making an appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred fifty-one.

### BILLS ON FIRST READING

Pursuant to a resolution adopted September 17, the following bills were read for the first time:

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1047, entitled:

An Act to further amend the act approved the first day real estate salesmen; and providing for the licensing, regulation, and supervision of resident and nonresident of May, one thousand nine hundred twenty-nine (P. L. 1216) entitled "An act to define real estate brokers and real estate brokers and real estate salesmen and their business," by further defining "real estate brokers" and "real estate salesmen" authorizing the issuance of limited real estate brokers' and salesmen's licenses within a limited field or branch of the real estate business and prescribing the powers and duties of the department and commission with respect thereto, further regulating licensing and the suspension and revocation of such licenses; prohibiting the use of names of real estate salesmen in the corporate or partnership names of corporations or partnerships engaged in the real estate business and further regulating the payment of commissions.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1583, entitled:

An Act to further amend Section 1201 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by providing that in cities of the first class informations, charging violations of any summary provisions of The Vehicle Code shall be brought before the traffic court in such cities.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1468, entitled:

An Act to add section 10.1 to the act approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employees' retirement system, and creating a retirement board for the administration thereof; establishing a certain funds from contributions by the Commonwealth and contributing State employees, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employees serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by providing for credit for years of service for certain former employees of the public school system.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1469, entitled:

An Act to add section 12.2 to the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "An act establishing a public school employees' retirement system, and creating a retirement board for the administration thereof, establishing certain funds from contributions by the Commonwealth and contributing employees, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employees; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by providing for the furnishing of information and the transfer of certain moneys by the board to the State Employees' Retirement Board and Fund.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1583, entitled:

An Act to amend Section 450 of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative words of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employees in certain departments, boards and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain



departments, boards and commissionh shal lbe determined," by increasing the membership of the State Board of Public Assistance.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1638, entitled:

An Act to further amend section thirteen of the act, approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 955), entitled, as amended "An act to promote public health, safety, morals, and welfare by declaring the necessity of creating public bodies, corporate and politic, to be known as housing authorities to engage in slum clearance, and to undertake projects, to provide dwelling accommodations for persons of low income; providing for the organization of such housing authorities; defining their powers and duties; providing for the exercise of such powers, including the acquisition of property by purchase, gift or eminent domain, the renting and selling of property, and including borrowing money, issuing bonds, and other obligations, and giving security therefor; prescribing the remedies of abligees of housing authorities; authorizing housing authorities to enter into agreements, including agreements with the United States, the Commonwealth, and political subdivisions and municipalities thereof; defining the application of zoning, sanitary, and building laws and regulations to projects build to maintained by such housing authorities; exempting the property and securities of such housing authorities from taxation; and imposing duties and conferring powers upon the State Planning Board, and certain other State officers and departments," by providing that rentals to persons dependent upon veterans' benefits or public assistance or similar income payments from government agencies shall not be more than that charged to other families of comparable size and income.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1701, entitled:

An Act to amend the act, approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," by authorizing the stocking of waters on lands posted against trespassing when the public is permitted to fish therein.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1710, entitled:

An Act to further amend Section 1 of the act, approved the twenty-fourth day of June, one thousand nine hundred nineteen (P. L. 579), entitled "An act to fix the salary and mileage of the members of the General Assembly, and to provide for the furnishing of such postage, stationery, and supplies, as may be necessary for the conduct of their offices, and repealing all acts or parts of acts inconsistent therewith," by increasing the salary of members of the General Assembly, and providing a salary and payment of expenses in the event of annual sessions.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1720, entitled:

An Act making an appropriation to the Department of Property and Supplies for the payment of rates, rentals and other charges that may become due on leases and other contracts executed by such department with The General State Authority, for the use and occupancy by the Commonwealth of various projects, structures, buildings and facilities of the Authority, or for the services rendered by the Authority or its projects.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1721, entitled:

An Act making an appropriation to the State Treasurer for the purpose of paying salaries and wages of State Officers and employes, and other ordinary and general expenses in the interim between the thirty-first day of May, one thousand nine hundred fifty-one, and such time as the funds provided by the General Appropriation Act become available, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred fifty-one.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 763, entitled:

An Act to amend Section 6 of the act approved the fifth day of June one thousand nine hundred forty-seven (P. L. 422) entitled "An act authorizing the Department of Forests and Waters to provide for stream clearance and stream channel rectifications to construct and maintain dams reservoirs lakes and other works and improvements for impounding flood waters and conserving the water supply of the Commonwealth and for creating additional recreational areas to acquire by purchase condemnation or otherwise certain lands for such purposes to construct and maintain flood forecasting and warning systems" by extending the powers of the department in consulting cooperating negotiating and entering into contracts and agreements for planning constructing financing maintaining and operating works or facilities.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 819, entitled:

An Act making an appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred fifty-one.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 836, entitled:



An Act to further amend the act approved the first day of June one thousand nine hundred forty-one (P. L. 1358) entitled "An act relating to chattel mortgages on any chattel or chattels of any kind or description including but not limited to livestock poultry farm machinery farm equipment and crops grown growing or to be grown designating the operation and effect of the lien of such mortgages providing for the filing indexing and docketing of such mortgages and related instruments in prothonotaries' offices and prescribing prothonotaries' fees providing for the filing in Pennsylvania of similar lien instruments originally filed or recorded in other states regulating the assignment release satisfaction and extension of the lien of such mortgages prescribing methods of foreclosure defining defaults and violations and fixing penalties" by providing that chattel mortgages may be given as security for principal obligations other than bonds or notes eliminating the requirement of witnesses providing additional remedies to mortgages as against third persons and providing that the provisions of the act be liberally construed.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

#### BILL INTRODUCED AND REFERRED

By Messrs. ROBERTSON, WILLIAM C. LEONARD  
and CLENDENING. HOUSE BILL No. 1726.

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the

operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers to local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by providing for restricted operators' licenses and learners' permits for minors under eighteen years of age.

Referred to the Committee on Motor Vehicles.

#### ADJOURNMENT

Mr. McKINNEY. Mr. Speaker, I move that this House do now adjourn until Thursday, September 20, 1951 at 11:00 a. m. EST.

The motion was agreed to, and (at 8:09 p. m. EST) the House adjourned.



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Session 1951.

139th of the General Assembly.

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HARRISBURG, PA., THURSDAY, SEPTEMBER 20, 1951.

No. 84.

## SENATE

THURSDAY, September 20, 1951.

The Senate met at 10:00 o'clock, a. m., Eastern Standard Time.

The PRESIDENT pro tempore (M. Harvey Taylor) in the Chair.

### PRAYER

In the absence of the Chaplain, the prayer was offered by the Senator from Berks, DOCTOR RUTH.

In the Name of the Father, and of the Son and of the Holy Spirit, Almighty God, we pray as these great problems come before us that we may think clearly, love deeply and have our faith firmly rooted in Thee. We ask it in Thy Holy Name. Amen.

### JOURNAL APPROVED

The PRESIDENT pro tempore. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WALKER and Mr. HARE, further reading was dispensed with, and the Journal was approved.

### BILLS SIGNED

The President pro tempore (M. HARVEY TAYLOR) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 745, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "Administrative Code of 1929," by creating the Pennsylvania Library Council; prescribing its powers and duties; providing for a State librarian and for certification of libraries and librarians and for minimum standards for public library service; and making an appropriation.

House Bill No. 1123, entitled:

An Act to provide for the registration and protection of trademarks and to secure the rights, property, and interests therein, providing for the assignment, cancellation and revocation thereof, and imposing penalties for violations, conferring powers and imposing duties upon the Secretary of the Commonwealth in the administration thereof, and to repeal all acts inconsistent therewith.

House Bill No. 1205, entitled:

An Act defining clinicopathologic laboratory; regulating the operation of the same; requiring such laboratories to obtain permits and to be operated under the direct supervision of a duly licensed physician or other qualified persons; imposing certain duties upon the Department of Health, and providing penalties.

House Bill No. 1351, entitled:

An Act to further amend subsection C of Section 1 of the act, approved the twenty-fifth day of June, one thousand nine hundred forty-seven (P. L. 1145), entitled "An act empowering cities of the second class, cities of the second class A, cities of the third class, boroughs, towns, townships, of the first class, school districts of the second class, school districts of the third class and school districts of the fourth class to levy, assess and collect or to provide for the levying, assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes; authorizing the establishment of bureaus and the appointment and compensation of officers and employees to assess and collect such taxes; and permitting penalties to be imposed and enforced; providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court," excluding taxes imposed on real property transfers in certain school districts in determining tax limitations.

House Bill No. 1445, entitled:

An Act to add section three hundred twenty-eight to the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "The Penal Code," by making it a crime to falsify a material fact or make fraudulent statements in any matter within the jurisdiction of any department, board or commission of the Commonwealth; and prescribing penalties.

House Bill No. 1480, entitled:

An Act to further amend the act approved the fifth day of December, one thousand nine hundred thirty-six (1937 P. L. 2897), entitled "Unemployment Compensation Law," by defining and re-defining certain terms; but further providing for the submission of reports by the department to the Governor concerning the administration and operation of the act, by providing for the selection of certain personnel on a civil service basis, by providing for the disposition of obsolete files and records, for reciprocal arrangements with foreign governments, for the modification of the manner in which contribution rates are determined and re-determined, for modification of the manner in which reports are filed and contributions paid, for modification of the provisions with respect to eligibility for benefits and the amount thereof, by conferring upon the department the right of appeal, by eliminating appeal filing fees, and by making further provisions for the prosecution of fraud and for recoupment of benefit payments.



House Bill No. 1505, entitled:

An Act to amend the act approved the twelfth day of June, one thousand nine hundred thirty-one (P. L. 510) entitled "An act providing for the licensure and regulation of certain private nursing homes and private hospitals; conferring certain powers and duties upon the Department of Welfare; and providing penalties," by further providing for the licensure and regulation of such nursing homes and hospitals.

Whereupon,

The President pro tempore (M. Harvey Taylor) in the presence of the Senate signed the same.

## HOUSE MESSAGES

### HOUSE CONCURS IN SENATE RESOLUTION

The Clerk of the House of Representatives being introduced, informed the Senate that the House has concurred in resolution from the Senate as follows:

#### TIME OF NEXT MEETING

In the Senate, September 17, 1951.

Resolved (if the House of Representatives concur), that when the Senate adjourns this week, it reconvene on Monday, September 24, 1951, at two o'clock P.M., Eastern Standard Time; and when the House of Representatives adjourns this week, it reconvene on Monday, September 24, 1951, at three thirty o'clock P.M., Eastern Standard Time.

### HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1480

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1480, entitled:

An Act to further amend the act approved the fifth day of December, one thousand nine hundred thirty-six (1937 P. L. 2897), entitled "Unemployment Compensation Law," by defining and re-defining certain terms; but further providing for the submission of reports by the department to the Governor concerning the administration and operation of the act, by providing for the selection of certain personnel on a civil service basis, by providing for the disposition of obsolete files and records, for reciprocal arrangements with foreign governments, for the modification of the manner in which contribution rates are determined and re-determined, for modification of the manner in which reports are filed and contributions paid, for modification of the provisions with respect to eligibility for benefits and the amount thereof, by conferring upon the department the right of appeal, by eliminating appeal filing fees, and by making further provisions for the prosecution of fraud and for recoupment of benefit payments.

### HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence bills of the House, as follows:

House Bill No. 74, entitled:

An Act to amend Article VIII of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "Vehicle Code," by requiring overhead exhaust outlets on diesel motor vehicles.

Which was committed to the Committee on Highways.

House Bill No. 1416, entitled:

An Act to amend the act, approved the eighteenth day of

April, one thousand nine hundred forty-nine (P. L. 512) entitled "Fiduciaries Act of 1949," by providing for the examination of safe deposit boxes rented in the names of decedents, by an appraiser appointed by the Secretary of Revenue.

Which was committed to the Committee on Finance.

House Bill No. 1607, entitled:

An Act providing for the marking of liquefied petroleum gas containers and prohibiting the refilling or use of such containers without authorization by the owner thereof; authorizing the Department of Labor and Industry, after public hearing, to prescribe uniform regulations for safety in design, construction, location, installation and operation of equipment for storing, handling, transporting by tank truck or tank trailer and utilizing liquefied petroleum gases for fuel purposes, and for the odorization of said gases used therewith; prohibiting the adoption by municipalities or other political subdivisions of ordinances or regulations in conflict with this act; providing for prosecutions for violations of this act by summary proceedings and prescribing the penalty therefor.

Which was committed to the Committee on Labor and Industry.

House Bill No. 1626, entitled:

An Act to further amend the act, approved the thirteenth day of May, one thousand nine hundred twenty-five (P. L. 644), entitled "An act relating to and regulating the solicitation of moneys and property for charitable, religious, benevolent, humane, and patriotic purposes," by extending its provisions to additional activities, agencies and purposes; requiring accounting; limiting administration costs and use of moneys collected; and further regulating solicitation and exemptions.

Which was committed to the Committee on State Government.

House Bill No. 1639, entitled:

An Act defining and providing for the licensing and regulation of private driver education or training schools; conferring powers and imposing duties on the Department of Public Instruction; and imposing penalties.

Which was committed to the Committee on Education.

House Bill No. 1658, entitled:

A Joint Resolution proposing an amendment to article eight, section eighteen of the Constitution of the Commonwealth of Pennsylvania by further providing for absentee voting by qualified war veterans.

Which was committed to the Committee on Judiciary General.

House Bill No. 1664, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "Vehicle Code," by further fixing fees for annual registration and chassis and maximum gross weights of certain commercial vehicles.

Which was committed to the Committee on Highways.

House Bill No. 1669, entitled:

An Act to amend section one thousand three hundred ten point one of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "Fiscal Code," by providing for the sale of escheatable property by the Secretary of Revenue.

Which was committed to the Committee on Finance.



## House Bill No. 1692, entitled:

An Act to reenact the title and to reenact and further amend the act, approved the sixteenth day of May, one thousand nine hundred thirty-five (P. L. 208), entitled as amended, "Corporate Net Income Tax Act" by further defining net income, changing the due date of certain payments, requiring additional reports and extending the provisions of the act for a further limited period of time.

Which was committed to the Committee on Finance.

## House Bill No. 1693, entitled:

An Act to further amend section three of the act approved the twenty-second day of June, one thousand nine hundred thirty-one (P. L. 694), entitled "An act imposing a tax on gross receipts as an excise on the use of the public highways by certain owners or operators of motor vehicles transporting passengers and property for hire," by eliminating certain deductions.

Which was committed to the Committee on Finance.

## House Bill No. 1694, entitled:

An Act to further amend section twenty-four of the act, approved the first day of June, one thousand eight hundred eighty-nine (P. L. 420), entitled "A further supplement to an act, entitled 'An act to provide revenue by taxation,' approved the seventh day of June, Anno Domini one thousand eight hundred and seventy-nine" by retroactively removing exemptions of life insurance companies and companies doing business upon the mutual plan, and certain purely mutual beneficial associations, from the State tax on gross premiums, premium deposits and assessments received from insurance business transacted within this commonwealth.

Which was committed to the Committee on Finance.

## House Bill No. 1695, entitled:

An Act to reenact the title and to reenact and amend the act, approved the twenty-fourth day of August, one thousand nine hundred fifty-one (Act No. 345), entitled "Corporation Income Tax Law" by further defining net income, changing the due date of certain payments, requiring additional reports and extending the provisions of the act for a further limited period of time.

Which was committed to the Committee on Finance.

## House Bill No. 1696, entitled:

An Act to further amend section one of the act, approved the fourth day of June, one thousand nine hundred fifteen (P. L. 820), entitled "An act to provide revenue by imposing a State tax upon sales or agreements to sell or memoranda of sales of stock, and upon deliveries or transfers of shares or certificates of stock in domestic and foreign corporations, copartnership associations, and joint-stock associations; providing the manner of collecting such tax, and prescribing penalties," by further regulating the imposition of the tax.

Which was committed to the Committee on Finance.

## House Bill No. 1697, entitled:

An Act to further amend section two of the act, approved the twentieth day of June, one thousand nine hundred nineteen (P. L. 521), entitled, as amended "Transfer Inheritance Tax Law" by increasing the rate of tax in certain instances from ten per centum to twenty per centum.

Which was committed to the Committee on Finance.

## House Bill No. 1698, entitled:

An Act to provide revenue by imposing a State tax upon certain documents, prescribing and regulating the method and manner of evidencing the payment of such tax; conferring powers and imposing duties upon certain persons, partnerships, associations, and corporations, recorders of deeds, and the Department of Revenue; saving certain local taxes and authorizing amendments, extensions and supplements to the ordinances and resolutions relating thereto; and providing penalties.

Which was committed to the Committee on Finance.

## House Bill No. 1699, entitled:

An Act to further amend the title and the act, approved the twentieth day of June, one thousand nine hundred nineteen (P. L. 521), entitled, as amended "Transfer Inheritance Tax law" by imposing duties on surviving parties and banks or other institutions or depositories of joint accounts or accounts in trust and by adding a new section pertaining to the opening and examining of safe deposit boxes of decedents and providing penalties.

Which was committed to the Committee on Finance.

The PRESIDENT pro tempore. The Chair calls to the rostrum the gentleman from Somerset, Mr. Hare, to preside.

The PRESIDING OFFICER (Fred P. Hare) in the Chair.

## NOMINATIONS BY THE GOVERNOR

## NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

## CONSIDERATION OF NOTARIES PUBLIC

Mr. WATSON. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on September 20, 1951.

Mr. WATKINS. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, September 20, 1951.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

## ALLEGHENY COUNTY

Miss Mildred Kronket, Pittsburgh, 6358 Alderson St.

## FAYETTE COUNTY

Joseph Breskin, Bullsken Twp., Acme.

## GREENE COUNTY

Miss Anna Louise Cree, Waynesburg.

## HUNTINGDON COUNTY

Mrs. Mary C. Hoffman, Huntingdon.



## INDIANA COUNTY

Miss Victress R. Smith, Blairsville.

## PHILADELPHIA COUNTY

Albert I. Gerb, 1639 W. Girard Ave.  
Miss Helen L. King, Drexel Institute of Technology,  
32d & Chestnut Sts.  
Sidney Malet, 1223 Bankers Securities Bldg.  
Walter H. Marchant, 2161 Longshore Ave.  
Mrs. Marilyn R. Sobel, 1519 Spruce St.

JOHN S. FINE.

A motion was made by Mr. WATSON and Mr. WATKINS, That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bane,	Haluska,	Meade,	Stiefel,
Barr,	Holland,	Neff,	Taylor,
Barrett,	Kessler,	Pechan,	Toole,
Berger,	Lane,	Peelor,	Wade,
Blass,	Leader,	Probert,	Wagner,
Byrne,	Letzler,	Robinson,	Walker,
Chapman,	Mahany,	Rosenfeld,	Watkins,
Crowe,	Mallery,	Ruth,	Watson,
Dent,	McCreesh,	Scarlett,	Wolfe,
Diehm,	McGinnis,	Silvert,	Wood,
DiSilvestro,	McMenamin,	Snowden,	Yosko,
Fleming,	McPherson, Jr.,	Stevenson,	Hare,
Freed			Presiding Officer

## NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

## BILL INTRODUCED AND REFERRED

Mr. STEVENSON read in his place and presented to the Chair Senate Bill No. 853, entitled

An Act to amend the act, approved the twenty-fourth day of May, one thousand nine hundred forty-five (P. L. 991), entitled "An act to promote elimination of blighted areas and supply sanitary housing in areas through the Commonwealth; by declaring acquisition, sound replanning and redevelopment of such areas to be for the promotion of health, safety, convenience and welfare; creating public bodies corporate and politic to be known as Redevelopment Authorities; authorizing them to engage in the elimination of blighted areas and to plan and contract with private, corporate or governmental redevelopers for their redevelopment; providing for the organization of such authorities; defining and providing for the exercise of their powers and duties, including the acquisition of property by purchase, gift or eminent domain; the leasing and selling of property, including borrowing money, issuing bonds and other obligations, and giving security therefor; restricting the interest of members and employees of authorities; providing for notice and hearing; supply certain mandory provisions to be inserted in contracts with redevelopers; prescribing the remedies of obligees of redevelopment authorities; conferring certain duties upon local planning commissions, the governing bodies of cities and counties, and on certain State officers, boards and departments," by providing for plans for partial development of a redevelopment area, and changing the procedure for the preparation and adoption of redevelopment proposals.

Which was committed to the Committee on Local Government.

## PETITIONS AND REMONSTRANCES

Mr. HALUSKA. Mr. President, we are now in the ninth or tenth month of this Session. We are all wondering as to the ultimate outcome, and when we are to adjourn sine die.

Mr. President, yesterday the House passed an alternative tax program that will come to the Senate sometime this morning, which may be the answer to our problem, but I rise in place to more or less dispel the thought that a number of my colleagues have and who are laboring under a misapprehension, and I think it is only fair on my part to give them the information that I have which may help to expedite the work of this Session.

Now, Mr. President, there are some of my colleagues on the right side of the house who definitely feel that Members from this side in sufficient number will come to their rescue to pass the wage tax. They call it an income tax, but I call it a wage tax in Pennsylvania. Mr. President, the Democratic Caucus has gone on record, twenty men have vowed that they will stand together and oppose the income tax to a man. Up to the present time not one of those twenty men has asked to be relieved from that pledge, and despite the many many rumors, I have a right to believe that the entire twenty Democratic Senators are standing pat in full opposition to the wage tax in Pennsylvania.

Mr. President, a number of my good friends from the Republican side have come to me in confidence. They have wanted to know what we are going to do, and that is why I want to give a statement publicly. You have a program that has passed the House, both the wage tax and the new package, and a great many of us on this side stand ready to help to pass a portion of the new package. Some of our Members may vote for all of it. We have not caucused on it, we have not seen the package, but, speaking off the record, we find we are willing to assist, because we are very much interested in one phase of this program, and that is to help the schoolteachers. House Bill No. 333 and House Bill No. 334, came out on the floor for debate; there is no reason for it, we are not ready for it, but with the hope in mind that probably the schoolteachers would come down here in droves and put the pressure upon us to vote for the wage tax.

Now, Mr. President, we are for the schoolteachers, we will vote for taxes to help the schoolteachers, but let it be known once and for all that it will not be a wage tax.

SENIOR CLASS OF MYERSTOWN HIGH SCHOOL  
PRESENTED TO SENATE

Mr. KESSLER. Mr. President, on behalf of my colleague, Senator Diehm, I would like to present to the Senate seventy-five Seniors of the Myerstown High School, Myerstown, Pennsylvania, who are here chaperoned by Mr. Frederick W. Lantz, Miss Mabel C. Immel and Mr. Harvey L. Nitrauer, Supervising Principal.

The PRESIDING OFFICER. The Chair wishes to welcome the class which appears under the sponsorship of Senator Diehm today, and we would ask the class to please stand in place and take a bow.



## HOUSE MESSAGES

## AMENDMENT TO HOUSE BILL NO. 1348 RECALLED FROM THE GOVERNOR

The Clerk of the House of Representatives being introduced, presented for concurrence, House Bill No. 1348, entitled:

An Act to amend Section 1 of the act, approved the eighth day of May, one thousand nine hundred one (P. L. 150) entitled "An act providing for the raising of revenue for State purposes, by imposing upon certain foreign corporations, limited partnership and joint stock associations a bonus of one-third of one per centum upon the capital actually employed in Pennsylvania, and requiring the filing of certain reports in the office of the Auditor General," by exempting from the provisions thereof foreign nonprofit corporations.

Said bill having been recalled from the Governor for amendment, the votes had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bill as amended, will appear on the Calendar.

## HOUSE INSISTS UPON ITS NON-CONCURRENCE IN AMENDMENTS TO HOUSE BILL NO. 1370 AND APPOINTS COMMITTEE OF CONFERENCE

He also informed the Senate that the House insists on its non-concurrence in Senate amendments to House Bill No. 1370, entitled:

An Act to further amend Section 2004 of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "Third Class City Law," by limiting to forty hours the work week of police officers in certain cases.

and has appointed Messrs. DARLYMPLE, DOWLING and POLASKI as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two houses in relation to said bill.

## SENATE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE HOUSE TO HOUSE BILL NO. 1370 AND APPOINTS COMMITTEE OF CONFERENCE

Mr. WALKER. Mr. President, I move that the Senate do insist upon its amendments to House Bill No. 1370, and that a Committee of Conference on the part of the Senate be appointed.

Mr. LETZLER. Mr. President, I second the motion.

The motion was agreed to.

The PRESIDING OFFICER. The Chair announces on behalf of the President pro tempore the appointment of Messrs. STEVENSON, FREED and RUTH as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (already appointed) to consider the differences existing between the two houses in relation to House Bill No. 1370.

Ordered, That the Clerk inform the House of Representatives accordingly.

## PERMISSION TO ADDRESS SENATE

Mr. DENT asked and obtained unanimous consent to address the Senate.

Mr. DENT. Mr. President, on behalf of Senator Stevenson and myself, I am introducing at this time a series of bills designed to secure the privileges of pensions built up by employees of municipalities, county and state governments. When an individual transfers now from one or the other, his pension, or rather his retirement benefits, are lost to him. We feel that unless legislation of this type, is passed, then the only fair thing to do would be to pass all-over coverage legislation, dovetailed into the Federal Security Act, but we think we can get by with this kind of legislation rather than having a dual retirement system.

Mr. President, I know that it is late in the day and the Session ought to be about over, and there is not too much time for study, but if we can get the bills printed, various Members can take them home with them, and those that do come back at the next Session of the Legislature may be in a position to correct a condition that may give us trouble later. I present all of these bills at this time.

## BILLS INTRODUCED AND REFERRED

Mr. DENT. Mr. President, I ask unanimous consent to introduce bills at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Messrs. DENT and STEVENSON read in place and presented to the Chair Senate Bill No. 854, entitled:

An Act to add section 324.1 and 324.2 to the act approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by providing for credit for years of service for certain former state employees and for the furnishing of information and the transfer of certain monies by the board to the State Employees' Retirement Board.

Which was committed to the Committee on State Government.

They also read in place and presented to the Chair Senate Bill No. 855, entitled:

An Act to add Sections 11.1 and 11.2 to the act, approved the twenty-eighth day of May, one thousand nine hundred fifteen (P. L. 596), entitled "An act requiring cities of the second class to establish a pension fund for employees of said cities, and regulating the administration and the payment of such pensions," by providing for credit for years of service for certain former State employees and for the furnishing of information and to the transfer of certain monies by the pension board to the State Employees' Retirement Board.

Which was committed to the Committee on State Government.

They also read in place and presented to the Chair Senate Bill No. 856, entitled:

An Act to add sections 10.2 and 10.3 to the act approved the fourth day of June, one thousand nine hundred thirty-seven (P. L. 1625) entitled "An act providing for the creation, maintenance and operation of a county employees



retirement system in counties of the third class; and imposing certain charges on counties," by providing for credit for years of service for certain former state employees and for the furnishing of information and the transfer of certain monies by the board to the State Employees' Retirement Board.

Which was committed to the Committee on State Government.

They also read in place and presented to the Chair Senate Bill No. 857, entitled:

An Act to add sections 10.1 and 10.2 to the act approved the fifth day of August, one thousand nine hundred forty-one (P. L. 803) entitled as amended "An act providing for the creation, maintenance and operation of a county employees' retirement system in counties of the fifth, sixth, seventh, and eighth class; imposing certain charges on counties, and prescribing penalties," by providing for credit for years of service for certain former state employees and for the furnishing of information and the transfer of certain monies by the board to the State Employees' Retirement Board.

Which was committed to the Committee on State Government.

They also read in place and presented to the Chair Senate Bill No. 858, entitled:

An Act to add section 11.1 and 11.2 to the act, approved the eighth day of July, one thousand nine hundred forty-one (P. L. 298), entitled "An act authorizing the creation of, and providing for, and regulating the maintenance and operation of a county employees' retirement system, in counties of the fourth class, imposing certain charges on counties, and fixing penalties," by providing for credit for years of service for certain former state employees and for the furnishing of information and the transfer of certain monies by the board to the State Employees' Retirement Board.

Which was committed to the Committee on State Government.

They also read in place and presented to the Chair Senate Bill No. 859, entitled:

An Act to add Sections 10.1 and 10.2 to the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employees' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employees, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employees serve; excepting annuities, allowances; returns, benefits, and rights from taxation and judicial process; and providing penalties," by providing for credit for years of service for certain former employees of counties and municipalities and for the furnishing of information and the transfer of certain moneys by the board to the retirement boards of counties and municipalities.

Which was committed to the Committee on State Government.

They also read in place and presented to the Chair Senate Bill No. 860, entitled:

An Act to add subdivision (d) to Article XLIII of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act

relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," by providing for credit for years of service for certain former State employees and for the furnishing of information and the transfer of certain monies by pension boards to the State Employees' Retirement Board.

Which was committed to the Committee on State Government.

They also read in place and presented to the Chair Senate Bill No. 861, entitled

An Act to add Section 10.1 and 10.2 to the act, approved the fourth day of June, one thousand nine hundred forty-three (P. L. 886), entitled as amended "An act creating a Municipal Employees' Retirement System for the payment of retirement allowances to officers and employees of political subdivisions and municipal authorities and of institutions supported and maintained by political subdivisions, and providing for the administration of the same by a board composed of certain state officers and other appointed by the Governor; imposing certain duties on the State Employees' Retirement Board and the actuary thereof; providing the procedure whereby political subdivisions and municipal authorities may join such system, and imposing certain liabilities and obligations on such political subdivisions and municipal authorities in connection therewith, and as to certain existing retirement and pension system, and upon officers and employees of such political subdivisions; institutions supported and maintained by political subdivisions, and upon municipal authorities; providing certain exemptions from taxation, execution, attachment, levy and sale; and making an appropriation," by providing for credit for years of service for certain former state employees and for the furnishing of information and the transfer of certain monies by the board to the State Employees' Retirement Board.

Which was committed to the Committee on State Government.

They also read in place and presented to the Chair Senate Bill No. 862, entitled

An Act to add Section 11.1 and 11.2 to the act, approved the twentieth day of May, one thousand nine hundred fifteen (P. L. 566), entitled "An act requiring cities of the first class to establish a pension fund for employees of said cities, and all county or other public employees, if any, paid by appropriation of the city councils thereof, and out of the treasury of said cities, and regulating the administration and the payment of such pensions," by providing for credit for years of service for certain former State employees and for the furnishing of information and the transfer of certain moneys by the Board of Pensions to the State Employees' Retirement Board.

Which was committed to the Committee on State Government.

### RECESS

Mr. WALKER. Mr. President, I move that the Senate do now take a recess until 2:00 o'clock p. m., Eastern Standard Time.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

### AFTER RECESS

The PRESIDING OFFICER. After Recess the time of recess having elapsed the Senate will be in order.

### REPORT FROM COMMITTEE

Mr. BARR. Mr. President, I ask unanimous consent to make report from committee at this time.



The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. BARR, from the Committee on Finance, reported as committed, House Bill No. 1669, entitled:

An Act to amend section one thousand three hundred ten point one of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "Fiscal Code," by providing for the sale of escheatable property by the Secretary of Revenue.

### BILL INTRODUCED AND REFERRED

Mr. PECHAN. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. PECHAN read in place and presented to the Chair Senate Bill No. 863, entitled:

An Act to amend the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 912), entitled "An act to regulate the drilling, and abandoning of oil and gas wells, and providing a penalty for violation of the provisions of this act," by requiring the approval of the Department of Mines, authorizing injunctions and changing the disposition of fines.

Which was committed to the Committee on Mines and Mining.

### HOUSE MESSAGES

#### HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced presented for concurrence bills of the House, as follows:

House Bill No. 1116, entitled:

An Act to further amend Section 1 and 2 of the act approved the twenty-fourth day of July, one thousand nine hundred thirteen, (P. L. 965), entitled "Commodities Weight and Measure Law," by defining further words and terms and regulating the sale of certain additional commodities.

Which was committed to the Committee on State Government.

House Bill No. 1118, entitled:

An Act making an appropriation from the Toll Bridge Fund to the Board of Finance and Revenue to meet interest and sinking fund requirements on Toll Bridge Bonds.

Which was committed to the Committee on Highways.

House Bill No. 1285, entitled:

An Act to further amend section four hundred forty-one of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "Administrative Code of 1929," by increasing the number of Workmen's Compensation Board members and the quorum thereof.

Which was committed to the Committee on Labor and Industry.

House Bill No. 1331, entitled:

An Act authorizing and directing the Department of Highways, to erect and maintain a bridge over the Susquehanna River, between a point in or near the Borough of Millersburg, Dauphin County, and a point in Perry County, and to provide the necessary approaches and

connections with State highways; empowering counties to pay certain damages; and making an appropriation.

Which was committed to the Committee on Highways.

House Bill No. 1428, entitled:

An Act to further amend the act, approved the seventeenth day of May, one thousand nine hundred seventeen (P. L. 208), entitled "Pharmaceutical Practice Law," by defining "prescription," further providing for meetings of the board and examination of pharmacists by the board, further regulating experience requirements of applicants for examination and registration as pharmacists; exempting physicians from certain requirements of the act.

Which was committed to the Committee on Public Health and Welfare.

House Bill No. 1429, entitled:

An Act to amend Section 1 of the act, approved the twenty-seventh day of April, one thousand nine hundred twenty-five (P. L. 299), entitled "A supplement to an act, approved the seventeenth day of May, one thousand nine hundred seventeen (P. L. 208), entitled "Pharmaceutical Practice Law," providing for the registration of apprentices in pharmacy, requiring employers of such apprentices to see that they are registered, and imposing penalties," by requiring persons entering reputable and properly chartered colleges of pharmacy to apply to the State Board of Pharmacy for registration and certification as registered apprentices.

Which was committed to the Committee on Public Health and Welfare.

House Bill No. 1544, entitled:

An Act imposing a permanent and a temporary State tax on fuels within the Commonwealth in internal combustion engines for the generation of power to propel motor vehicles using the public highways; providing for the collection and lien of the tax and the distribution and use of the proceeds thereof; requiring users, dealer-users and wholesalers to secure licenses and to file bonds as a guarantee of payment of taxes, penalties, interest, fines, uncollectible check fees and Attorney General's fees; to file reports and to compile and retain certain records; requiring registration of vehicles, dealers, and carriers for hire; imposing duties on such persons; imposing certain costs on counties; conferring powers and imposing duties on State officers and departments; providing for refunds of taxes, penalties and interest illegally or erroneously collected from licensees and providing penalties.

Which was committed to the Committee on Finance.

House Bill No. 1585, entitled:

An Act to amend Section 9 of the act, approved the eighteenth day of April, one thousand nine hundred forty-nine (P. L. 604), entitled "State Highway and Bridge Authority Act," by further providing for examination of the accounts and books of the Authority.

Which was committed to the Committee on Highways.

House Bill No. 1587, entitled:

An Act to amend section 8 of the act, approved the thirty-first day of March, one thousand nine hundred forty-nine (P. L. 372), entitled "The General State Authority Act of 1949," by further providing for examination of the accounts and books of the Authority.

Which was committed to the Committee on State Government.



House Bill No. 1606, entitled:

An Act to further amend the act, approved the first day of July, one thousand nine hundred thirty-seven (P. L. 2681) entitled "An Act relating to, and regulating and manufacture, storing, and possession of explosives; requiring permits for magazines, and prescribing permit fees; and providing penalties," by regulating the transportation of explosives, requiring permits for blasting, including prosecution by the Pennsylvania State Police, and otherwise extending the regulation of explosives and increasing fees.

Which was committed to the Committee on Labor and Industry.

House Bill No. 1625, entitled:

An Act to add section 14.1 and 14.2 to the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "State Employees Retirement Law," by changing the provisions thereof as to contributors who are qualified for retirement but who die before retirement; and making such changes retroactive in certain cases.

Which was committed to the Committee on State Government.

House Bill No. 1671, entitled:

An Act to amend Section 902 of the act, approved the first day of June, one thousand nine hundred forty-five (P. L. 1242), entitled "State Highway Law," by requiring the supervisors of townships of the second class to furnish the Department of Highways copies of petitions, ordinances, agreements and resolutions laying out or vacating public roads.

Which was committed to the Committee on Highways.

House Bill No. 1681, entitled:

An Act to amend Section 1 of the act approved the twenty-sixth day of May, one thousand nine hundred forty-nine (P. L. 1846), entitled, "An act fixing the salaries of State Mine Inspectors under the jurisdiction of the Department of Mines and the expenses incident to their office," by increasing the salary of Mine Inspectors.

Which was committed to the Committee on Appropriations.

House Bill No. 1682, entitled:

An Act to further amend section four of the act approved the twenty-ninth day of May, one thousand nine hundred forty-five (P. L. 1132), entitled, "An act to provide for the health and safety of persons employed in and about the coal mines in the Commonwealth of Pennsylvania; the protection and preservation of property connected therewith; the appointment of first aid and mine rescue instructors by the Secretary of Mines, with the approval of the Governor; fixing their salaries and qualifications; providing for the purchase of trucks and necessary equipment to carry on the work and making an appropriation therefor," by further increasing the salary of the first aid and mine rescue instructors.

Which was committed to the Committee on Appropriations.

House Bill No. 1683, entitled:

An Act to further amend Section 2 of the act approved the twenty-fifth day of April, one thousand nine hundred forty-five (P. L. 289), entitled "An act providing for the health and safety of persons employed in and about the coal mines of the Commonwealth of Pennsylvania; the protection and preservation of property connected

therewith; the appointment of electrical inspectors by the Secretary of Mines with the consent and approval of the Governor; the fixing of their salaries and necessary expenses incurred in the performance of their duties; and the fixing of the qualifications which shall be possessed by persons appointed to the position of electrical inspector," by increasing the salary of electrical inspectors.

Which was committed to the Committee on Appropriations.

House Bill No. 1705, entitled:

An Act appropriating certain surplus funds to the Department of Public Assistance upon the exhaustion of its appropriation.

Which was committed to the Committee on Appropriations.

House Bill No. 1706, entitled:

An Act authorizing the Department of Property and Supplies, which the approval of the Governor and the Board of Trustees of Hazleton State Hospital, to acquire three tracts of land for the use of the Hazleton State Hospital; and making an appropriation therefor.

Which was committed to the Committee on Appropriations.

House Bill No. 1715, entitled:

An Act making an appropriation to The Brandywine Battlefield Park Commission for the payment of necessary expenses.

Which was committed to the Committee on Appropriations.

House Bill No. 1716, entitled

An Act to further amend Section 25 of the act, approved the twenty-first day of January, one thousand nine hundred forty-seven (P. L. 3), entitled "An act relating to officers and employes of the General Assembly; fixing the number, qualifications, compensation, mileage and duties of the officers and employes of the Senate and of the House of Representatives; providing for their election or appointment, term of office, or of service, removal, and manner of filling vacancies; and making appropriations to the Senate, House of Representatives and Legislative Reference Bureau," by changing the compensation of the messenger of the majority leader of the House of Representatives.

Which was committed to the Committee on Appropriations.

#### HOUSE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 757

He also informed the Senate that the House has adopted the report of Committee on Conference on House Bill No. 757, entitled:

An Act to add Article XVII to the act, approved the seventh day of March, one thousand nine hundred one (P. L. 20), entitled "Second Class City Law," by providing for the establishment of a traffic court in cities of the second class.

The PRESIDING OFFICER. The Report of the Committee of Conference will appear on the Calendar.

#### AMENDMENT TO HOUSE BILL No. 815 RECALLED FROM THE GOVERNOR

He also presented for concurrence, House Bill No. 815, entitled:



An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905) entitled "Vehicle Code," by providing that the Department of Revenue furnish one registration plate for every vehicle.

Said bill having been recalled from the Governor for amendment, the votes had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bill as amended, will appear on the Calendar.

AMENDMENT TO HOUSE BILL No. 548  
RECALLED FROM THE GOVERNOR

He also presented for concurrence, House Bill No. 548, entitled:

An Act to amend Subsection (c) of Section 823, and to add Section 823.1 and 823.2 to the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905) entitled "Vehicle Code," by providing that certificates of inspection shall contain a description of the vehicle including manufacturer's serial number and providing penalties for counterfeiting, theft, removal or transfer of certificates of inspection.

Said bill having been recalled from the Governor for amendment, the votes had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bill as amended, will appear on the Calendar.

HOUSE CONCURS IN AMENDMENTS TO  
HOUSE BILL No. 1027

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1027, entitled:

An Act to amend subsection (b) of Section 4 of the act, approved the twenty-third day of May, one thousand nine hundred forty-five (P. L. 903), entitled "An act authorizing cities of the third class to establish an optional retirement system for officers and employees independently of any pension system or systems existing in such cities," limiting rights to involuntary retirement.

HOUSE CONCURS IN AMENDMENTS TO  
HOUSE BILL No. 1554

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1554, entitled:

An Act to authorize the Secretary of Public Assistance of the Commonwealth of Pennsylvania to apply to the Secretary of Agriculture of the United States for the return of assets of the former Pennsylvania Rural Rehabilitation Corporation, to receive, deposit, and administer such assets for rural rehabilitation or other authorized purposes, and to enter into agreements with the Secretary of Agriculture of the United States with respect to the future administration of said assets.

HOUSE CONCURS IN AMENDMENTS TO SENATE  
BILL No. 739 RECALLED FROM THE GOVERNOR

He also informed the Senate that the House has con-

curred in amendments made by the Senate to Senate Bill No. 739, entitled:

An Act creating Mercy-Douglass State Hospital in Philadelphia County and authorizing the Department of Property and Supplies to sublease said Hospital to Mercy-Douglass Hospital and providing for the management thereof by the Board of Trustees of Mercy-Douglass Hospital.

Said bill having been recalled from the Governor for the purpose of amendment. The votes had on final passage and third reading were reconsidered in the Senate and the bill amended.

HOUSE CONCURS IN AMENDMENTS TO SENATE  
BILL No. 407 RECALLED FROM THE GOVERNOR

He also informed the Senate that the House has concurred in amendments made by the Senate to Senate Bill No. 407, entitled:

An Act to further amend the title and section one of the act approved the third day of May one thousand nine hundred and nine (P. L. 424) entitled as amended "An act providing that in all counties of the first second third fourth fifth and sixth class advertisements and notices required by law or rules of court to be published in newspapers of general circulation unless dispensed with by special order of court shall be published in the legal newspaper issued at least weekly of the proper county designated by rules of court for the publication of court or other legal notices" by extending the provisions of the said act to all counties and further defining publications excepted from its operation.

Said bill having been recalled from the Governor for the purpose of amendment. The votes had on final passage and third reading were reconsidered in the Senate and the bill amended.

HOUSE INSISTS UPON ITS AMENDMENTS NON-  
CONCURRED IN BY THE SENATE TO SENATE  
BILL No. 598

He also presented communication from the House of Representatives informing the Senate that the House insists upon its amendments non-concurred in by the Senate to Senate Bill No. 598, entitled:

An Act to further amend Section 10 of the act approved the twenty-ninth day of May one thousand eight hundred eighty-five (P. L. 29) entitled "An act to provide for the incorporation and regulation of natural gas companies" by providing that natural gas companies shall have the right of eminent domain for underground storage of natural gas or manufactured fuel gas and regulating the exercise of such right.

SENATE INSISTS UPON ITS NON-CONCURRENCE IN  
THE AMENDMENTS MADE BY THE HOUSE TO  
SENATE BILL No. 598 AND APPOINTS A  
COMMITTEE OF CONFERENCE

Mr. WALKER. Mr. President, I move that the Senate insist upon its non-concurrence in the amendments made by the House to Senate Bill No. 598, and that a Committee of Conference on the part of the Senate be appointed.

Mr. McPHERSON. Mr. President, I second the motion. The motion was agreed to.

COMMITTEE OF CONFERENCE APPOINTED ON  
SENATE BILL No. 598

The PRESIDING OFFICER. The Chair announces on



behalf of the President pro tempore the appointment of Messrs. STEVENSON, PECHAN and DENT, as a committee of conference on the part of the Senate to confer with a similar committee of the House (if the House shall appoint such committee) to consider the differences existing between the two houses in relation to Senate Bill No. 598.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### HOUSE INSISTS UPON ITS NON-CONCURRENCE IN AMENDMENTS TO HOUSE BILL No. 1056 AND APPOINTS COMMITTEE OF CONFERENCE

He also informed the Senate that the House insists on its non-concurrence in Senate amendments to House Bill No. 1056, entitled:

An Act to further amend clause (q) of section seven hundred thirty-one of the act, approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225), entitled "The Game Law," by providing additional penalties.

and has appointed Messrs. TOMPKINS, GOODLING and BRETH as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two houses in relation to said bill.

#### SENATE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE HOUSE TO HOUSE BILL No. 1056 AND APPOINTS COMMITTEE OF CONFERENCE

Mr. WALKER. Mr. President, I move that the Senate do insist upon its amendments to House Bill No. 1056, and that a Committee of Conference on the part of the Senate be appointed.

Mr. BLASS. Mr. President, I second the motion.  
The motion was agreed to.

#### BILLS INTRODUCED AND REFERRED

Mr. BARR. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Messrs. BARR, FLEMING, WALKER, and YOSKO read in place and presented to the Chair Senate Bill No. 864, entitled:

An act to further amend the act, approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 1053), entitled "An act relating to the regulation of public utilities; defining as public utilities certain corporations, companies, associations, and persons; providing for the regulation of public utilities, including, to a limited extent, municipalities engaging in public utility business, by prescribing, defining, and limiting their duties, powers, and liabilities, and regulating the exercise, surrender, or abandonment of their powers, privileges, and franchises; defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle; conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons, associations, companies, and corporations, including, to a limited extent, municipal corporations subject to this act, and administering the provisions of this act; authorizing the commission to fix temporary rates; placing the burden of

proof on public utilities to sustain their rates and certain other matters; authorizing a permissive or mandatory sliding scale method of regulating rates; providing for the supervision of financial and contractual relations between public utilities and affiliated interests, and supervision and regulation of accounts and securities or obligations issued, assumed or kept by persons, associations, companies, corporations, or municipal corporations subject to this act; conferring upon the commission power to vary, reform, or revise certain contracts; conferring upon the commission the exclusive power to regulate or order the construction, alteration, relocation, protection, or abolition of crossings of facilities of public utilities, and of such facilities by or over public highways, to appropriate property for the construction of improvement of such crossings, and to award or apportion resultant costs and damages; authorizing owners of such property to sue the Commonwealth for such damages; providing for ejectment proceedings in connection with the appropriation of property for crossings; conferring upon the commission power to control and regulate budgets of public utilities; imposing upon persons, associations, companies and corporations (except municipal corporations) subject to regulation, the cost of administering this act; prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action; giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings; prescribing penalties, fines, and imprisonment for violations of the provisions of this act and regulations and orders of the commission, and the procedure for enforcing such fines and penalties; and repealing legislation supplied and superseded by or inconsistent with this act," by requiring the issuance of an order, and in certain cases, a preliminary hearing prior thereto, by the commission before the effective date of certain voluntary rate increases; making such order the basis of appeal; and setting forth when such appeal may act as a supersedas.

Which was committed to the Committee on Corporations.

Mr. TAYLOR. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. TAYLOR read in place and presented to the Chair Senate Bill No. 865, entitled:

An Act making an appropriation to the Department of Forests and Waters for a survey and research study of the extent of infection of woodlands of Pennsylvania by the oak wilt disease, and the determination of measures for control and eradication.

Which was committed to the Committee on Appropriations.

#### CALENDAR

#### BILLS ON CONCURRENCE IN HOUSE AMENDMENTS

#### BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 615, on concurrence in House amendments, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting



the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by increasing annual registration fees for certain commercial motor vehicles truck tractors trailers and semi-trailers prescribing additional equipment requirements for certain vehicles increasing the maximum gross weights and axle loads allowed for certain vehicles changing the requirements for weighing vehicles removal of excess loads and prescribing and changing penalties providing that certain penalties shall be enforced by liens upon vehicles and the sale of such vehicles free of all liens and encumbrances and imposing duties upon operators owners magistrates and sheriffs.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 688, on concurrence in House amendments, entitled:

An Act to further amend Section 303 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" by directing that an allowance be paid to certain county controllers for the expenses pertaining to the institution district for a temporary period

go over in its order, temporarily.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 752, on concurrence in House amendments, entitled:

An Act to further amend the act approved the twenty-sixth day of June one thousand nine hundred thirty-one (P. L. 1379) entitled "An act creating in counties of the third class a board for the assessment and revision of taxes providing for the appointment of the members of such board by the county commissioners providing for their salaries payable by the county abolishing existing boards defining the powers and duties of such board regulating the assessment of persons property and occupation for county borough town township school and poor purposes authorizing the appointment of subordinate assessors a solicitor engineers and clerks providing for

their compensation payable by such counties abolishing the office of ward borough and township assessors so far as the making of assessments and valuations for taxation is concerned and providing for the acceptance of this act by cities" by further regulating the assessment and valuation of property for local taxation purposes further defining the duties of subordinate assessors and the board changing the time for the preparation and inspection of the assessment roll and duplicate assessment roll notice of appeal and hearings on appeals prescribing duties of and fees to be collected by municipal officers who issue building permits imposing duties on taxables making improvements on land and grantees of land and prescribing penalties

go over in its order temporarily.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

### THIRD READING CALENDAR

#### BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 589, as follows:

An Act to amend section one thousand one hundred forty-seven of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further providing for additional increments for holders of college certificates or Masters' Degrees

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one thousand nine hundred forty-four of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" is hereby amended to read as follows

Section 1144 Additional Increments for College Certificate or Master's Degree Any professional employe or temporary professional employe who during the term of his employment shall receive a college certificate or shall earn a Master's Degree shall commencing with the next succeeding school term be entitled to the compensation prescribed for his new status which shall be at least two hundred dollars (\$200) in excess of the increment earned by him during the previous year

And temporary professional employe who holds a Master's Degree at the time of his initial employment in the public schools of this Commonwealth shall receive commencing with the second year of service compensation of at least two hundred dollars (\$200) in excess of that to which such employe would otherwise be entitled

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	Meade,	Stiefel,
Barr,	Holland,	Neff,	Taylor,
Barrett,	Kessler,	Pechan,	Toole,
Berger,	Lane,	Peelor,	Wade,
Blam,	Leader,	Probert,	Wagner,



Byrne,  
Chapman,  
Crowe,  
Dent,  
Diehm,  
DiSilvestro,  
Fleming,  
Freed,

Letzler,  
Mahany,  
Mallery,  
McCreesh,  
McGinnis,  
McMenamin,  
McPherson, Jr.,

Robinson,  
Rosenfeld,  
Ruth,  
Scarlett,  
Silvert,  
Snowden,  
Stevenson,

Walker,  
Watkins,  
Watson,  
Wolfe,  
Wood,  
Yosko,  
Hare,  
Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 590, as follows:

An Act to amend section one thousand one hundred forty-four of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further providing for increments for professional employes holding a Master's Degree or its equivalent

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one thousand one hundred forty-four of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" is hereby amended to read as follows

Section 1144 Additional Increments for College Certificate or Master's Degree Any professional employe who during the term of his employment shall receive a college certificate or shall earn a Master's Degree shall commencing with the next succeeding school term be entitled to the compensation prescribed for his new status which shall be at least two hundred dollars (\$200) in excess of the increment earned by him during the previous year

Any professional employe who is the holder of a Master's Degree or its equivalent earned prior to the end of the school year 1947-48 and received less than two hundred dollars (\$200) remuneration therefor shall receive during the school term following the effective date of this act the sum of two hundred dollars (\$200) or the difference between the amount paid on account of such degree and two hundred dollars (\$200) which sum shall be paid in addition to the minimum salary and increments required to be paid under this act provided no board of school directors or board of public education shall be required to pay any such employe an amount in excess of the maximum salary and increments to which such employe is entitled under this schedule

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bane,  
Barr,  
Barrett,  
Berger,  
Blass,  
Byrne,  
Chapman,  
Crowe,

Haluska,  
Holland,  
Kessler,  
Lane,  
Leader,  
Letzler,  
Mahany,  
Mallery,

Meade,  
Neff,  
Pechan,  
Peelor,  
Propert,  
Robinson,  
Rosenfeld,  
Ruth,

Stiefel,  
Taylor,  
Toole,  
Wade,  
Wagner,  
Walker,  
Watkins,  
Watson,

Dent,  
Diehm,  
DiSilvestro,  
Fleming,  
Freed,

McCreesh,  
McGinnis,  
McMenamin,  
McPherson, Jr.,

Scarlett,  
Silvert,  
Snowden,  
Stevenson,

Wolfe,  
Wood,  
Hare,  
Yosko,  
Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

## BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 652, on third reading, entitled:

An Act to further amend the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances return benefits and rights from taxation and judicial process and providing penalties" by providing credit for retirement purposes for out-of-state service in certain cases.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

## BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 835, as follows:

An Act to amend the act approved the twelfth day of April one thousand nine hundred fifty-one (P. L. 90) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" by increasing license and filing fees.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (a) of Section 403 Section 405 subsection (b) of Section 409 subsections (b) and (c) of Section 410 and Sections 435 439 and 469 of the act approved the twelfth day of April one thousand nine hundred fifty-one (P. L. 90) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages



and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" are hereby amended to read as follows

Section 403 Applications for Hotel Restaurant and Club Liquor Licenses (a) Every applicant for a hotel liquor license restaurant liquor license or club liquor license shall file a written application with the board in such form and containing such information as the board shall from time to time prescribe which shall be accompanied by a filing fee of [ten] twenty dollars the prescribed license fee and the bond hereinafter specified Every such application shall contain a description of that part of the hotel restaurant or club for which the applicant desires a license and shall set forth such other material information description or plan of that part of the hotel restaurant or club where it is proposed to keep and sell liquor as may be required by the regulations of the board

Section 405 Licenses Fees (a) License fees for hotel and restaurant liquor licenses shall be graduated according to the population of the municipality as determined by the last preceding decennial census of the United States in which the hotel or restaurant is located as follows

In municipalities having a population of less than fifteen hundred inhabitants [one hundred fifty dollars (\$150.00)] two hundred dollars (\$200.00)

In municipalities except townships having a population of fifteen hundred and more but less than ten thousand inhabitants and in townships having a population of fifteen hundred and more but less than twelve thousand inhabitants [two hundred dollars (\$200.00)] two hundred fifty dollars (\$250.00)

In municipalities except townships having a population of ten thousand and more but less than fifty thousand inhabitants and in townships having a population of twelve thousand and more but less than fifty thousand inhabitants [three hundred dollars (\$300.00)] three hundred seventy-five dollars (\$375.00)

In those having a population of fifty thousand and more but less than one hundred thousand inhabitants [four hundred dollars (\$500.00)] five hundred dollars (\$500.00)

In those having a population of one hundred thousand and more but less than one hundred fifty thousand inhabitants [five hundred dollars (\$500.00)] six hundred dollars (\$600.00)

In those having a population of one hundred fifty thousand and more inhabitants [six hundred dollars (\$600.00)] seven hundred dollars (\$700.00)

(b) Every applicant for a club liquor license shall pay to the board a license fee of [fifty dollars (\$50.00)] one hundred dollars (\$100.00) except clubs to which catering licenses are issued in which cases the license fees shall be the same as for hotels and restaurants located in the same municipality

(c) All license fees authorized under this section shall be collected by the board for the use of the municipalities in which such fees were collected

Section 409 Sacramental Wine Licenses Fees Privileges Restrictions \* \* \* \* \*

(b) Every applicant for a sacramental wine license shall file a written application with the board in such form as the board shall from time to time prescribe which shall be accompanied by a filing fee of [ten] twenty dollars a license fee of one hundred dollars and a bond as hereinafter prescribed Every such application shall contain a description of the premises for which the applicant desires a license and shall set forth such other material information as may be required by the board

Section 410 Liquor Importers' Licenses Fees Privileges Restrictions \* \* \* \* \*

(b) Every applicant for an importer's license shall file a written application with the board in such form as the board shall from time to time prescribe which shall be accompanied by a filing fee of [ten] twenty dollars a

license fee of one hundred dollars and a bond as hereinafter required Every such application shall contain a description of the principal place of business for which the applicant desires a license and shall set forth such other material information as may be required by the board

(c) The holder of an importer's license may have included in such license one warehouse wherein only his liquor may be kept and stored located in the same municipality in which his licensed premises is situate and not elsewhere unless such licensee secures from the board a license for each additional storage warehouse desired The board is authorized and empowered to issue to a holder of an importer's license a license for an additional storage warehouse or warehouses located in this Commonwealth provided such licensed importer files with the board a separate application for each warehouse in such form and containing such information as the board may from time to time require accompanied by a filing fee of [ten] twenty dollars a license fee of twenty-five dollars and a bond of an approved surety company in the amount of ten thousand dollars Such bond shall contain the same provisions and conditions as are required in the other license bonds under this article

Section 435 Filing of Applications for Distributors' Importing Distributors' and Retail Dispensers' Licenses Filing Fee Every person intending to apply for a distributor's importing distributor's or retail dispenser's license as aforesaid in any municipality of this Commonwealth shall file with the board his or its application All such applications shall be filed at a time to be fixed by the board for the particular license district as set up by the board under the provisions of this act The applicant shall at the time of filing the application and bond pay said board the filing fee of [ten] twenty dollars as hereinafter specified

Section 439 Malt or Brewed Beverage License Fees No public service license and no license to any manufacturer distributor importing distributor or retail dispenser shall be issued under the provisions of this subdivision (b) until the licensee shall have first paid an annual license fee as follows

(a) In the case of a manufacturer the license fee shall be one thousand dollars (\$1000) for each place of manufacture and shall be paid to the board The fee for all such licenses when applied for and issued on or after April 1 but prior to July 1 shall be three-fourths of the annual fee July 1 but prior to October 1 shall be one-half of the annual fee October 1 but prior to January 1 shall be one quarter of the annual fee

(b) In the case of a distributor the license fee shall be [four hundred dollars (\$400)] five hundred dollars (\$500) and shall be paid to the board

(c) In the case of an importing distributor the license fee shall be [nine hundred dollars (\$900)] one thousand dollars (\$1000) and shall be paid to the board

(d) In the case of a retail dispenser except clubs the license fee shall be graduated according to the population of the municipality in which the place of business is located and shall be paid to the board as follows

(1) Less than 10,000	[\$100]	\$150
(2) 10,000 and more but less than 50,000	,\$[150]	\$200
(3) 50,000 and more but less than 100,000	[\$200]	\$250
(4) 100,000 and more but less than 150,000	[\$250]	\$300
(5) 150,000 and more	[\$300]	\$350

(e) In the case of a club the fee shall be [twenty-five] fifty dollars in all cases and shall be paid to the board

(f) In the case of a public service license for cars the fee shall be ten dollars per car for the maximum number of cars operated on any one day on which malt or brewed beverages are sold to be paid to the board

(g) In the case of a public service license for the sale of malt or brewed beverages on a boat or vessel the fee shall be fifty dollars for each such vessel or boat and shall be paid to the board

(h) The fee for filing applications for licenses and for renewals shall be [ten] twenty dollars which together with fees for transfers shall be paid to the board

(i) The license fees fixed by this section shall be paid before the license or renewal is issued



Section 469 Applications for Transfers Fees Every applicant for a transfer of a license under the provisions of this article shall file a written application with the board together with a filing fee of [twenty dollars (\$20.00)] forty dollars (\$40.00) if the license to be transferred is a liquor license and [ten dollars (\$10.00)] twenty dollars (\$20.00) if the license is a malt or brewed beverage license Such applications shall be in such form and shall be filed at such times as the board shall in its regulations prescribe Each such applicant shall also file an approved bond as required on original applications for such licenses

Whenever any license is transferred no license or other fees shall be required from the persons to whom such transfer is made for the balance of the then current license year except the filing fee as herein provided

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Bane,	Haluska,	Meade,	Stiefel,
Barr,	Holland,	Neff,	Taylor,
Barrett,	Kessler,	Pechan,	Toole,
Berger,	Lane,	Peelor,	Wade,
Blass,	Leader,	Probert,	Wagner,
Byrne,	Letzler,	Robinson,	Walker,
Chapman,	Mahany,	Rosenfeld,	Watkins,
Crowe,	Mallery,	Ruth,	Watson,
Dent,	McCreesh,	Scarlett,	Wolfe,
Diehm,	McGinnis,	Silvert,	Wood,
DiSilvestro,	McMenamin,	Snowden,	Yosko,
Fleming,	McPherson, Jr.,	Stevenson,	Hare,
Freed,			Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 839, as follows:

An Act authorizing the Department of Property and Supplies to sell and convey a tract of land in Allegheny Township Blair County Pennsylvania with the approval of the Governor

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Secretary of Property and Supplies with the approval of the Governor is hereby authorized on behalf of the Commonwealth of Pennsylvania to sell at public sale to the highest bidder the following described tract of land situate in Allegheny Township Blair County Pennsylvania

Beginning at a red oak at corner lands of Carl Sorgei thence along the lands of Levi Hoover south fifteen (15) degrees and thirty-five (35) minutes west a distance of six hundred and ninety-six (696) feet to a white oak thence by lands of S S Breckbill north sixty-three (63) degrees a distance of seven hundred and seventy-five (775) feet to a stone monument in the right-of-way of the Pennsylvania Railroad thence along said right-of-way by a line curving to the right having a radius of six hundred and sixty-nine and two-tenths (669.2) feet a distance of three hundred (300) feet to a stone monument thence still along the right-of-way of the Pennsylvania Railroad by a line curving to the right having a radius of five hundred sixty-six and eight-tenths (566.8) feet a distance of two hundred

eighty-three (283) feet to a stone monument thence still along the said right-of-way north forty-nine (49) degrees and thirty (30) minutes east a distance of two hundred sixteen and eight-tenths (216.8) feet to a stone monument corner of lands of Carl Sorgei thence by lands of Carl Sorgei south fifty-seven (57) degrees and fifteen (15) minutes east a distance of five hundred ninety-four (594) feet to the place of beginning containing twelve and four-tenths (12.4) acres more or less having thereon erected a concrete intake and two small dams and a storage shed

Also all the right title and interest of the Commonwealth of Pennsylvania herein named in and to all of the pipe lines water mains stand pipes reservoirs and other fixtures and structures used with or appurtenant to and in connection with the maintenance and operation of a water works and distribution system together also with all rights easements grants licenses and privileges for the placing maintenance and removal of said water mains pipe lines stand pipes and other fixtures and structures as aforesaid together also with the rights to all water and water rights held enjoyed and possessed by the Commonwealth of Pennsylvania located in Allegheny Township Blair County Pennsylvania (sometimes referred to as the Carson Valley Water Supply) from the source of supply within the metes and bounds above given and extending to the property line of the Hollidaysburg State Hospital

Section 2 The deed of conveyance shall be approved by the Department of Justice and shall be executed by the Secretary of Property and Supplies in the name of the Commonwealth of Pennsylvania.

Section 3 The money received by the Commonwealth as consideration for the sale and conveyance of said land shall be credited to the General Fund to the State Treasury

Section 4 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Bane,	Haluska,	Meade,	Stiefel,
Barr,	Holland,	Neff,	Taylor,
Barrett,	Kessler,	Pechan,	Toole,
Berger,	Lane,	Peelor,	Wade,
Blass,	Leader,	Probert,	Wagner,
Byrne,	Letzler,	Robinson,	Walker,
Chapman,	Mahanay,	Rosenfeld,	Watkins,
Crowe,	Mallery,	Ruth,	Watson,
Dent,	McCreesh,	Scarlett,	Wolfe,
Diehm,	McGinnis,	Silvert,	Wood,
DiSilvestro,	McMenamin,	Snowden,	Yosko,
Fleming,	McPherson, Jr.,	Stevenson,	Hare,
Freed,			Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 846, as follows:

An Act making certain marriages solemnized on United States Military Reservations located within the Commonwealth as valid as if solemnized elsewhere within the Commonwealth and validating such marriages heretofore consummated

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Any marriage which is solemnized by a Chap-



lain of the Armed Forces of the United States upon a military reservation located within the geographic boundaries of the Commonwealth of Pennsylvania to which land exclusive jurisdiction has been or may hereafter be ceded to the United States under a license issued by the Clerk of the Orphans' Court of any county within this Commonwealth and evidenced by a duly recorded certificate in the office of the Clerk of the Orphans' Court who issued such license shall be considered as of the same validity as marriages performed within this Commonwealth of Pennsylvania. The Clerks of the Orphans' Courts are specifically authorized to issue licenses for a marriage upon a United States Military Reservation located within the geographic boundaries of this Commonwealth when it is indicated upon the application for such license that one or both of the applicants are a member of the Armed Forces of the United States and may authorize by such license the solemnization of that marriage by any Chaplain of the Armed Forces who may have consented previously to solemnize that particular marriage.

Section 2 All marriages which have been solemnized heretofore upon a United States Military Reservation located within the geographic boundaries of this Commonwealth by a person authorized to solemnize marriages within this Commonwealth and which are evidenced by duly recorded certificates shall be considered as of the same validity as marriages solemnized within the Commonwealth.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bane,	Haluska,	Meade,	Stiefel,
Barr,	Holland,	Neff,	Taylor,
Barrett,	Kessler,	Pechan,	Toole,
Berger,	Lane,	Peelor,	Wade,
Blass,	Leader,	Probert,	Wagner,
Byrne,	Letzler,	Robinson,	Walker,
Chapman,	Mahany,	Rosenfeld,	Watkins,
Crowe,	Mallery,	Ruth,	Watson,
Dent,	McCreesh,	Scarlett,	Wolfe,
Diehm,	McGinnis,	Silvert,	Wood,
DiSilvestro,	McMenamin,	Snowden,	Hare,
Fleming,	McPherson, Jr.,	Stevenson,	Yosko,
Freed,			Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 955, as follows:

An Act to amend section 10 of the act approved the twenty-third day of May one thousand nine hundred forty-five (P. L. 903) entitled "An act authorizing cities of the third class to establish an optional retirement system for officers and employees independently of any pension system or systems existing in such cities" by changing the limitations on contributions by the city.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 10 of the act approved the twenty-first day of May one thousand nine hundred forty-five (P. L. 903) entitled "An act authorizing cities of the third class to establish an optional retirement system for officers and employees independently of any pension system or systems existing in such cities" is hereby amended to read as follows

Section 10 The councils of the cities shall annually set aside apportion and appropriate out of all taxes and income of such city unto the board a sum sufficient to maintain the compensation due under this act [not however to exceed in any one year an amount in excess of the proceeds of [three-tenths] one-half of one mill on the assessed valuation of the city for city purposes

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bane,	Haluska,	Meade,	Stiefel,
Barr,	Holland,	Neff,	Taylor,
Barrett,	Kessler,	Pechan,	Toole,
Berger,	Lane,	Peelor,	Wade,
Blass,	Leader,	Probert,	Wagner,
Byrne,	Letzler,	Robinson,	Walker,
Chapman,	Mallery,	Rosenfeld,	Watkins,
Crowe,	Mahany,	Ruth,	Watson,
Dent,	McCreesh,	Scarlett,	Wolfe,
Diehm,	McGinnis,	Silvert,	Wood,
DiSilvestro,	McMenamin,	Snowden,	Yosko,
Fleming,	McPherson, Jr.,	Stevenson,	Hare,
Freed,			Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1286, as follows:

An Act authorizing the Commonwealth to negotiate temporary emergency loans to defray current and other expenses of the State government during any fiscal biennium evidenced by tax anticipation notes secured by and payable from current revenues of any current biennium levied assessed collectible and accruing during such fiscal biennium defining the powers and duties of the Governor the Auditor General and the State Treasurer in relation thereto providing for the payment of interest on and the repayment of such loans and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Whenever the General Assembly has provided revenues for the general purposes of any fiscal biennium and the Governor Auditor General and the State Treasurer determine such revenues will not be available in large part for the current and other expenses of the State government as a result of which the collectible revenues may not be sufficient to defray the current and other expenses of the State government the Governor the Auditor General and the State Treasurer on behalf of the Commonwealth of Pennsylvania are hereby authorized and directed during any biennium to borrow from time to time on the credit of the current revenues of any current biennium such sum or sums of money not exceeding in the aggregate one third of the moneys appropriated for any current biennium by the General Assembly for the general purposes of any fiscal biennium

Section 2 (a) Such loans shall be evidenced by notes of the Commonwealth of Pennsylvania All of said notes shall mature not later than May 31 of the second year of any current biennium Such notes are hereby declared



to be tax anticipation notes Such notes or renewals thereof shall be issued from time to time for such total amounts in such sums and subject to such terms and conditions rates of interest not in excess of four and one-half (4½) per centum per annum and time of payment of interest as the Governor Auditor General and the State Treasurer shall determine and direct

When such loans evidenced by tax anticipation notes are so issued they shall be offered for sale by the Governor the Auditor General and State Treasurer to the highest and best bidder after due public advertisement and open competitive bidding on such terms and conditions as the Governor Auditor General and State Treasurer shall direct the manner and character of such advertisement and the times of advertising shall be prescribed by the Governor the Auditor General and the State Treasurer

No commission shall be allowed or paid for the sale of any notes issued under the authority of this act

(b) All notes issued under the authority of this act shall bear either the signatures of the Governor the Auditor General and the State Treasurer or the facsimile signatures of the Governor the Auditor General and the State Treasurer in which latter event such notes shall be countersigned by two officers of the Philadelphia National Bank (Loan and Transfer Agent of the Commonwealth) All such notes shall bear a facsimile of the great seal of the Commonwealth

(c) All notes issued under the authority of this act shall have the qualities and incidents of negotiable instruments under the Negotiable Instruments Law of the Commonwealth

(d) The current revenues of any fiscal biennium period shall be pledged for the payment of the principal and interest of such notes during such fiscal biennium and shall be payable in lawful money of the United States All notes issued under the provisions of this act shall be exempt from taxation for State and local purposes

Section 3 The proceeds derived from the negotiation of loans under the provisions of this act shall be paid into the General Fund of the State Treasury and shall be used for the payment of appropriations made from such fund to defray the current and other expenses of the State government for the current fiscal biennium

Section 4 Any loans negotiated under the provisions of this act shall be secured by the current revenues levied and assessed for revenue purposes of every kind or character accruing to the General Fund of the State Treasury during the current fiscal biennium and shall be paid out of such revenues and so much of such revenues as shall be necessary for the payment of the principal and interest of such loans are hereby specifically appropriated The Department of Revenue shall allocate such revenues to said payments

Section 5 The provisions of this act are severable and if any of its provisions are held unconstitutional the decision so holding shall not be construed to impair any other provision of this act It is hereby declared that the legislative intent would have been to adopt this act had such unconstitutional provision not been included herein

Section 6 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	Meade,	Stiefel,
Barr,	Holland,	Neff,	Taylor,
Barrett,	Kessler,	Pechan,	Toole,
Berger,	Lane,	Peelor,	Wade,

Blass,  
Byrne,  
Chapman,  
Crowe,  
Dent,  
Diehm,  
DiSilvestro,  
Fleming,  
Freed,

Leader,  
Letzler,  
Mahany,  
Mallery,  
McCreesh,  
McGinnis,  
McMenamin,  
McPherson, Jr.

Propert,  
Robinson,  
Rosenfeld,  
Ruth,  
Scarlett,  
Silvert,  
Snowden,  
Stevenson,

Wagner,  
Walker,  
Watkins,  
Watson,  
Wolfe,  
Wood,  
Yosko,  
Hare,  
Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

#### BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1326, entitled:

An Act to further amend the act, approved the nineteenth day of March, one thousand nine hundred nine (P. L. 46), entitled "An act to regulate the practice of osteopathy in the State of Pennsylvania; to provide for the establishment of a State Board of Osteopathic Examiners; to define the powers and duties of said Board of Osteopathic Examiners; to provide for the examining and licensing of osteopaths in this State; and to provide penalties for the violation of this act," by providing for the licensing without examination of persons licensed by the provinces of the Dominion of Canada in certain cases.

And said bill having been read at length the third time, On the question,

Will the Senate agree to the bill on third reading?

Mr. PECHAN. Mr. President, I ask unanimous consent to offer an amendment at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The Clerk read the amendment as follows:

Amend Sec. 3, page 5, line 14, by inserting after the word "enactment" the following: "and, in so far as it pertains to persons licensed by provinces of the Dominion of Canada, and who have practiced osteopathy therein, shall remain in effect for a period of sixty days thereafter".

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

#### BILL OVER IN ORDER

Mr. PECHAN. Mr. President, I ask unanimous consent that House Bill No. 1326, on third reading, go over in its order, as amended.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

#### BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1402, as follows:



An Act providing for appeals from the decisions of Civil Boards and Commissions in cities

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 All decisions of the Civil Service Board or Commission in any city shall be subject to appeal to the court of common pleas or the county court of the county in which the city is located The appeal may be taken by any employe aggrieved thereby at any time within thirty days after the decision has been entered of record

Section 2 All acts and parts of acts are hereby repealed in so far as they are inconsistent with the provisions of this act

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Bane,	Haluska,	Meade,	Stiefel,
Barr,	Holland,	Neff,	Taylor,
Barrett,	Kessler,	Pechan,	Toole,
Berger,	Lane,	Peelot,	Wade,
Blass,	Leader,	Proport,	Wagner,
Byrne,	Letzler,	Robinson,	Walker,
Chapman,	Mahany,	Rosenfeld,	Watkins,
Crowe,	Mallery,	Ruth,	Watson,
Dent,	McCreesh,	Scarlett,	Wolfe,
Diehm,	McGinnis,	Silvert,	Wood,
DiSilvestro,	McMenamin,	Snowden,	Yosko,
Fleming,	McPherson, Jr.,	Stevenson,	Hare,
Freed.			Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1590, as follows:

An Act to further amend the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 566) entitled "A supplement to the act approved the second day of June one thousand nine hundred and fifteen (P. L. 736) entitled as amended 'An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties' as reenacted and amended providing for the payment of compensation to volunteer firemen or their dependents" by amplifying the provisions thereof as to persons entitled to such benefits

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 566) entitled "A supplement to the act approved the second day of June one thousand nine hundred and fifteen (P. L. 736) entitled as amended 'An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder

and prescribing penalties' as reenacted and amended providing for the payment of compensation to volunteer firemen or their dependents" as last amended by the act approved the eighteenth day of April one thousand nine hundred forty-nine (P. L. 507) is hereby further amended to read as follows

Section 1 In addition to those persons included within the definition of the word "employe" as defined in section one hundred and four of the act approved the second day of June one thousand nine hundred and fifteen (P. L. 736) entitled as amended "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties" as last reenacted and amended at the regular legislative session of one thousand nine hundred and thirty-nine there shall be included all members of volunteer fire companies or volunteer fire departments of the various cities boroughs incorporated towns and townships who shall be and are hereby declared to be "employes" of such cities boroughs incorporated towns townships for all the purposes of said act and shall be entitled to receive compensation in case of injuries received while actually engaged as firemen or while going to or returning from any fire which the fire companies or fire department of which they are members shall have attended or while performing any other duties of such companies or fire department authorized by such cities boroughs incorporated towns and townships or while performing duties imposed by section fifteen of the act approved the twenty-seventh day of April one thousand nine hundred twenty-seven (P. L. 465) as amended

The city borough incorporated town or township as employer shall in all cases be deemed to have knowledge of all other employment of all members of its volunteer fire companies or volunteer fire departments including self employment and shall be liable for compensation on account of all wages and earnings resulting therefrom In all cases where an injury compensable under the provisions of this act is received by a member of a volunteer fire company or volunteer fire department who is in whole or in part a self employer and loss of earnings results therefrom such earnings shall for the purposes of this act be regarded as wages The average weekly wage as so regarded shall be that most favorable to the employe computed by dividing by thirteen the total earnings of the employe in the first second third or fourth period of thirteen consecutive calendar weeks in the fifty-two weeks immediately preceding the accident

Section 2 This act shall become effective ten days after final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Bane,	Haluska,	Meade,	Stiefel,
Barr,	Holland,	Neff,	Taylor,
Barrett,	Kessler,	Pechan,	Toole,
Berger,	Lane,	Peelot,	Wade,
Blass,	Leader,	Proport,	Wagner,
Byrne,	Letzler,	Robinson,	Walker,
Chapman,	Mahany,	Rosenfeld,	Watkins,
Crowe,	Mallery,	Ruth,	Watson,
Dent,	McCreesh,	Scarlett,	Wolfe,
Diehm,	McGinnis,	Silvert,	Wood,
DiSilvestro,	McMenamin,	Snowden,	Yosko,
Fleming,	McPherson, Jr.,	Stevenson,	Hare,
Freed.			Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.



Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

SENATE BILL No. 688 ON CONCURRENCE IN  
HOUSE AMENDMENTS CALLED UP

Mr. WALKER. Mr. President, I call up for consideration at this time Senate Bill No. 688, on concurrence in House amendments, which went over in its order, temporarily.

BILL ON CONCURRENCE IN HOUSE  
AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 688, as follows:

An Act to further amend Section 303 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" by directing that an allowance be paid to certain county controllers for the expenses pertaining to the institution district for a temporary period

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 303 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" as amended by the act approved the fourteenth day of May one thousand nine hundred forty-nine (P. L. 1359) and the act approved the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1709) is hereby further amended to read as follows

Section 303 Salaries and Expenses of Officers For services as an officer of an institution district each commissioner of a seventh class county shall receive an additional annual salary of eight hundred dollars (\$800) and each commissioner of an eighth class county shall receive an additional annual salary of three hundred dollars

(\$300) [In addition every county commissioner shall receive an allowance for expenses incurred in connection with the institution district as follows (1) In second class counties two thousand dollars (\$2000) per annum (2) In third class counties eighteen hundred dollars (\$1800) per annum (3) In fourth class counties fifteen hundred dollars (\$1500) per annum (4) In fifth class counties twelve hundred dollars (\$1200) per annum (5) In sixth class counties one thousand dollars (\$1000) per annum (6) In seventh class counties five hundred dollars (\$500) per annum and (7) In eighth class counties three hundred dollars (\$300) per annum In every county the treasurer shall receive no additional compensation for services to the institution district but he shall be allowed his necessary expenses incurred in services for the institution district] In every other county the commissioners and in every county the treasurer shall receive no additional compensation for services to the institution district In every county the commissioners and treasurers shall be allowed their necessary expenses incurred in services for the institution district Every county controller in office on the effective date of this amending act shall receive during the remainder of his current term an allowance for expenses incurred in connection with the institution district as follows (1) In second class counties two thousand dollars (\$2000) per annum (2) In third class counties eighteen hundred dollars (\$1800) per annum (3) In fourth class counties fifteen hundred dollars (\$1500) per annum (4) In fifth class counties twelve hundred dollars (\$1200) per annum (5) In sixth class counties one thousand dollars (\$1000) per annum [(6) In seventh class counties five hundred dollars (\$500) per annum and (7) In eighth class counties seven hundred dollars (\$300) per annum]

Section 2 The provisions of this act shall become effective immediately upon final enactment

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE  
HOUSE TO SENATE BILL No. 688

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 688.

Mr. WATSON. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bane,	Haluska,	Meade,	Stiefel,
Barr,	Holland,	Neff,	Taylor,
Barrett,	Kessler,	Pechan,	Toole,
Berger,	Lane,	Peelot,	Wade,
Blass,	Leader,	Probert,	Wagner,
Byrne,	Letzler,	Robinson,	Walker,
Chapman,	Mahanay,	Rosenfeld,	Watkins,
Crowe,	Mallery,	Ruth,	Watson,
Dent,	McCreesh,	Scarlett,	Wolfe,
Diehm,	McGinnis,	Silvert,	Wood,
DiSilvestro,	McMenamin,	Snowden,	Hare,
Fleming,	McPherson, Jr.	Stevenson,	Presiding Officer
Freed,			

NAYS—1

Yosko,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.



# SENATE BILL No. 752 ON CONCURRENCE IN HOUSE AMENDMENTS CALLED UP

Mr. WALKER. Mr. President, I call up for consideration at this time Senate Bill No. 752, on concurrence in House amendments, which went over in its order, temporarily.

## BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 752, entitled

An Act to further amend the act approved the twenty-sixth day of June one thousand nine hundred thirty-one (P. L. 1379) entitled "An act creating in counties of the third class a board for the assessment and revision of taxes providing for the appointment of the members of such board by the county commissioners providing for their salaries payable by the county abolishing existing boards defining the powers and duties of such board regulating the assessment of persons property and occupations for county borough town township school and poor purposes authorizing the appointment of subordinate assessors a solicitor engineers and clerks providing for their compensation payable by such counties abolishing the office of ward borough and township assessors so far as the making of assessments and valuations for taxation is concerned and providing for the acceptance of this act by cities" by further regulating the assessment and valuation of property for local taxation purposes further defining the duties of subordinate assessors and the board changing the time for the preparation and inspection of the assessment roll and duplicate assessment roll notice of appeal and hearings on appeals prescribing duties of and fees to be collected by municipal officers who issue building permits imposing duties on taxables making improvements on land and grantees of land and prescribing penalties

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

## SENATE NON-CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 752

Mr. WALKER. Mr. President, I move that the Senate do non-concur in the amendments made by the House to Senate Bill No. 752.

Mr. WATSON. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

## COMMITTEE OF CONFERENCE APPOINTED ON HOUSE BILL No. 1056

The PRESIDING OFFICER. The Chair announces on behalf of the President pro tempore the appointment of Messrs. BLASS, KESSLER and BANE, as a committee of conference on the part of the Senate to confer with a similar committee of the House (already appointed) to consider the differences existing between the two houses in relation to House Bill No. 1056.

Ordered, That the Clerk inform the House of Representatives accordingly.

## SECOND READING CALENDAR BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 28, entitled:

An Act to further amend section 703 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by changing the compensation paid to township commissioners

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 274, entitled:

An Act to further amend Section 1001 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by increasing the compensation of the township auditors

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

## BILLS POSTPONED

Mr. WALKER. Mr. President, I move that Senate Bill No. 713, on second reading, entitled:

An Act to further amend part of Section 202 of and to add Sections 462 and 1314 to the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by establishing the State Auctioneers' Commission as a departmental administrative commission in the Department of Public Instruction fixing the qualifications and compensation of members and imposing certain duties on said commission

be placed on the Second Reading Postponed Calendar.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

Mr. TAYLOR. Mr. President, I move that Senate Bill No. 724, on second reading, entitled:



An Act to define license and regulate resident and non-resident auctioneers and apprentice auctioneers in certain political subdivisions and revising consolidating and making the law uniform relative thereto conferring certain powers and duties on the State Auctioneers' Commission and on certain Departments and Officers of the State and Local Governments providing for the keeping of records and the inspection thereof repealing certain inconsistent laws and providing penalties

be placed on the Second Reading Postponed Calendar.

Mr. MALLERY. Mr. President, I second the motion.

The motion was agreed to.

## BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 726, entitled:

An Act to amend the title and further amend Subsections A C and E of Section 1 of the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 1145) entitled "An act empowering cities of the second class cities of the second class A cities of the third class boroughs towns townships of the first class school districts of the second class school districts of the third class and school districts of the fourth class to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employees to assess and collect such taxes and permitting penalties to be imposed and enforced providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court" by extending the provisions thereof to include townships of the second class as to certain taxes

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

## BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 769, on second reading, entitled:

An Act to further amend clause (a) of section one thousand eight hundred three and clause (e) of section one thousand eight hundred six of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" by further regulating the leasing and sale of State forest and park lands by the Commonwealth and defining the powers and

duties of the Department of Forests and Waters and the rights of lessees with respect to such leased lands

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 811, on second reading, entitled:

An Act to add section 1501.1 to the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by empowering township supervisors to compel connection with and use of sewer systems constructed by municipal authorities to impose penalties to enforce regulations and orders and to connect properties of owners failing or neglecting to make connection

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

## CATHOLIC NUNS ATTENDING TEACHERS' INSTITUTE PRESENTED TO SENATE

The PRESIDING OFFICER. The Chair would like to call the attention of the Senators to the presence in the Senate today of the Nuns attending the Teachers' Institute. These are the teachers from all the Secondary High Schools of all the Catholic Dioceses of Pennsylvania.

The Chair is very happy to welcome you and hopes that you have a profitable stay here.

## SECOND READING CALENDAR

### BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 831, entitled:

An Act to further amend the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by further extending the time for present employees to elect to be covered by the retirement system and granting retirement rights to certain additional persons who have withdrawn from and returned to school service

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 840, entitled:

An Act to amend the title and Section 1 of the act



approved the tenth day of August one thousand nine hundred fifty-one (P. L. Act No. 265) entitled "An act regulating the appointment promotion suspension reduction removal and reinstatement of employes (except superintendents assistant superintendents inspectors and chief clerks) in bureaus of police in cities of the second class and defining the powers and duties of civil service commissions in such cities for such purposes" by excepting therefrom certain women police and school guards

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 842, entitled:

An Act to amend Section 1673 of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" by further regulating publication of notice of land subdivision ordinances

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 845, entitled:

An Act to further amend Rule 12 and to amend Rule 14 of Article XII of the act approved the second day of June one thousand eight hundred ninety-one (P. L. 176) entitled "An act to provide for the health and safety of person employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" by authorizing the use of roof bolts and other practical devices in working places

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 850, entitled:

An Act to amend the act approved the twelfth day of April one thousand nine hundred fifty-one (P. L. 90) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" by authorizing catering licenses for clubs licensed

to sell malt and brewed beverages and fixing the license fees therefore

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 967, entitled:

An Act to further amend the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" providing for disability leave with salary and hospital and medical expenses for employes of jails and workhouses in counties of the second class temporarily incapacitated in the performance of duties

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1228, entitled:

An Act establishing The Pennsylvania State School for the Deaf providing for its operation and maintenance by the Department of Public Instruction and for the admission of pupils thereto and the expense of maintaining pupils therein authorizing the acquisition of a site by The General State Authority or the use of land now owned by the Commonwealth the conveying of Commonwealth owned land to The General State Authority and the election or construction and the furnishing and equipping of buildings and structures by The General State Authority and the leasing thereof by the Commonwealth and conferring powers and imposing duties on district and county superintendents of schools

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1283, entitled:

An Act authorizing the Orphans' Courts of the several counties upon application therefor, to place documents, defined as historical documents, in the custody of certain associations maintaining facilities for public display of historical writings; conferring powers and imposing duties on registers of wills.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1312, entitled:



An Act to provide for the better protection of life and health of the citizens of this Commonwealth by requiring and regulating the examination licensure and registration of persons and registration of corporations engaging in the care preparation and disposition of the bodies of deceased persons and providing penalties providing for a State Board of Funeral Directors in the Department of Health and repealing other laws

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1335, entitled:

An Act to further amend Section 11 of the act approved the twentieth day of May one thousand nine hundred fifteen (P. L. 566) entitled "An act requiring cities of the first class to establish a pension fund for employes of said cities and all county or other public employes if any paid by appropriation of the city councils thereof and out of the treasury of said cities and regulating the administration and the payment of such pensions" by providing for credit for services with a school district of the first class for members of a first class city pension fund in certain cases

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILLS OVER IN ORDER

Mr WALKER. Mr. President, I ask unanimous consent that House Bill No. 1441, on second reading, entitled:

An Act to further amended the act approved the second day of June one thousand nine hundred fifteen (P. L. 736) entitled as amended "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties" by increasing maximum and minimum rates and deleting the limitation of number of weeks and aggregate of compensation for total disability increasing the maximum amounts payable upon death and increasing the minimum and maximum wages upon which death compensation shall be paid and changing procedure

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1442, on second reading, entitled:

An Act to further amend the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 566) entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employe arising out of and in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder imposing duties on the Department of Labor and Industry the Workmen's Compensation Board Workmen's Compensation Referees and deans of medical schools creating a medical board to determine controverted medical issues establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board imposing upon the Commonwealth a part of the compensation payable for certain occupa-

tional diseases making an appropriation and prescribing penalties" by increasing maximum and minimum rates and total amounts and aggregate of compensation and changing time for mailing medical report

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr WALKER. Mr. President, I ask unanimous consent that House Bill No. 1557, on second reading, entitled:

An Act to amend clause (h) of Section 9 of the act approved the twenty-fourth day of May one thousand nine hundred forty-five (P. L. 991) entitled "An act to promote elimination of blighted areas and supply sanitary housing in areas throughout the Commonwealth by declaring acquisition sound replanning and redevelopment of such areas to be for the promotion of health safety convenience and welfare creating public bodies corporate and politic to be know as Redevelopment Authorities authorizing them to engage in the elminiation of blighted areas and to plan and contract with private corporate of governmental redevelopers for their redevelopment providing for the organization of such authorities defining and providing for the exercise of their powers and duties including the acquisition of property by purchase gift or eminent domain the leasing and selling of property including borrowing money issuing bonds and other obligations and giving security therefor restricting the interest of members and employes of authorities providing for notice and hearing supplying certain mandatory provisions to be inserted in contracts with redevelopers prescribing the remedies of obligees of redevelopment authorities conferring certain duties upon local planning commissions the governing bodies of cities and counties and on certain State officers boards and departments" by clarifying the provisions of said section with respect to the power of redevelopment Authorities to purchase real property

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

### BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1599, entitled:

An Act providing for an expense allowance for members of the board of inspectors of the Berks County Prison

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### REPORTS FROM COMMITTEES

Mr. MALLERY. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. MALLERY, from the Committee on Corporations, reported as committed, Senate Bill No. 864, entitled:

An Act to further amend the act, approved the twenty-eight day of May, one thousand nine hundred thirty-seven (P. L. 1053), entitled "An act relating to the regulation of public utilities, defining as public utilities certain corporations, companies, associations, and persons; providing for the regulation of public utilities, including to a limited extent, municipalities engaging in public utility



business, by prescribing, defining, and limiting their duties, powers, and liabilities, and regulating the exercise, surrender, or abandonment of their powers, privileges, and franchises; defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle; conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons, associations, companies, and corporations, including, to a limited extent, municipal corporations subject to this act, and administering the provisions of this act; authorizing the commission to fix temporary rates; placing the burden of proof on public utilities to sustain their rates and certain other matters; authorizing a permissive or mandatory sliding scale method of regulating rates; providing for the supervision of financial and contractual relations between public utilities and affiliated interests, and supervision and regulation of accounts and securities or obligations issued, assumed or kept by persons, associations, companies, corporations, or municipal corporations subject to this act; conferring upon the commission power to vary, reform, or revise certain contracts; conferring upon the commission the exclusive power to regulate or order the construction, alteration, relocation, protection, or abolition of crossings of facilities of public utilities, and of such facilities by or over public highways, to appropriate property for the construction or improvement of such crossings, and to award or apportion resultant costs and damages; authorizing owners of such property to sue the Commonwealth for such damages; providing for ejectment proceeding in connection with the appropriation of property for crossings; conferring upon the commission power to control and regulate budgets of public utilities; imposing upon persons, associations, companies and corporations (except municipal corporations) subject to regulation, the cost of administering this act; prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action; giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings; prescribing penalties, fines, and imprisonment for violations of the provisions of this act and regulations and orders of the commission, and the procedure for enforcing such fines and penalties; and repealing legislation supplied and superseded by or inconsistent with this act," by requiring the issuance of an order, and in certain cases, a preliminary hearing prior thereto, by the commission before the effective date of certain voluntary rate increases; making such order the basis of appeal; and setting forth when such appeal may act as a supersedeas.

The PRESIDENT pro tempore (M. Harvey Taylor) in the Chair.

### BILLS SIGNED

The President pro tempore (M. Harvey Taylor) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

#### Senate Bill No. 407, entitled:

An Act to further amend the title and section one of the act approved the third day of May one thousand nine hundred and nine (P. L. 424) entitled as amended "An act providing that in all counties of the first second third fourth fifth and sixth class advertisements and notices required by law or rules of court to be published in newspapers of general circulation unless dispensed with by special order of court shall be published in the legal newspaper issued at least weekly of the proper county designated by rules of court for the publication of court or other legal notices" by extending the provisions of the said act to all counties and further defining publications excepted from its operation

#### Senate Bill No. 688, entitled:

An Act to further amend Section 303 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" by directing that an allowance be paid to certain county controllers for the expenses pertaining to the institution district for a temporary period

#### Senate Bill No. 739, entitled:

An Act creating Mercy-Douglass State Hospital in Philadelphia County and authorizing the Department of Property and Supplies to sublease said Hospital to Mercy-Douglass Hospital, and providing for the management thereof by the Board of Trustees of Mercy-Douglass Hospital.

Whereupon,

The President pro tempore (M. Harvey Taylor) in the presence of the Senate signed the same.

### BILLS ON FIRST READING

Mr. WALKER. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. HARE. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 864, entitled:

An Act to further amend the act, approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 1053), entitled "An act relating to the regulation of public utilities, defining as public utilities certain corporations, companies, associations, and persons; providing for the regulation of public utilities, including to a limited extent, municipalities engaging in public utility business, by prescribing, defining, and limiting their duties, powers, and liabilities, and regulating the exercise, surrender, or abandonment of their powers, privileges, and franchises; defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle; conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons, associations, companies, and corporations, including, to a limited extent, municipal corporations subject to this act, and administering the provisions of this act; authorizing the commission to fix temporary rates; placing the burden of proof on public utilities to sustain their rates and certain other matters; authorizing a permissive or mandatory sliding scale method of regulating rates; providing for the supervision of financial and contractual relations between public utilities and affiliated interests, and supervision and regulation of accounts and securities or obligations issued,



assumed or kept by persons, associations, companies, corporations, or municipal corporations subject to this act; conferring upon the commission power to vary, reform, or revise certain contracts; conferring upon the commission the exclusive power to regulate or order the construction, alteration, relocation, protection, or abolition of crossings of facilities of public utilities, and of such facilities by or over public highways, to appropriate property for the construction or improvement of such crossings, and to award or apportion resultant costs and damages; authorizing owners of such property to sue the Commonwealth for such damages; providing for ejectment proceedings in connection with the appropriation of property for crossings; conferring upon the commission power to control and regulate budgets of public utilities; imposing upon persons, associations, companies and corporations (except municipal corporations) subject to regulation, the cost of administering this act; prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action; giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings; prescribing penalties, fines, and imprisonment for violations of the provisions of this act and regulations and orders of the commission, and the procedure for enforcing such fines and penalties; and repealing legislation supplied and superseded by or inconsistent with this act," by requiring the issuance of an order, and in certain cases, a preliminary hearing prior thereto, by the commission before the effective date of certain voluntary rate increases; making such order the basis of appeal; and setting forth when such appeal may act as a supersedeas.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1669, entitled:

An Act to amend section one thousand three hundred ten point one of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "Fiscal Code," by providing for the sale of escheatable property by the Secretary of Revenue.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

### ADJOURNMENT

Mr. WALKER. Mr. President, I move that the Senate do now adjourn until Monday, September 24, 1951, at 2:00 o'clock, p. m., Eastern Standard Time.

Mr. WOOD. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 3:51 o'clock, p. m., Eastern Standard Time, until Monday, September 24, 1951, at 2:00 o'clock, p. m., Eastern Standard Time.

## HOUSE OF REPRESENTATIVES

THURSDAY, September 20, 1951

The House met at 11:00 a. m. EST.

The SPEAKER (Herbert P. Sorg) in the Chair.

### PRAYER

Reverend John Yates, guest Chaplain and minister of the Presbyterian Church, Harrisburg, offered the following prayer:

Our Father, grant this day Thy blessing upon this Assembly. Give them wisdom and understanding so that their counsels may be filled with knowledge and equity; so that this Commonwealth may be preserved in peace, amity, strength, and honour. Through Jesus Christ, our Lord. Amen.

### JOURNAL APPROVED

The SPEAKER. Are there any corrections to the Journal of Wednesday, September 19, 1951? If not, and without objection, the Journal is approved.

### BILLS INTRODUCED AND REFERRED

By Messrs. EWING, SARRAF, KAMYK, LUTTY,  
COOPER and WILT. HOUSE BILL No. 1727.

An Act to further amend the act, approved the twenty-eighth day of May, one thousand nine hundred fifteen (P. L. 596), entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities and regulating the administration and the payment of such pensions," by further providing for certain minimum and maximum pensions.

Referred to the Committee on Cities and Counties—  
Second Class.

By Mr. PENGLASE. HOUSE BILL No. 1728.

An Act creating a highway planning commission; providing for an investigation of the State Highway Department; directing said commission to make a report and recommendations to the General Assembly; conferring certain powers upon said commission, including the power to issue subpoenas, administer oaths and affirmations, retain employes and expend funds and making an appropriation.

Referred to the Committee on Appropriations.

By Mr. PENGLASE. HOUSE BILL No. 1729.

An Act to add subsection (c) to section 711 of the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An Act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the board of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers, fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by fixing the compulsory retirement age for members and employes of the Pennsylvania State Police.

Referred to the Committee on State Government.

By Messrs. CONWAY, MULDOWNY and LEDERER.  
HOUSE BILL No. 1730.

An Act requiring the licensing of all places where direct television broadcasts are shown and admission fees are charged.

Referred to the Committee on Law and Order.



By Mr. KENT:

HOUSE BILL No. 1731.

An Act to further amend the act, approved the second day of June, one thousand nine hundred and thirty-seven (P. L. 1198), entitled "An act relating to employes and organizations thereof; defining labor disputes, prescribing the procedure by which and the conditions under which injunctions may be granted in such disputes, and the scope thereof; declaring certain undertakings and promises in actions arising out of labor disputes against persons or associations; prescribing the terms and conditions for bonds to be furnished prior to the issuance of injunctions; prescribing the procedure in case of appeal from granting injunctions; limiting the duration of temporary and permanent injunctions in case of labor disputes; and providing for the payment of costs; and repealing all acts or parts of acts inconsistent herewith," providing further conditions upon the issuance of injunctions in labor disputes.

Referred to the Committee on Labor Relations.

By Mr. WESCOTT.

HOUSE BILL No. 1732.

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," requiring trackless trolleys to be registered and their operators to be licensed.

Referred to the Committee on Motor Vehicles.

## SENATE MESSAGE

## SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 482.

An Act to amend Section 771 of the act approved the tenth day of March one thousand nine hundred forty nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for suitable ceremonies affirming and developing allegiance to the Flag of the United States and our American way of life and organization of government.

Referred to the Committee on Education.

SENATE BILL No. 542.

An Act to amend the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1120)

entitled "An act to promote the safety of employes and travelers upon railroads by compelling common carriers by railroad to man locomotive trains and other self propelled engines or machines with competent employes to provide the least number of men that may be employed on locomotive trains and other self propelled engines or machines to provide the qualifications of certain employes and to provide a penalty for the violation thereof and the enforcement thereof by the Public Utility Commission" by further regulating the size of locomotive crews.

Referred to the Committee on Railroads and Railways.

SENATE BILL No. 823.

An Act to amend the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by providing for the payment of service increments to such employes in addition to their retirement allowances.

Referred to the Committee on Cities—Third Class.

SENATE BILL No. 832.

An Act to amend rule fifty-five of article XII of the act approved the second day of June one thousand eight hundred ninety-one (P. L. 176) entitled "An act to provide for the health and safety of persons in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" by permitting the removal of props or timber by blasting or by means of a prop puller.

Referred to the Committee on Mines and Mining.

SENATE BILL No. 833.

An Act to further amend the act approved the fifth day of May one thousand nine hundred eleven (P. L. 198) entitled "An act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" by conferring exclusive jurisdiction on the county court of Allegheny County in cases of appeals from decisions of the collector of mercantile taxes imposed by political subdivisions within the territorial limits of its jurisdiction.

Referred to the Committee on Judiciary.

## RESOLUTIONS INTRODUCED AND REFERRED

By Mr. VARNER. (Concurrent) RESOLUTION No. 80.

In the House of Representatives, September 19, 1951.

Whereas, The Sanitary Water Board in the Department of Health is charged with the duty of protecting and maintaining the purity and cleanliness of the streams and rivers of Pennsylvania; and

Whereas, Sizeable sums of money have been granted by the General Assembly of the Commonwealth of Pennsylvania for the use of the Sanitary Water Board in order to enable it to perform its assigned tasks; and

Whereas, It is of utmost importance to the residents of this Commonwealth that they be kept informed as to whether or not the Sanitary Water Board is carrying out and successfully performing its lawful functions which are vital to the health and welfare of the entire population of this Commonwealth; and

Whereas, It has become necessary to investigate frequently repeated statements that many rivers and streams of this Commonwealth are polluted with sewage from various sources, contrary to the best interests of this Commonwealth and its citizenry; therefore be it

Resolved (if the Senate concur, That the Joint State Government Commission is hereby directed to investigate and study the activities of the Sanitary Water Board and



its handling of the problem of pollution and the pollution abatement program with particular emphasis on its handling of such problems in the Clarion River watershed area and its effect upon Cook Forest which is of great importance in so far as it contains the last great stand of virgin timber in Pennsylvania; and be it further

Resolved, That the Joint State Government Commission shall have the power to meet and hold public hearings throughout the Commonwealth of Pennsylvania, at such times and places as it deems advisable, and shall hold at least one such meeting in Clarion County in the vicinity of Cook Forest, and to issue subpoenas under the hand and seal of its chairman commanding any proper person to appear before it and to answer questions touching on matters with respect to such investigation, for and on behalf of the General Assembly, and to procure such books, papers, records and documents as the commission may deem necessary. Such subpoenas may be served upon any proper person and shall have the force and effect of subpoenas issued out of the courts of this Commonwealth. Each member of the commission shall have the power to administer oaths and affirmations to witnesses appearing before it; and be it further

Resolved, That the Joint State Government Commission shall report to the next regular session of the General Assembly with the results of its findings and recommendations and necessary legislation embodying the same, if it deems necessary.

Referred to the Committee on Rules.

By Mrs. MUNLEY                      RESOLUTION No. 31.

In the House of Representatives, September 19, 1951.

Whereas, The City of Carbondale, Lackawanna County, Pennsylvania, is holding its centennial observance during the week of September 16th to 22nd. The said observance began on Sunday afternoon with the holding of religious services for all faiths at Russell Park and will end with a mammoth parade on Saturday afternoon; and

Whereas, The marking of one hundred years in the history of the City of Carbondale is a joyous occasion and the local historians have called forth many happy recollections and many occurrences which have given the citizens of Carbondale a strong sense of satisfaction and pride—a feeling which they wish to share with the General Assembly; therefore be it

Resolved, That the members of the House of Representatives are happy to share the said satisfaction and pride of the citizens of the City of Carbondale in the history of their fair city and extends to the people of Carbondale its congratulations upon the successful celebration of the one hundredth anniversary of the incorporation of their city. It congratulates also those who planned and carried out the celebration and those who took part in it; and be it further

Resolved, That a copy of this resolution be forwarded by the Chief Clerk of the House of Representatives to William L. Monahan, the Mayor of the City of Carbondale.

Referred to the Committee on Rules.

## COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

### APPROVAL OF HOUSE CONCURRENT RESOLUTION RECALLING HOUSE BILL No. 984

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, September 19, 1951.  
To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 984, Printer's No. 853, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

JOHN S. FINE.

## RECONSIDERATION OF VOTE

Mr. HARRY W. PACE, Jr. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.  
Mr. ZIEGLER. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Mifflin, Mr. Price, vote on the final passage of this bill?

Mr. HARRY W. PRICE, Jr. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Dauphin, Mr. Ziegler, vote on the final passage of this bill?

Mr. ZIEGLER. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. HARRY W. PRICE, Jr. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. HARRY W. PRICE, Jr. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Sec. 1 (Sec. 1330), page 3, line 1, by inserting after the word "home" the following: "of his parents".

Amend Sec. 1 (Sec. 1330), page 3, line 1, by striking out the bracket before the word "on".

Amend Sec. 1 (Sec. 1330), page 3, line 2, by striking out "] of his parents" following the word "section".

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

## COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

### APPROVAL OF HOUSE CONCURRENT RESOLUTION RECALLING HOUSE BILL No. 900.

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, August 24, 1951.  
To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 900, Printer's No. 216, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

JOHN S. FINE.



Mr. HELM. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

Mr. JOHNSON. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Armstrong, Mr. Helm vote on the final passage of this bill?

Mr. HELM. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from McKean, Mr. Johnson vote on the final passage of this bill?

Mr. JOHNSON. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. HELM. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. HELM. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Sec. 1 (Sec. 1027), page 4, line 5, by inserting a bracket before the word "motor" and after the word "vehicles" and inserting immediately thereafter: "school buses."

Amend Sec. 1 (Sec. 1027), page 4, line 6, by inserting a bracket before the word "either."

Amend Sec. 1 (Sec. 1027), page 4, line 7, by inserting a bracket after the word "districts."

Amend Sec. 1 (Sec. 1027), page 4, line 8, by inserting a bracket before the word "flammable" and after the word "liquids" and inserting immediately thereafter: "dangerous articles as defined in section one thousand one hundred fifteen of this act."

Amend Sec. 1 (Sec. 1027), page 4, lines 10, 11 and 12, by striking out "a physical disconnection of the rails physical" in line 10, both of lines 11 and 12, and inserting in lieu thereof: "no official railroad advance warning sign facing approaching traffic and the rails on both sides of the crossing have been disconnected or physical barriers preventing the movement of railway traffic over the crossing from either direction have been erected."

Penalty.—Any person violating any of the provisions of this section shall, upon summary conviction before a magistrate, be sentenced to pay a fine of twenty-five (\$25) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

#### COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

#### VETO OF HOUSE BILL No. 829.

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, August 24, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I return herewith, without my approval, House Bill No. 829, Printer's No. 316, entitled "An Act to amend clause (b) of Section 1 of the act approved the thirteenth day of June one thousand nine hundred forty-seven (P. L. 1183) entitled 'An act relating to strikes by public employes prohibiting such strikes providing that such employes by striking terminate their employment providing for reinstatement under certain conditions providing for a grievance procedure and providing for rehearings before civil service and tenure authorities and in certain cases before the Pennsylvania Labor Relations Board' by requiring panel to be set up within five days after the receipt of a request therefor."

The act which this bill proposes to amend provides that the panel for adjustment of grievances should consist of three members; one to be selected by the employes, one by the governmental agency and the third by the other two.

This bill would limit the time for setting up such a panel to five days after receipt of the request. I am informed that it is frequently difficult to obtain a third member of the panel who will be agreeable to the other two and be willing to act, and that in many instances this would make it impossible to set up a panel within the five day limitation provided for in this bill. There are also times when the governmental agency involved may be a Board or Commission which could not be assembled within the five days limitation.

Although it is important that there be no undue delay in the appointment of members of the panel, actual experience has demonstrated that a five day limitation is impractical and unreasonable.

For these reasons, the bill is not approved.

JOHN S. GOVERNOR.

#### COMMUNICATION AND BILL LAID ON TABLE

Mr. JOHNSON. Mr. Speaker, I move that the communication from the Governor together with the bill be laid on the table.

The motion was agreed to.

#### PUPILS OF MYERSTOWN HIGH SCHOOL WELCOMED

The SPEAKER. The Chair takes pleasure in welcoming to the House seventy-five Seniors of the Myerstown High School under the supervision of Frederick W. Lantz, teacher of Social Studies, and Miss Mabel C. Immel, teacher of Social Studies and Mr. Harvey L. Nitrauer, Supervising Principal. They are here as the guests of the gentleman from Lebanon, Mr. Light.

#### SENATE MESSAGE

#### SENATE INSISTS ON AMENDMENTS NON-CONCURRED IN BY HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 1370, entitled:

An Act to further amend Section 2004 of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by limiting to forty-eight hours the work week of police officers except in emergencies.

And has appointed Messrs. Stevenson, Freed and Ruth a committee of conference to confer with a similar committee of the House of Representatives, already ap-



pointed on the subject of the differences existing between the two houses in relation to said bill.

### BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 550, entitled

An Act to further amend section 33 of the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" by changing the salaries of the tax collector in cities of the third class

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1206, entitled

An Act to further amend the act, approved the fourth day of June, one thousand nine hundred thirty-seven (P. L. 1625), entitled "An act providing for the creation, maintenance and operation of a county employes retirement system in counties of the third class; and imposing certain charges on counties," by further defining "final salary"; authorizing the transfer from the one one-hundred-twentieth (1-120) to the one one-hundredth (1-100) class of members contributions at option of the board and adjusting the county annuity on superannuation retirement upon such transfers and providing for minimum retirement allowance in certain cases.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 818, entitled

An Act to further amend Section 3062 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by further regulating publication of notice of land subdivision ordinances

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

### PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. HELM asked and obtained permission for the Committee on Labor Relations to meet during the session of the House.

### BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 177, entitled

An Act to amend subdivision (e) of article five of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third fourth, fifth, sixth, seventh and eighth classes; and revising, amending and

consolidating the laws relating thereto," by authorizing counties of the fourth class to make annual appropriations to volunteer fire companies for the purpose of purchasing, maintaining and operating radio equipment.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 470, entitled

An Act to further amend clause (c) of section 9 of the act approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2051), entitled "An act relating to public assistance; providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged persons, blind persons and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooperate with, and to accept and disburse moneys received from the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Boards of Trustees of the Mothers' Assistance Fund, and Boards of Trustees of Pension Fund for the Blind; and repealing laws relating to mothers' assistance, pensions for the blind, old age assistance, and the State Emergency Relief Board," by increasing pensions for the blind and providing pensions for blind persons heretofore ineligible for pensions.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1047, entitled

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1216) entitled "An act to define real estate brokers and real estate salesmen and providing for the licensing regulation and supervision of resident and non-resident real estate brokers and real estate salesmen and their business" by further defining "real estate brokers" and "real estate salesmen" authorizing the issuance of limited real estate brokers' and salesmen's licenses within a limited field or branch of the real estate business and prescribing the powers and duties of the department and commission with respect thereto further regulating licensing and the suspension and revocation of such licenses prohibiting the use of names of real estate salesmen in the corporate or partnership names of corporations or partnerships engaged in the real estate business and further regulating the payment of commissions

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1139, entitled

An Act to further amend the first paragraph of section 13 of the act approved the nineteenth day of March one thousand nine hundred nine (P. L. 46) entitled "An act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing of osteopaths in this State and to provide penalties for the violation of this



act" by changing the time and increasing the fee for annual registration of osteopaths

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1264, entitled

An Act to further amend Section 1201 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by providing that in cities of the first class informations charging violations of any summary provisions of The Vehicle Code shall be brought before the traffic court in such cities

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1468, entitled

An Act to add section 10.1 to the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employees serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by providing for credit for years of service for certain former employees of the public school system

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1469, entitled

An Act to add section 12.2 of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth

and contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by providing for the furnishing of information and the transfer of certain moneys by the board to the State Employees' Retirement Board and Fund

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1503, entitled

An Act to amend the title and to further amend sections two, four, five, seven and fifteen of the act, approved the twenty-seventh day of April, one thousand nine hundred twenty-seven (P. L. 465), entitled "An act to provide for the safety of persons employed, housed, or assembled in certain buildings and structures not in cities of the first class, second class, and second class A, by requiring certain construction and ways of egress, equipment, and maintenance; providing for the licensing of projectionists; requiring the submission of plans for examination and approval; providing for the promulgation of rules and regulations for the enforcement of this act; providing for the enforcement of this act by the Department of Labor and Industry and, in certain cases, by the chiefs of fire departments in cities of the third class; providing penalties for violations of the provisions of this act; and repealing certain acts," by excluding cities of the first class and second class and including cities of the second class A for the licensing of projectionists, covering in Class I buildings not formerly covered and authorizing the increase of ways of egress

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1579, entitled

An Act making an appropriation to the Department of Public Instruction for the purpose of providing temporary emergency aid under certain conditions to school districts of the third and fourth classes in which housing projects are erected

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1583, entitled:

An Act to amend Section 450 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Government and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Gov-



ernor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" by increasing the membership of the State Board of Public Assistance

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1609, entitled:

An Act to amend Section 11 of the act approved the eighteenth day of May one thousand nine hundred forty-nine (P. L. 1440) entitled "An act concerning notaries public and amending revising consolidating and changing the law relating thereto" by requiring notaries public to register his signature and date of expiration of his commission in the prothonotary's office after each renewal of his commission and before he enters upon the duties of his office

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1638, entitled:

An Act to further amend section thirteen of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 955) entitled as amended "An Act to promote public health safety morals and welfare by declaring the necessity of creating public bodies corporate and politic to be known as housing authorities to engage in slum clearance and to undertake projects to provide dwelling accommodations for persons of low income providing for the organization of such housing authorities defining their powers and duties providing for the exercise of such powers including the acquisition of property by purchase gift or eminent domain the renting and selling of property and including borrowing money issuing bonds and other obligations and giving security therefor prescribing the remedies of obligees of housing authorities authorizing housing authorities to enter into agreements including agreements with the United States the Commonwealth and political subdivisions and municipalities thereof defining the application of zoning sanitary and building laws and regulations to projects built to be maintained by such housing authorities exempting the property and securities of such housing authorities from taxation and imposing duties and conferring powers upon the State Planning Board and certain other State officers and departments" by providing that rentals to persons dependent upon veterans' benefits or public assistance or similar income payments from government agencies assistance or similar income payments from government agencies shall not be more than that charged to other families of comparable size and income

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1676, entitled:

An Act to further amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by empowering boards of school directors with the approval of the Superintendent of Public Instruction to alter the prescribed number hours and days of classes in certain emergencies for a limited period of time

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1678, entitled:

An Act to further amend the act approved the twenty-first day of January one thousand nine hundred forty-seven (P. L. 3) entitled "An act relating to officers and employees of the General Assembly fixing the number qualifications compensation mileage and duties of the officers and employees of the Senate and of the House of Representatives providing for their election or appointment term of office or of service removal and manner of filling vacancies and making appropriations to the Senate House of Representatives and Legislative Reference Bureau" by providing for compensation on a daily basis for certain employees of the General Assembly when a regular biennial session of the General Assembly remains in session beyond the fifteenth day of June making appropriations

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1703, entitled:

An Act making an appropriation to the Senate and to the House of Representatives of the General Assembly and to the Legislative Reference Bureau for the payment of mileage compensation of employees and contingent expenses

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1710, entitled:

An Act to further amend Section 1 of the act approved the twenty-fourth day of June one thousand nine hundred nineteen (P. L. 579) entitled "An act to fix the salary and mileage of the members of the General Assembly and to provide for the furnishing of such postage stationery and supplies as may be necessary for the conduct of their offices and repealing all acts or parts of acts inconsistent therewith" by increasing the salary of members of the General Assembly and providing a salary and payment of expenses in the event of annual sessions

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1718, entitled:



An Act to amend Section twenty-one of the Act approved the twentieth day of June one thousand nine hundred nineteen (P. L. 521) entitled as amended "An Act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal" as amended by modifying the rates of commission which may be retained by registers of wills for their own use for collection of inheritance taxes as agents of the Commonwealth

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1720, entitled:

An Act making an appropriation to the Department of Property and Supplies for the payment of rates rentals and other charges that may become due on leases and other contracts executed by such department with The General State Authority for the use and occupancy by the Commonwealth of various projects structures buildings and facilities of the Authority or for the service rendered by the Authority or its projects

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1721, entitled:

An Act making an appropriation to the State Treasurer for the purpose of paying salaries and wages of State Officers and employes and other ordinary and general expenses in the interim between the thirty-first day of May one thousand nine hundred fifty-one and such time as the funds provided by the General Appropriation Act become available and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred fifty-one

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

#### BILL PASSED OVER

There being no objection,

Senate Bill No. 27, Printer's No. 562, was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 134, entitled

An Act to amend further Section 5 of the act approved the thirteenth day of June one thousand eight hundred and thirty-six (P. L. 551) entitled "An act relating to roads highways and bridges" as amended by extending the width of a public road in the instance of multiple lane highways to increase the maximum width by the additional footage that shall be necessary in the

judgement of the Secretary of Highways for center or dividing strips

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

#### BILL PASSED OVER

There being no objection,

Senate Bill No. 188, Printer's No. 534, was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 230, entitled

An Act to amend sections one thousand one hundred sixty-six and one thousand one hundred sixty-nine of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further providing for sabbatical leaves of absence for professional employes

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 399, entitled

An Act to amend Section 11.1 of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by extending the time for the retention of membership in the State Employes' Retirement Association by any contributor who ceases to be a State employe and a member of the Public School Employes' Retirement Association

The first section was read.

On the question,

Will the House agree to the section?

#### BILL RECOMMITTED

Mr. WOOD. Mr. Speaker, I move that this bill be re-committed to the Committee on appropriations for the purpose of further study.

#### MR. HALL IN THE CHAIR

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 400, entitled

An Act to amend Section 12.1 of the act approved the eighteenth day of July one thousand nine hundred seven-teen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth



and contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by extending the time for the retention of membership in the Public School Employees' Retirement Association by any contributor who ceases to be a public school employee and becomes a State employee and a member of the State Employees' Retirement Association

The first section was read.

On the question,

Will the House agree to the section?

#### BILL RECOMMENDED

Mr. WOOD. Mr. Speaker, I move that this bill be recommended to the Committee on Appropriations for the purpose of further study.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 441, entitled

An Act to add Sections 602.1 and 705.1 to further amend Section 802 to add Sections 804.1 and 901.1 to the act approved the fifth day of August one thousand nine hundred forty-one (P. L. 752) entitled "An act regulating and improving the civil service of certain departments and agencies of the Commonwealth vesting in the State Civil Service Commission and a Personnel Director certain powers and duties providing for classification of positions adoption of compensation schedules and certification of payrolls imposing duties upon certain officers and employees of the Commonwealth authorizing service to other State departments or agencies and political subdivisions of the Commonwealth in matters relating to civil service defining certain crimes and misdemeanors imposing penalties making certain appropriations and repealing certain acts and parts thereof" by providing that substitutes may hold positions only until employees on military leave return relating to rights of transferred reassigned or promoted employees during probationary periods and providing for employee audits from time to time

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 544, entitled

An Act making an appropriation from the Motor License Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Motor License Fund.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 545, entitled

An Act making an appropriation from the Game Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Game Fund.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 550, entitled

An Act making an appropriation of moneys in the Motor License Fund to the Board of Finance and Revenue for the payment of the Loan and Transfer Agent of the Commonwealth.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 563, entitled

An Act making an appropriation to the Treasury Department out of various funds to pay replacement checks issued in lieu of outstanding checks when presented and to adjust errors

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

#### PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. FROST asked and obtained permission for the Committee on Public Health and Sanitation to meet during the session of the House.

#### BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 564, entitled

An Act making an appropriation from the State Stores Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the State Stores Fund.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 565, entitled

An Act making an appropriation from the State Workmen's Insurance Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to State Employees' Retirement System with respect to State employees receiving compensation from the State Workmen's Insurance Fund

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 567, entitled

An Act making an appropriation from the Fish Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees'



Retirement System with respect to State employes receiving compensation from the Fish Fund.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 573, entitled

An Act making an appropriation from the Banking Department Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Banking Department Fund.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 575, entitled

An Act making an appropriation from the Manufacturing Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Manufacturing Fund.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 576, entitled

An Act making an appropriation from the Public Building Construction Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement system with respect to State employes receiving compensation from the Public Building Construction Fund.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 668, entitled

An Act to designate the several judicial districts of the Commonwealth as required by the Constitution, and to provide for the election and commissioning of judges, learned in the law, for the said districts.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 701, entitled

An Act to amend paragraph five of section one of the act approved the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1669) entitled as amended "An act to provide revenue for school districts of the first class by imposing a tax on persons engaging in certain businesses professions occupations trades vocations and commercial activities therein providing for its levy and collection conferring and imposing powers and duties

on the Board of Public Education receiver of school taxes and school treasurer in such districts and prescribing penalties" by further defining "receipts".

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 736, entitled

An Act providing for the registration of professional bondsmen in cities of the first class providing for criminal offenses and penalties

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

#### PERMISSION GRANTED COMMITTEES TO MEET DURING SESSION

Mr. McKINNEY asked and obtained permission for the Committee on Judiciary to meet during the session of the House.

Mr. SOLLENBERGER asked and obtained permission for the Committee on Education to meet during the session of the House.

#### BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 759, entitled:

An Act to promote the uniform development of Allegheny County; creating the Metropolitan Study Commission of Allegheny County; defining its powers and duties; conferring powers and imposing duties upon the Governor and the governing bodies of political subdivisions.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 763, entitled:

An Act to amend Section 6 of the act approved the fifth day of June one thousand nine hundred forty-seven (P. L. 422) entitled "An act authorizing the Department of Forests and Waters to provide for stream clearance and stream channel rectifications to construct and maintain dams reservoirs lakes and other works and improvements for impounding flood waters and conserving the water supply of the Commonwealth and for creating additional recreational areas to acquire by purchase condemnation or otherwise certain lands for such purposes to construct and maintain flood forecasting and warning systems" by extending the powers of the department in consulting co-operating negotiating and entering into contracts and agreements for planning constructing financing maintaining and operating works or facilities.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

#### BILL PASSED OVER

There being no objection

Senate Bill No. 788, Printer's No. 464 was passed over at the request of the SPEAKER Pro Tempore.



Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 789, entitled:

An Act to further amend clause (b) of Section 507 and clause (c) of Section 2403 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by making special provision for the purchase of fuel for use in any State hospital or any other State institution

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 796, entitled:

An Act prohibiting the occupation of living quarters over or the depositing of foreign substances in any body of water which is the source of water used for human consumption prescribing penalties and authorizing the courts of common pleas to enjoin violations

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 798, entitled:

An Act to further amend the act, approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by extending the time within which State mental hospital employes may become members and within which State employes may become "orginal members," and permitting additional persons to change from the one one-hundred-sixtieth (1-160) to the one one-hundredth (1-100) class and providing for obtaining full benefits by contributors heretofore or hereafter making such change.

The first section was read.

On the question,

Will the House agree to the section?

#### BILL RECOMMITTED

Mr. WOOD. Mr. Speaker, I move that this bill be re-committed to the Committee on Appropriations for the purpose of further study.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 799, entitled:

An Act to further amend Section 14 of the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "An act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by further providing for minimum retirement allowances.

The first section was read.

On the question,

Will the House agree to the section?

#### BILL RECOMMITTED

Mr. WOOD. Mr. Speaker, I move that this bill be re-committed to the Committee on Appropriations for the purpose of further study.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 800, entitled:

An Act to further amend the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by providing for minimum retirement allowances in certain cases, and appropriations for payment of the costs thereof.

The first section was read.

On the question,

Will the House agree to the question?

#### BILL RECOMMITTED

Mr. WOOD. Mr. Speaker, I move that this bill be re-committed to the Committee on Appropriations for the purpose of further study.

The motion was agreed to.

#### BILL PASSED OVER

There being no objection

Senate Bill No. 816, Printer's No. 556 was passed over at the request of the SPEAKER Pro Tempore.



Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 819, entitled:

An Act to further amend the act approved the first day of June one thousand nine hundred forty-five (P. L. 1358) entitled "An act realting to chattel mortgages on any chattel or chattels of any kind or description including but not limited to livestock poultry farm machinery farm equipment and crops grown growing or to be grown designating the operation and effect of the lien of such mortgages providing for the filing indexing and docketing of such mortgages and related instruments in prothonotaries' offices and prescribing prothonotaries' fees providing for the filing in Pennsylvania of similar lien instruments originally filed or recorded in other states regulating the assignment release satisfaction and extension of the lien of such mortgages prescribing methods of foreclosure defining defaults and violations and fixing penalties" by providing that chattel mortgages may be given as security for principal obligations other than bonds or notes eliminating the requiring of witnesses providing additional remedies to mortgagees as against third persons and providing that the provisions of the act be liberally construed

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 822, entitled:

An Act to amend clause (7) of Section 2401 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relaing to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for appointment of school auditors to fill vacancies in such office in union school districts

And said bill having been read at length the second time and agreed to.

Ordred, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 836, entitled:

An Act making an appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred fifty-one

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

#### PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. WOOD asked and obtained permission for the Committee on Appropriations to meet during the session of the House.

#### BILLS ON FINAL PASSAGE RECALLED FROM GOVERNOR

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 548, as follows:

An Act to amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by providing penalties for removal or transfer of certificates of inspection from vehicles and official inspection stations

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles peddestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an aproppiation and providing for refunds" is hereby amended by adding after Section 823 thereof a new section to read as follows

\* \* \* \* \*

Section 823.1 Transfer or Removal of Certificates of Inspection It shall be unlawful for any person to remove an official certificate of inspection from the vehicle for which it is issued except for the purpose of replacing it with a currently valid certificate of inspection issued in conformity with the provisions of this act or to transfer a certificate of inspection from the vehicle for which it was issued to another vehicle or to take or remove any official certificate of inspection from any official inspection station to which issued for any other purpose than of affixing the same to a vehicle inspected by the official inspection station to which issued in conformity with the provisions of this act or returning the same to the Department of Revenue provided that a peace officer may summarily remove an unlawfully issued official certificate of inspection from any vehicle

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of not less than fifty dollars (\$50) nor more than one hundred dollars (\$100) and cost of prosecution and in default of the payment thereof undergo imprisonment for thirty (30) days



On the question,  
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—204

Amarando,	Goodling,	Maxwell,	Rubin,
Andrews,	Graybill,	Mazza,	Sarraf,
Banker,	Greenwood,	McConnell,	Sax,
Barkdoll,	Greer,	McCormack,	Scanlon,
Baumunk,	Guarnieri,	McCullough,	Schmidt,
Bear,	Gutendorf,	McDermitt,	Schuster,
Beaver,	Guthrie,	McGee,	Scott,
Beech,	Hagerty,	McInroy,	Seyler,
Berkstresser,	Hall,	McKinney,	Shoemaker,
Blair,	Hamilton, R. K.,	McMillen,	Shotwell,
Bloom,	Hamilton, W. H.,	McNally,	Smith,
Boles,	Harney,	Metz,	Snider,
Bolton,	Haudenschild,	Mihm,	Solnenberger,
Bomberger,	Headlee,	Mikula,	Spencer,
Boorse,	Helm,	Miller, H. G.,	Stank,
Bower,	Hersch,	Mills,	Stimmel,
Brelsch,	Hewitt,	Mintess,	Stoner,
Breth,	Hocker,	Monroe,	Swartz,
Brown,	Hoggard,	Moore, C. E.,	Swope,
Bucchin,	Hunter,	Moore, H. A.,	Tahl,
Byrne,	Jenkins,	Moran,	Taylor,
Cells,	Johnson,	Muldowney,	Thompson, E. F.,
Clapper,	Jones, G. E.,	Munley,	Thompson, R. L.,
Clendening,	Jones, J. M.,	Murray,	Toll,
Cochran,	Jones, P. F.,	Musto,	Tompkins,
Conway,	Jones, T. H. W.,	Najaka,	Toomey,
Cooper,	Jump,	Naugle,	VanSant,
Corr,	Kamyk,	Needham,	Varallo,
Costa,	Keller,	Olsen,	Varnier,
Coyle,	Kent,	Penglase,	Verona,
Dalrymple,	Kline,	Peta,	Wachhaus,
Davis,	Kohl,	Petrosky,	Wargo,
Dennison,	Kolankiewicz,	Pettigrew,	Waterhouse,
Dougherty,	Kornick,	Pfaff,	Watkins,
Dowling,	Kratz,	Pichney,	Weidner,
DuBois,	Kubacki,	Pitzer,	Welsh,
Duffy,	Kederer,	Polaski,	Wescott,
Dunn,	Lelsey,	Polen,	Westrick,
Erb,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Ewing,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Fenrich,	Leven,	Readinger,	White,
Ferster,	Light,	Reagan,	Williams,
Filip,	Limper,	Reese,	Wilt,
Filo,	Loftus,	Reilly, J. M.,	Wood,
Firmstone,	Lopresti,	Rigby,	Yeakel,
Flack,	Lovett,	Riley, R. L.,	Zester,
Frost,	Lutty,	Robertson,	Yetzer,
Gaffney,	Lyons,	Rose,	Young,
Geer,	Madden,	Rosen,	Ziegler,
Gibson,	Madigan,	Rovansek,	Sorg,
Gleason,	Markley,	Royer,	Speaker
Good,			

## NAYS—0

## NOT VOTING—3

Lafore, Miller, J. C., Reidenbach,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 815, as follows:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and

legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace and courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by providing that the Department of Revenue shall furnish one registration plate for every registered vehicle

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (a) of Section 501 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace and courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the act approved the sixth day of May one thousand nine hundred forty-three (P. L. 172) is hereby further amended to read as follows

Section 501 Registration Plates to be Furnishedn by Department

(a) The department shall furnish [to every owner whose motofr vehicle is registered and for each registration applied for by a manufacturer jobber or dealer in motor vehicles trailers or semi-trailers two registration plates and] one registration plate to every owner of a registered motor vehicle trailer semi-trailer motorcycle or bicycle with motor attached and for each registration applied for by a manufacturer jobber or dealer in motor vehicles trailers semi-trailers motorcycles or bicycles with motor attached [one registration plate]

Section 2 Section 503 of said act as amended by the act approved the twenty-seventh day of June one thousand nine hundred thirty-nine (P. L. 1135) is hereby further amended to read as follows

Section 503 How Registration Plates Carried on Motor Vehicles

[Every] The registration plate shall at all times be securely fastened to the rear of the vehicle to which it is assigned or on which its use is authorized [one on the front the other on the rear except that for motorcycles bicycles with motor attached trailers and semi-trailers the single plate shall be on the rear]

No plate shall be attached at a height less than twelve (12) inches from the ground measuring from the bottom of such plate nor shall any plate be obscured

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of ten (\$10) dollars



and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

Section 3 Subsection (a) of Section 505 of said act is hereby amended to read as follows

Section 505 Lost Defaced or Substituted Registration Plates

(a) In the event of the loss of [one or both] A registration [plates] plate or if a plate [or plates become] becomes so defaced that the numerals or letters thereon are illegible it shall be the duty of the owner of the motor vehicle trailer or semi-trailer for which the same [were] was issued to apply to the department for a new [plates] plate within forty-eight hours (58) hours of his discovery of the loss or defacement of such plate [or plates]

Section 4 Section one of this act shall become effective immediately upon final enactment but shall not apply to the current registration year Section two of this act shall become effective on the fifteenth day of the month preceding the registration year commencing in one thousand nine hundred fifty-two Section three of this act shall become effective the first day of the registration year commencing in one thousand nine hundred fifty-two

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—204

Amarando,	Goodling,	Maxwell,	Rubin,
Andrews,	Graybill,	Mazza,	Sarrafa,
Banker,	Greenwood,	McConnell,	Sax,
Barkdoll,	Greer,	McCormack,	Scanlon,
Baumunk,	Guarnieri,	McCullough,	Schmidt,
Bear,	Gutendorf,	McDermlt,	Schuster,
Beaver,	Guthrie,	McGee,	Scott,
Beech,	Hagerty,	McInroy,	Seyler,
Berkstresser,	Hall,	McKinney,	Shoemaker,
Blair,	Hamilton, R. E.,	McMillen,	Shotwell,
Bloom,	Hamilton, W. H.,	McNally,	Smith,
Boles,	Harney,	Metz,	Snider,
Bolton,	Haudenahfield,	Mihm,	Sollenberger,
Bomberger,	Headlee,	Mikula,	Spencer,
Boorse,	Helm,	Miller, H. G.,	Stank,
Bower,	Hersch,	Mills,	Stimmel,
Brelach,	Hewitt,	Mintess,	Stoner,
Breth,	Hocker,	Monroe,	Swartz,
Brown,	Hoggard,	Moore, C. E.,	Swope,
Bucchin,	Hunter,	Moore, H. A.,	Tahl,
Byrne,	Jenkins,	Moran,	Taylor,
Cella,	Johnson,	Muldowney,	Thompson, E. F.,
Clapper,	Jones, G. E.,	Munley,	Thompson, R. L.,
Clendenning,	Jones, J. M.,	Murray,	Toll,
Cochran,	Jones, P. F.,	Musto,	Tompkins,
Conway,	Jones, T. H. W.,	Najaka,	Toomey,
Cooper,	Jump,	Naugle,	VanSant,
Corr,	Kamyk,	Needham,	Varallo,
Costa,	Keller,	Olsen,	Varnier,
Coyle,	Kent,	Penglase,	Verona,
Dalrymple,	Kline,	Peta,	Wachhaus,
Davis,	Kohl,	Petrosky,	Wargo,
Dennison,	Kolankiewicz,	Pettigrew,	Waterhouse,
Dougherty,	Kornick,	Pfaff,	Watkins,
Dowling,	Kratz,	Pichney,	Weidner,
DuBois,	Kubacki,	Pitzer,	Welsh,
Duffy,	Lederer,	Polaski,	Wescott,
Dunn,	Leisey,	Polen,	Westrick,
Erb,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Ewing,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Fenrich,	Leven,	Readinger,	White,
Ferster,	Light,	Reagan,	Williams,
Fillo,	Limper,	Reese,	Wilt,
Firmstone,	Loftus,	Reilly, J. M.,	Wood,
Flack,	Lopresti,	Rigby,	Yeakel,
Frost,	Lovett,	Riley, R. L.,	Yester,
Gaffney,	Lutty,	Robertson,	Yetzer,
Geer,	Lyons,	Rose,	Young,
Gibson,	Madden,	Rosen,	Ziegler,
Gleason,	Madigan,	Rovansek,	Sorg,
Good,	Markley,	Royer,	Speaker

## NAYS—0

## NOT VOTING—3

Lafore,

Miller, J. C.,

Reidenbach,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

## BILLS ON FINAL PASSAGE

Agreeably to order

The House proceeded to the consideration on final passage of House Bill No. 1606, as follows:

An Act to further amend the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2681) entitled "An act relating to and regulating the manufacture storing and possession of explosives requiring permits for magazines and prescribing permit fees and providing penalties" by regulating the transportation of explosives requiring permits for blasting including prosecution by the Pennsylvania State Police and otherwise extending the regulation of explosives and increasing fees

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2681) entitled "An act relating to and regulating the manufacture storing and possession of explosives requiring permits for magazines and prescribing permit fees and providing penalties" as last amended by the act approved the eighteenth day of May one thousand nine hundred forty-nine (P. L. 1461) is hereby further amended to read as follows

Section 1 Be it enacted &c That no person shall manufacture process store transport or have in his possession any explosives in this Commonwealth until all requirements of this act have been complied with Provided That nothing contained in this act shall be construed to apply to the transportation storage handling and actual use of explosives in or in connection with anthracite and bituminous coal mining operations or clay or shale mining operations or in the operation of stone or rock quarries or in agricultural work or to the military and naval forces of the United States or to the transportation of explosives upon vessels or railroad cars when in conformity with the rules of the Interstate Commerce Commission or to the transportation of explosives upon common carriers by air when such transportation is in conformity with regulations of the Civil Aeronautics Board of the United States

Section 2 Sections five seven nine and twelve of said act are hereby amended to read as follows

Section 5 The department shall determine the amount of explosives that may be stored or placed in magazines and shall issue a license to the person applying therefor as hereinafter provided such license to stipulate the maximum amount of explosives permitted No explosives shall be delivered to any person company or corporation that does not have a licensed magazine except where the explosives are to be used the day of delivery and then only in such quantity as required for daily operative needs

Whenever any person fails for thirty days to pay the annual license fee hereinafter provided after the same becomes due or otherwise violates any of the provisions of this act the Secretary of Labor and Industry may cancel such license Whenever a license is cancelled for any cause the Secretary of Labor and Industry or his duly authorized representative shall notify in writing the person to whom such license is issued of the fact of such cancellation and shall in said notice direct the removal of all ex-



plosives stored in said magazine within a reasonable time limit but not to exceed ten days from the giving of said notice Failure to so remove the explosives stored in said magazine within the time specified in said notice shall constitute a violation of this act

Section 7 All explosive plants and all buildings and magazines wherein explosives are manufactured or stored shall be located operated maintained equipped and conducted so as to provide for the adequate protection for all persons employed in or about such explosive plants or magazines The location of explosive plants with respect to other buildings railroads and highways and the location of buildings wherein explosives are manufactured or stored with respect to other magazines or buildings when explosives are manufactured shall be in accordance with the regulations adopted by the Department of Labor and Industry

For adequate protection for all persons employed in transporting explosives and for the public safety generally blasting caps and detonators shall not be stored or transported with other explosives but shall be stored or transported separate from other explosives No blasting caps or detonators shall be kept or stored in any magazine in which other explosives are kept or stored and no blasting caps or detonators shall be transported in any vehicle in which other explosives are transported

Section 9 After January first one thousand nine hundred [and] thirty-eight every person storing or in possession of explosives shall be required to have a license for each magazine used for the storing or placing of explosives which license shall be issued on a form prepared and furnished by the Department of Labor and Industry The application for license shall be accompanied by the proper license fee which shall be prescribed by the department according to the quantity of explosives which are to be stored or placed in the magazine and shall not be less than [two dollars and fifty cents (\$2.50)] three dollars and fifty cents (\$3.50) nor more than [twenty-five (\$25)] fifty dollars (\$50) Such license shall be kept posted conspicuously in or about the magazine for which issued Licenses shall expire annually on the thirty-first day of December and shall be renewed annually upon payment of the fee as specified in this section

After January first one thousand nine hundred fifty-two every person selling or transporting explosives within or through the State except from licensed distributing magazine or magazines to point of use shall be required to have a license which license shall be issued on a form prepared and furnished by the Department of Labor and Industry Each and every vehicle transporting explosives shall post a copy of the license in a conspicuous place The application for license shall be accompanied by a license fee of fifteen dollars (\$15) Licenses shall expire annually on the thirty-first day of December and shall be renewed annually upon payment of the fee as specified in this section

After January first one thousand nine hundred fifty-two every person except for exclusions contained in section one of this act using explosives for blasting shall be required to have a license which license shall be issued on a form prepared and furnished by the Department of Labor and Industry The application for license shall be accompanied by a license fee of one dollar (\$1) whenever a person excluded under section one of this act desires to apply for a license and be certified by the Department of Labor and Industry he may so apply and be certified upon the payment of the license fee of one dollar (\$1) thereafter such person shall be bound by the provisions of this act

Section 12 Any person or persons who shall violate any of the provisions of this act or the rules and regulations of the department as herein provided for or who shall hinder or interfere with a duly authorized officer of the Commonwealth in the performance of his duties as herein provided shall upon conviction in a summary proceeding be punished by a fine of not less than ten dollars (\$10) or more than one hundred dollars (\$100) and in default of the payment of such fine and costs shall be sentenced to imprisonment for not more than

thirty days Any person or persons who shall on second offense violate any of the provisions of this act or the rules and regulations of the department as herein provided for shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine of not less than one hundred dollars (\$100) and not more than one thousand dollars (\$1,000) or to suffer imprisonment for not more than one year or both at the discretion of the court Prosecution for violation of this act may be instituted by the Secretary of Labor and Industry the Pennsylvania State Police or [his] their duly authorized [representative] representatives

Section 3 This act shall become effective immediately upon final enactment

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—204

Amarando,	Goodling,	Maxwell,	Rubin,
Andrews,	Graybill,	Mazza,	Sarra,
Banker,	Greenwood,	McConnell,	Sax,
Barkdoll,	Greer,	McCormack,	Scanlon,
Baumunk,	Guarnieri,	McCullough,	Schmidt,
Bear,	Gutendorf,	McDermitt,	Schuster,
Beaver,	Guthrie,	McGee,	Scott,
Beech,	Hagerty,	McInroy,	Seyler,
Berkstresser,	Hall,	McKinney,	Shoemaker,
Blair,	Hamilton, R. K.,	McMillen,	Shotwell,
Bloom,	Hamilton, W. H.,	McNally,	Smith,
Boles,	Harnay,	Metz,	Snider,
Bolton,	Haudenschild,	Mihm,	Sollenberger,
Bomberger,	Headlee,	Mikula,	Spencer,
Boorse,	Helm,	Miller, H. G.,	Stank,
Bower,	Hersch,	Mills,	Stimmel,
Breisch,	Hewitt,	Mintess,	Stoner,
Breth,	Hocker,	Monroe,	Swartz,
Brown,	Hoggard,	Moore, C. E.,	Swope,
Buechin,	Hunter,	Moore, H. A.,	Tahl,
Byrne,	Jenkins,	Moran,	Taylor,
Cella,	Johnson,	Muldowney,	Thompson, E. F.,
Clapper,	Jones, G. E.,	Munley,	Thompson, R. L.,
Clendenning,	Jones, J. M.,	Murray,	Toll,
Cochran,	Jones, P. F.,	Musto,	Tompkins,
Conway,	Jones, T. H. W.,	Najaka,	Toomey,
Cooper,	Jump,	Naugle,	VanSant,
Corr,	Kamyk,	Needham,	Varallo,
Costa,	Keller,	Olsen,	Varner,
Coyle,	Kent,	Penglase,	Vernon,
Dalrymple,	Kuine,	Peta,	Wachhaus,
Davis,	Kohl,	Petrosky,	Wargo,
Dennison,	Kolankiewicz,	Pettigrew,	Waterhouse,
Dougherty,	Kornick,	Pfaff,	Watkins,
Dowling,	Kratz,	Pichney,	Weidner,
DuBois,	Kubacki,	Pitzer,	Welsh,
Duffy,	Lederer,	Polaski,	Wescott,
Dunn,	Leisey,	Polen,	Westrick,
Erb,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Ewing,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Fenrich,	Leven,	Readinger,	White,
Ferster,	Light,	Reagan,	Williams,
Fillip,	Limper,	Reese,	Wilt,
Filo,	Loftus,	Reilly, J. M.,	Wood,
Firmstone,	Lopresti,	Rigby,	Yeakel,
Flack,	Lovett,	Riley, R. L.,	Yester,
Frost,	Lutty,	Robertson,	Yetzer,
Gaffney,	Lyons,	Rose,	Young,
Geer,	Madden,	Rosen,	Ziegler,
Gibson,	Madigan,	Rovansek,	Sorg,
Gleason,	Markley,	Royer,	Speaker
Good,			

#### NAYS—0

#### NOT VOTING—3

Lafore, Miller, J. C., Reidenbach.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.



## BILLS PASSED OVER

There being no objection

Senate Bill No. 41, Printer's No. 570

Senate Bill No. 104, Printer's No. 571

Senata Bill No. 653, Printer's No. 550

Senate Bill No. 654, Printer's No. 551 and

Senate Bill No. 655, Printer's No. 552

were passed over at the request of the SPEAKER pro tempore.

### PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. HEWITT asked and obtained permission for the Committee on Mines and Mining to meet during the session of the House.

### BILLS ON THIRD READING

#### BILL PASSED OVER

There being no objection

House Bill No. 488, Printer's No. 476

was passed over at the request of the SPEAKER Pro Tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1116, as follows:

An Act to further amend Sections 1 and 2 of the act approved the twenty-fourth day of July one thousand nine hundred thirteen (P. L. 965) entitled "An act defining commodities regulating the sale thereof and providing penalties for violation hereof" by defining further word and terms and regulating the sale of certain additional commodities

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections 1 and 2 of the act approved the twenty-fourth day of July one thousand nine hundred thirteen (P. L. 965) entitled "An act defining commodities regulating the sale thereof and providing penalties for violation hereof" as amended by the act approved the eighteenth day of May one thousand nine hundred forty-five (P. L. 788) are hereby further amended to read as follows

Section 1 Be it enacted &c That the word "commodity" as used in this act shall mean any thing gods wares merchandise compound mixture or preparation products of manufacture of any tangible personal property which may be lawfully kept sold or offered for sale

The words "liquid commodity" as used in this act shall mean anything fluid or in the liquid state and not mixed with solids and frozen fluid products

The words "dry commodity" as used in this act shall mean any other commodity sold or offered for sale not in liquid or fluid state at the time of sale

The words "liquid measure" as used in this act shall mean the standard United States gallon of 231 cubic inches or binary sub-multiple thereof quart pint or gill

The words "dry measure" as used in this act shall mean the standard United States bushel of 2150.42 cubic inches or sub-multiple thereof peck quart or pint

The words "cubic foot" where used as a unit of measurement shall mean 1728 cubic inches

The word "therm" where used as a unit of measurement shall mean 100,000 British thermal units

The word "weight" as used in this act shall mean the United States standard avoirdupois pound or ounce

The word "package" as used in this act shall mean everything containing one or more than one unit of any commodity tied or bound together or put up in box bag pack bundle container bottle jar can or any other form

of receptacle or vessel not considered as an approved measure except cases cartons crates bundles or bales used for bulk shipping or storage Provided That enclosed packages are marked as to weight measure or numerical count

The word "department" as used in this act shall mean the Department of Internal Affairs

The word "person" as used in this act shall be construed to include any individual firm partnership unincorporated association corporation association agent representative or employe thereof

Section 2 (1) All liquid commodities when sold in bulk or from bulk shall be sold by weight or liquid measure All dry commodities when sold in bulk or from bulk shall be sold by weight dry measure or numerical count unless otherwise designated to be sold in a special manner No dry commodities shall be sold by liquid measure

(2) All meats and meat products poultry and poultry products except eggs shall be sold by weight only eggs may be sold by numerica count

(3) Wod used for fuel shall be sold by weight or by the cord of 128 cubic feet or fraction thereof and accompanied by a statement or invoice certifying the amount sold

(4) Liquefied petroleum gas is defined and limited to any material which is composed predominantly of any of the following hydrocarbons or mixtures of them propane propylene butanes (normal butane or isobutane) and butylene and shall be sold or offered for sale at retail by avoirdupois weight or by liquid measure or vapor volume The unit of sale must be a specified whole or fractional part or whole and fractional parts of pounds gallons or cubic feet or on a thermal basis Any of these units shall be convertible into any other units in accordance with the tables hereinafter set forth The unit of sale shall be clearly shown on weighing or measuring device and also on the customer's invoice indicating the equivalent to a pound a gallon or a cubic foot as weighed or measured by such device

#### (Conversion Table)

##### Propane

1 Cu. ft.=.117 lbs., .0276 gals., .0252 therms, .2522 decitherms

1 lb.=8.55 cu. ft., .236 gals., .215 therms, 2.15 decitherms

1 gal.=36.28 cu. ft., 4.24 lbs., .915 therms, 9.150 decitherms

1 therm=39.6 cu. ft., 4.64 lbs., 1.093 gals., 10 decitherms

1decitherm=3.96 cu. ft., 464 lbs., .109 gals., .100 therms

##### Butane

1 Cu. ft.=.154 lbs., .0318 gals., .0326 therms, .326 decitherms

1 lb.=6.50 cu. ft., .206 gals., .212 therms, 2.12 decitherms

1 gal.=31.46 cu. ft., 4.84 lbs., 1.026 therms, 10.26 decitherms

1 therm=30.67 cu. ft., 4.72 lbs., .975 gals., 10 decitherms

1 decitherm=3.067 cu. ft., .472 lbs., .098 gals., .100 therms

When sold or offered for sale in package form the net contents must be plainly and conspicuously marked on the container or on a tag or other type of label firmly attached thereto and must also be shown on an invoice or delivery ticket (Tare weight is the weight of the container valve and other permanent attachment but does not include valve protecting cap)

When sold by avoirdupois weight variations at the rate of one pound per one hundred pounds of a specified net weight of the container are permitted in individual containers but the average weight of not less than twelve containers shall not be less than the marked net weight of the container

After containers sold on a package basis are disconnected for removal from consumer's apparatus before becoming empty a written receipt or statement of credit for all weight in excess of the marked tare weight shall be furnished to the consumer Provided however That the provisions of this paragraph shall not apply where they are inconsistent with the terms of a written contract of sale

Only such measures as are approved under the provisions of the act approved the fifth day of May one thousand nine hundred twenty-one (P. L. 389) entitled "An act to regulate and control the manufacture sale offering



for sale giving away and use of weights and measures and of weighing and measuring devices in the Commonwealth of Pennsylvania providing for the approval and disapproval of such weights measures and devices by the Bureau of Standards and prescribing penalties" shall be used

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—204

Amarando,	Good,	Markley,	Rubin,
Andrews,	Goodling,	Maxwell,	Sarraf,
Banker,	Graybill,	Mazza,	Sax,
Barkdoll,	Greenwood,	McConnell,	Scanlon,
Baumunk,	Greer,	McCormack,	Schmidt,
Bear,	Guarnieri,	McCullough,	Schuster,
Beaver,	Gutendorf,	McDermitt,	Scott,
Beech,	Guthrie,	McGee,	Seyler,
Berkstresser,	Hagerty,	McInroy,	Shoemaker,
Blair,	Hall,	McKinney,	Shotwell,
Bloom,	Hamilton, R. K.,	McMillen,	Smith,
Boles,	Hamilton, W. H.,	McNally,	Snider,
Bolton,	Harney,	Metz,	Sollenberger,
Bomberger,	Haudenshield,	Mihm,	Spencer,
Boorse,	Headlee,	Mikula,	Stank,
Bower,	Helm,	Miller, H. G.,	Stimmel,
Breisch,	Hersch,	Mintess,	Stoner,
Breth,	Hewitt,	Monroe,	Swartz,
Brown,	Hocker,	Moore, C. E.,	Swope,
Bucchin,	Hoggard,	Moore, H. A.,	Tahl,
Byrne,	Hunter,	Moran,	Taylor,
Cella,	Jenkins,	Muldowney,	Thompson, E. F.,
Clapper,	Johnson,	Munley,	Thompson, R. L.,
Clendenning,	Jones, G. E.,	Murray,	Toll,
Cochran,	Jones, J. M.,	Musto,	Tompkins,
Conway,	Jones, P. F.,	Najaka,	Toomey,
Cooper,	Jones, T. H. W.,	Naugle,	VanSant,
Corr,	Jump,	Needham,	Varallo,
Costa,	Kamyk,	Olsen,	Varnier,
Coyle,	Keller,	Penglase,	Verona,
Dalrymple,	Kent,	Peta,	Wachhaus,
Davis,	Kline,	Petrosky,	Wargo,
Dennison,	Kohl,	Pettigrew,	Waterhouse,
Dougherty,	Kolankiewicz,	Pfaff,	Watkins,
Dowling,	Kornick,	Pichney,	Weidner,
Duffy,	Kratz,	Pitzer,	Welsh,
DuBols,	Kubacki,	Polaski,	Wescott,
Dunn,	Lederer,	Polen,	Westrick,
Erb,	Lelsey,	Price, H. W. Jr.,	Whalley,
Ewing,	Leonard, L.,	Price, R. A.,	White,
Fenrich,	Leonard, W. C.,	Readinger,	Williams,
Ferster,	Leven,	Reagan,	Wilt,
Filip,	Light,	Reese,	Wood,
Filo,	Limper,	Reilly, J. M.,	Yeakel,
Firmstone,	Loftus,	Rigby,	Yester,
Flack,	Lopresti,	Riley, R. L.,	Yetzer,
Frost,	Lovett,	Robertson,	Young,
Gaffney,	Lutty,	Rose,	Ziegler,
Geer,	Lyons,	Rosen,	Sorg,
Gibson,	Madden,	Rovansek,	Speaker
Gleason,	Madigan,	Royer,	

## NAYS—0

## NOT VOTING—3

Lafore, Miller, J. C., Reidenbach.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1118, as follows:

An Act making an appropriation from the Toll Bridge Fund to the Board of Finance and Revenue to meet in-

terest and sinking fund requirements on Toll Bridge Bonds

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one million four hundred fifty-four thousand dollars (\$1,454,000) is hereby specifically appropriated from the Toll Bridge Fund to the Board of Finance and Revenue for payment into the Toll Bridge Sinking Fund to meet interest and sinking fund requirements on Toll Bridge Bonds for the two fiscal years beginning June first one thousand nine hundred fifty-one The amount hereinbefore appropriated shall be transferred by the Auditor General and the State Treasurer upon requisition of the Board of Finance and Revenue from the Toll Bridge Fund to the Toll Bridge Sinking Fund on or before the dates and in the manner set forth in the following schedule

Dates	Principal	Interest	Total
October 1, 1951	\$ 650,000.00	\$ 42,075.00	\$ 692,075.00
April 1, 1952 ..		38,500.00	38,500.00
October 1, 1952	650,000.00	38,500.00	688,500.00
April 1, 1953 ..		34,925.00	34,925.00
	<u>\$1,300,000.00</u>	<u>\$ 154,000.00</u>	<u>\$1,454,000.00</u>

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—204

Amarando,	Good,	Markley,	Royer,
Andrews,	Goodling,	Maxwell,	Rubin,
Banker,	Graybill,	Mazza,	Sarraf,
Barkdoll,	Greenwood,	McConnell,	Sax,
Baumunk,	Greer,	McCullough,	Scanlon,
Bear,	Guarnieri,	McCormack,	Schmidt,
Beaver,	Gutendorf,	McDermitt,	Schuster,
Beech,	Guthrie,	McGee,	Scott,
Berkstresser,	Hagerty,	McInroy,	Seyler,
Blair,	Hall,	McKinney,	Shoemaker,
Bloom,	Hamilton, R. K.,	McMillen,	Shotwell,
Boles,	Hamilton, W. H.,	McNally,	Smith,
Bolton,	Harney,	Metz,	Snider,
Bomberger,	Haudenshield,	Mihm,	Sollenberger,
Boorse,	Headlee,	Mikula,	Spencer,
Bower,	Helm,	Miller, H. G.,	Stank,
Breisch,	Hersch,	Mills,	Stimmel,
Breth,	Hewitt,	Mintess,	Stoner,
Brown,	Hocker,	Monroe,	Swartz,
Bucchin,	Hoggard,	Moore, C. E.,	Swope,
Byrne,	Hunter,	Moore, H. A.,	Tahl,
Cella,	Jenkins,	Moran,	Taylor,
Clapper,	Johnson,	Muldowney,	Thompson, E. F.,
Clendenning,	Jones, G. E.,	Munley,	Thompson, R. L.,
Cochran,	Jones, J. M.,	Murray,	Toll,
Conway,	Jones, P. F.,	Musto,	Tompkins,
Cooper,	Jones, T. H. W.,	Najaka,	Toomey,
Corr,	Jump,	Naugle,	VanSant,
Costa,	Kamyk,	Needham,	Varallo,
Coyle,	Keller,	Olsen,	Varnier,
Dalrymple,	Kent,	Penglase,	Verona,
Davis,	Kline,	Peta,	Wachhaus,
Dennison,	Kohl,	Petrosky,	Wargo,
Dougherty,	Kolankiewicz,	Pettigrew,	Waterhouse,
Dowling,	Kornick,	Pfaff,	Watkins,
DuBols,	Kratz,	Pichney,	Weidner,
Duffy,	Kubacki,	Pitzer,	Welsh,
Dunn,	Lederer,	Polaski,	Wescott,
Erb,	Lelsey,	Polen,	Westrick,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leonard, W. C.,	Price, R. A.,	White,
Ferster,	Leven,	Readinger,	Williams,
Filip,	Light,	Reagan,	Wilt,
Filo,	Limper,	Reese,	Wood,
Firmstone,	Loftus,	Reilly, J. M.,	Yeakel,
Flack,	Lopresti,	Rigby,	Yester,
Frost,	Lovett,	Riley, R. L.,	Yetzer,
Gaffney,	Lutty,	Robertson,	Young,
Geer,	Lyons,	Rose,	Ziegler,
Gibson,	Madden,	Rosen,	Sorg,
Gleason,	Madigan,	Rovansek,	Speaker



## NAYS—0

## NOT VOTING—3

Lafore, Miller, J. C., Reidenbach.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1285, as follows:

An Act to further amend section four hundred forty-one of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments board and commissions shall be determined" by increasing the number of Workmen's Compensation Board members and the quorum thereof

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four hundred forty-one of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments board and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments board and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" as amended by the act approved the twenty-eighth day of April one thousand nine hundred forty-nine (P. L. 776) is hereby further amended to read as follows

Section 441 Workmen's Compensation Board The Workmen's Compensation Board shall consist of [three] five members of whom the Governor shall designate one as chairman The Secretary of Labor and Industry shall be ex officio a member of the board [Two] Three members of the board shall be a quorum and no action of the board shall be valid unless it shall have the concurrence of at least [two] three members A vacancy on the board shall not impair the right of a quorum to exercise all the rights and perform all the duties of the board

The Secretary of Labor and Industry with the approval of the Governor shall appoint a secretary to the Workmen's Compensation Board who shall receive such salary as the Secretary of Labor and Industry with the approval of the Governor shall determine

The Chairman of the Workmen's Compensation Board shall receive a salary at the rate of eleven thousand five hundred dollars per annum The other members of the board except the Secretary of Labor and Industry shall receive salaries at the rate of eleven thousand dollars per annum

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—204

Amarando,	Goodling,	Maxwell,	Rubin,
Andrews,	Graybill,	Mazza,	Sarra,
Banker,	Greenwood,	McConnell,	Sax,
Barkdoll,	Greer,	McCormack,	Scanlon,
Baumunk,	Guarnieri,	McCullough,	Schmidt,
Bear,	Gutendorf,	McDermitt,	Schuster,
Beaver,	Guthrie,	McGee,	Scott,
Beech,	Hagerty,	McInroy,	Seyler,
Berkstresser,	Hall,	McKinney,	Shoemaker,
Blair,	Hamilton, R. K.,	McMillen,	Shotwell,
Bloom,	Hamilton, W. H.,	McNally,	Smith,
Boles,	Harney,	Metz,	Snider,
Bolton,	Haudenshield,	Mihm,	Sollenberger,
Bomberger,	Headlee,	Mikula,	Spencer,
Boorse,	Helm,	Miller, H. G.,	Stank,
Bower,	Hersch,	Mills,	Stimmel,
Breisch,	Hewitt,	Mintess,	Stoner,
Breth,	Hocker,	Monroe,	Swartz,
Brown,	Hoggard,	Moore, C. E.,	Swope,
Bucchin,	Hunter,	Moore, H. A.,	Tahl,
Byrne,	Jenkins,	Moran,	Taylor,
Cella,	Johnson,	Muldowney,	Thompson, E. F.,
Clapper,	Jones, G. E.,	Munley,	Thompson, R. L.,
Clendenning,	Jones, J. M.,	Murray,	Toll,
Cochran,	Jones, P. F.,	Musto,	Tompkins,
Conway,	Jones, T. H. W.,	Najaka,	Toomey,
Cooper,	Jump,	Naugle,	VanSant,
Corr,	Kamyk,	Needham,	Varallo,
Costa,	Keller,	Olsen,	Varner,
Coyle,	Kent,	Penglase,	Verona,
Dairymple,	Kline,	Pets,	Wachhaus,
Davis,	Kohl,	Petrosky,	Wargo,
Dennison,	Kolankiewicz,	Pettigrew,	Waterhouse,
Dougherty,	Kornick,	Pfaff,	Watkins,
Dowling,	Kratz,	Pichney,	Weidner,
DuBols,	Kubacki,	Pitzer,	Welsh,
Duffy,	Lederer,	Polaski,	Wescott,
Dunn,	Lelsey,	Polen,	Westrick,
Erb,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Ewing,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Fenrich,	Leven,	Readinger,	White,
Ferster,	Light,	Reagan,	Williams,
Filip,	Limper,	Reese,	Wilt,
Filo,	Loftus,	Reilly, J. M.,	Wood,
Firmstone,	Lopresti,	Rigby,	Yeakel,
Flack,	Lovett,	Riley, R. L.,	Yester,
Frost,	Lutty,	Robertson,	Yetzer,
Gaffney,	Lyons,	Rose,	Young,
Geer,	Madden,	Rosen,	Ziegler,
Gibson,	Madigan,	Rovansek,	Sorg,
Gleason,	Markley,	Royer,	Speaker
Good,			

## NAYS—0

## NOT VOTING—3

Lafore, Miller, J. C., Reidenbach.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.



Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1331, as follows

An Act authorizing the Department of Highways to erect and maintain toll bridges over the Susquehanna River at certain points and to provide the necessary approaches and connections with State highways empowering counties to pay certain damages providing for the collection of tolls and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Highways with the approval of the Governor is hereby authorized to erect and construct bridges over the Susquehanna River at the hereafter described locations to connect the State highways on both sides of said river and to acquire the necessary land for approaches thereto

(a) From a point in or near the Borough of Millersburg in Dauphin County to a point on the opposite side of said river in Perry County

(b) From a point between Safe Harbor and Holtwood in Lancaster County to a point on the opposite of said river in York County

Section 2 In the construction of said bridges and the approaches thereto and connections with existing State highways the Department of Highways shall have all of the powers and authority conferred with respect to the relocation widening or construction of State highways including the exercise of the power of eminent domain Any damages sustained by reason of taking property in the relocation widening or construction of any such bridge the approaches thereto and connections with State highways shall be ascertained in accordance with laws applicable to the ascertainment of damages in relocating widening or constructing State highways and such damages when ascertained shall be paid by the Commonwealth or county or counties as may be agreed upon in accordance with the laws relating to State highways

The Department of Highways shall have authority to make and carry out and to do every other act necessary to carry out the projects herein authorized

Section 3 After the completion of any such bridge and the approaches thereto the Department of Highways shall provide for the collection of tolls until such tolls have been sufficient to reimburse the Motor License Fund for all costs including the salaries of toll takers and maintenance and repair of such bridge during the period tolls are collected as soon as the Motor License Fund has been reimbursed for all costs any such bridge shall be freed from toll and shall become a part of the system of State highways to be administered by the Department of Highways under the provisions of present or future laws governing State highways

Section 4 So much of the money in the Motor License Fund from time to time as may be needed to carry out the provisions of this act is hereby specifically appropriated to the Department of Highways for such purposes

Section 5 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—204

Amarando,	Goodling,	Maxwell,	Rubin,
Andrews,	Graybill,	Mazza,	Sarraf,
Banker,	Greenwood,	McConnell,	Sax,
Barkdoll,	Greer,	McCormack,	Scanlon,
Baumunk,	Guarnieri,	McCullough,	Schmidt,

Bear,	Gutendorf,	McDermitt,	Schuster,
Beaver,	Guthrie,	McGee,	Scott,
Beech,	Hagerty,	McInroy,	Seyler,
Berkstreaser,	Hall,	McKinney,	Shoemaker,
Blair,	Hamilton, R. K.,	McMillen,	Shotwell,
Bloom,	Hamilton, W. H.,	McNally,	Smith,
Boles,	Harney,	Metz,	Snider,
Boiton,	Haudenshield,	Mihm,	Sollenberger,
Bomberger,	Headlee,	Mikula,	Spencer,
Boorse,	Helm,	Miller, H. G.,	Stank,
Bower,	Hersch,	Mills,	Stimmel,
Breisch,	Hewitt,	Mintess,	Stoner,
Breth,	Hocker,	Monroe,	Swartz,
Brown,	Hoggard,	Moore, C. E.,	Swope,
Buccin,	Hunter,	Moore, H. A.,	Tahl,
Byrne,	Jenkins,	Moran,	Taylor,
Cella,	Johnson,	Muldowney,	Thompson, E. F.,
Clapper,	Jones, G. E.,	Munley,	Thompson, R. L.,
Clendenning,	Jones, J. M.,	Murray,	Toll,
Cochran,	Jones, P. F.,	Musto,	Tompkins,
Conway,	Jones, T. H. W.,	Najaka,	Toomey,
Cooper,	Jump,	Naugle,	VanSant,
Corr,	Kamyk,	Needham,	Varallo,
Costa,	Keller,	Olsen,	Varnar,
Coyle,	Kent,	Penglase,	Verona,
Dalrymple,	Kline,	Peta,	Wachhaus,
Davis,	Kohl,	Petrosky,	Wargo,
Dennison,	Kolankiewicz,	Pettigrew,	Waterhouse,
Dougherty,	Kornick,	Pfaff,	Watkins,
Dowling,	Kratz,	Pichney,	Weldner,
DuBois,	Kubacki,	Pitzer,	Welsh,
Duffy,	Lederer,	Polaski,	Wescott,
Dunn,	Lelsey,	Polen,	Westrick,
Erb,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Ewing,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Fenrich,	Leven,	Readinger,	White,
Ferster,	Light,	Reagan,	Williams,
Filip,	Limper,	Reese,	Wilt,
Filo,	Loftus,	Relly, J. M.,	Wood,
Firmstone,	Lopresti,	Rigby,	Yeakei,
Flack,	Lovett,	Riley, R. L.,	Yester,
Frost,	Lutty,	Robertson,	Yetzer,
Gaffney,	Lyons,	Rose,	Young,
Geer,	Madden,	Rosen,	Ziegler,
Gibson,	Madigan,	Rovansek,	Sorg,
Gleason,	Markley,	Royer,	Speaker
Good,			

#### NAYS—0

#### NOT VOTING—3

Lafore, Miller, J. C., Reidenbach.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1428, as follows:

An Act to further amend the act approved the seventeenth day of May one thousand nine hundred seventeen (P. L. 208) entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words "drug" and "poison" and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity" by defining "prescription" further providing for meetings of the board and examination of pharmacists by the board further regulating experience requirements of applicants for examination and registration as pharmacists exempting physicians from certain requirements of the act

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1 3 and 4 of the act approved the seventeenth day of May one thousand nine hundred seven-



teen (P. L. 208) entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words "drugs" and "poison" and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity" as amended by the act approved the thirteenth day of April one thousand nine hundred forty-five (P. L. 231) are hereby further amended to read as follows

Section 1 Be it enacted &c That (a) term "pharmacy" when not otherwise limited shall for the purpose of this act be taken to mean a retail drug-store or any place where drugs medicine or poisons are compounded dispensed prepared or sold at retail (b) the term "drug" as used in this act shall include all medicine and preparations recognized in the United States Pharmacopoeia the National Formulary or the American Homeopathic Pharmacopoeia for internal or external use and any other substance or mixture of substances intended to be used for the cure mitigation or prevention of disease of either man or other animals (c) the term "pharmacist" shall for all purposes of this act be deemed to mean a person who is properly registered in accordance with this act of Assembly as a pharmacist Provided however That all persons registered as pharmacists by the State Pharmaceutical Examining Board of Pennsylvania under the act of May twenty-fourth one thousand eight hundred and eighty-seven and various supplements and amendments entitled "An act to regulate the practice of pharmacy and sale of poisons and to prevent adulteration in drugs and medical preparations in the State of Pennsylvania" shall be deemed to be pharmacists registered under this act (d) the term "prescription" shall mean an order for drugs or medicines or combinations or mixtures thereof written or signed by a duly registered physician dentist veterinarian or other medical practitioner licensed to write prescriptions intended for the treatment or prevention of disease in man or animals

Section 3 The State Board of Pharmacy shall meet [at least four times a year in the city of Harrisburg or such other place in Pennsylvania as they may deem expedient] not less than quarterly for the transaction of routine business and at least once in every six months and examine all persons in the science of pharmacy and its allied branches who shall make application for registration as pharmacists and that the said State Board of Pharmacy or a majority of them shall grant to such persons as may be qualified registration and certificates of competency and qualification which shall entitle the holders thereof to all the privileges of a pharmacist under the provisions of this act as may be specified therein

The examination shall consist of two parts The first part shall consist of the theoretical examination which shall be given to all applicants and the second part shall consist of a practical examination which shall be given to all applicants who have successfully passed the theoretical examination

Section 4 Every person applying to the Pennsylvania Board of Pharmacy for examination and registration as a pharmacist shall be not less than twenty-one years of age and of good moral character and be a graduate in pharmacy of some reputable and properly chartered college of pharmacy so recognized by the State Board of Pharmacy and must produce satisfactory evidence of having had subsequent to [his sixteenth birthday] entering such college of pharmacy practical experience in the business of retailing compounding or dispensing of drugs chemicals and poisons and of compounding of physicians' prescriptions under the personal supervision of a registered pharmacist one year of which practical experience must have been acquired within the United States

The practical experience required of each applicant for examination and registration shall depend on the length of the course the applicant took in the college of pharmacy of which he is a graduate in pharmacy as follows

(a) If a two year college course in pharmacy then four years of practical experience

(b) If a three years college course in pharmacy then two years of practical experience

(c) If a four years college course in pharmacy then one year of practical experience This practical experience shall total fifty-two (52) weeks of forty (40) hours per week or a total of two thousand and eighty (2,080) hours Maximum credit of thirteen (13) weeks of forty (40) hours per week will be allowed during the three summer vacations

Under subdivision (a) of this section credit on the years of practical experience required shall be given to the actual time of attendance in the college of pharmacy

Credit for practical experience may be given for experience acquired in the drug dispensary of a regular public hospital which is conducted under the constant supervision of a registered pharmacist [but such credit shall not in any case exceed six months]

In lieu of the above requirements of this section relative to the qualifications of applicants for examination and registration as pharmacists any person who has been actively engaged for ten years or longer as a registered assistant pharmacist shall be qualified and entitled to take the examination for pharmacist and upon satisfactorily passing such examination and payment of the prescribed fees shall be duly registered as a pharmacist

Section 2 Section 13 of said act as last amended by the act approved the twenty-fourth day of April one thousand nine hundred thirty-three (P. L. 59) is hereby further amended to read as follows

Section 13 [That hereafter] Hereafter it shall be unlawful to sell drugs medicines or poisons at retail or to compound physicians' prescriptions or to conduct a pharmacy unless the person so doing shall be a pharmacist or assistant pharmacist or to practice as a pharmacist or assistant pharmacist except in accordance with the provisions of the various laws of the Commonwealth relating thereto Provided however That nothing in this act of Assembly shall be so construed as to interfere with students of pharmacy or other employees in a pharmacy from performing such duties as may be assigned to them by and under the supervision of a pharmacist or assistant pharmacist And provided further That the compounding of physicians' prescriptions or the dispensing and selling of poisons at retail shall not be permitted except under the strict supervision and in the presence of a pharmacist or assistant pharmacist

Nothing in this act of Assembly shall be construed [so as] to prevent [an] a [authorized practitioner of medicine] duly licensed physician dentist veterinarian or other medical practitioners from [administering or dispensing such drugs to bona fide patients as he or she shall deem necessary Provided however] practicing dispensing compounding or giving any medicine or poisons to his patients in the regular course of his practice Provided That such compounding preparing and dispensing be done by such licensee himself And providing further That such drugs so administered or dispensed shall conform to the standards of strength quality and purity as fixed by the laws of this Commonwealth nor prevent the sale or manufacture of proprietary medicines nor prevent storekeepers from dealing in and selling commonly used household drugs or proprietary medicines when the same are offered for sale or sold in original packages except when administered in single doses on the premises which have been put up ready for sale to consumers by pharmacists manufacturing pharmacists manufacturers of proprietary medicines wholesale grocers or wholesale druggists under qualified supervision Provided however That the proprietary medicines or household drugs sold or offered for sale shall not contain any opium coca leaves chloral or any of the salts derivatives or compounds thereof in any quantity whatsoever Provided also That remedial agencies that are administered hypodermically intramuscularly or intravenously and all medicinal substances containing barbituric acid or its compounds and biologicals (except those biologicals distributed to State and county health officers) and medi-



cines containing substances of glandular origin (except intestinal enzymes and all liver products) shall be sold only by registered pharmacists or assistant pharmacists employed by or conducting a registered pharmacy. Any person violating the provisions of this section shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine of not less than fifty dollars (\$50.00) or more than five hundred dollars (\$500.00) or imprisonment for not more than one year or either or both in the discretion of the court.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—204

Amarando,	Goodling,	Maxwell,	Rubin,
Andrews,	Graybill,	Mazza,	Sarra,
Banker,	Greenwood,	McConnell,	Sax,
Barkdoll,	Greer,	McCormack,	Scanlon,
Baumunk,	Guarnieri,	McCullough,	Schmidt,
Bear,	Gutendorf,	McDermitt,	Schuster,
Beaver,	Guthrie,	McGee,	Scott,
Beech,	Hagerty,	McInroy,	Seyler,
Berkstresser,	Hall,	McKinney,	Shoemaker,
Blair,	Hamilton, R. K.,	McMillen,	Shotwell,
Bloom,	Hamilton, W. H.,	McNally,	Smith,
Boles,	Harney,	Metz,	Snider,
Bolton,	Haudenshield,	Mihm,	Sollenberger,
Bombberger,	Headlee,	Mikula,	Spencer,
Boorse,	Helm,	Miller, H. G.,	Stank,
Bower,	Hersch,	Mills,	Stimmel,
Brelsich,	Hewitt,	Mintess,	Stoner,
Breth,	Hocker,	Monroe,	Swartz,
Brown,	Hoggard,	Moore, C. E.,	Swope,
Bucchin,	Hunter,	Moore, H. A.,	Tahl,
Byrne,	Jenkins,	Moran,	Taylor,
Cella,	Johnson,	Muldowney,	Thompson, E. F.,
Clapper,	Jones, G. E.,	Munley,	Thompson, R. L.,
Clendenning,	Jones, J. M.,	Murray,	Toll,
Cochran,	Jones, P. F.,	Musto,	Tompkins,
Conway,	Jones, T. H. W.,	Najaka,	Toomey,
Cooper,	Jump,	Naugle,	VanSant,
Corr,	Kamyk,	Needham,	Varallo,
Costa,	Keller,	Olsen,	Varnier,
Coyle,	Kent,	Penglase,	Verona,
Dalrymple,	Kline,	Peta,	Wachhaus,
Davis,	Kohl,	Petrosky,	Wargo,
Dennison,	Kolankiewicz,	Pettigrew,	Waterhouse,
Dougherty,	Kornick,	Pfaff,	Watkins,
Dowling,	Kratz,	Pichney,	Weidner,
DuBois,	Kubacki,	Pitzer,	Welsh,
Duffy,	Lederer,	Polaski,	Wescott,
Dunn,	Leisey,	Polen,	Westrick,
Erb,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Ewing,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Fenrich,	Leven,	Readinger,	White,
Ferster,	Light,	Reagan,	Williams,
Filip,	Limper,	Reese,	Wilt,
Filo,	Loftus,	Reilly, J. M.,	Wood,
Firmstone,	Lopresti,	Rigby,	Yeakel,
Flack,	Lovett,	Riley, R. L.,	Yester,
Frost,	Lutty,	Robertson,	Yetzer,
Gaffney,	Lyons,	Rose,	Young,
Geer,	Madden,	Rosen,	Ziegler,
Gibson,	Madigan,	Rovansek,	Sorg,
Gleason,	Markley,	Royer,	Speaker
Good,			

## NAYS—0

## NOT VOTING—3

Lafore, Miller, J. C., Reidenbach.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1429, as follows:

An Act to amend Section 1 of the act approved the twenty-seventh day of April one thousand nine hundred twenty-five (P. L. 299) entitled "A supplement to an act approved the seventeenth day of May one thousand nine hundred seventeen (P. L. 208) entitled 'An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words "drug" and "poison" and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity' providing for the registration of apprentices in pharmacy requiring employers of such apprentices to see that they are registered and imposing penalties" by requiring persons entering reputable and properly chartered colleges of pharmacy to apply to the State Board of Pharmacy for registration and certification as registered apprentices.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1 of the act approved the twenty-seventh day of April one thousand nine hundred twenty-five (P. L. 299) entitled "A supplement to an act approved the seventeenth day of May one thousand nine hundred seventeen (P. L. 208) entitled 'An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words "drug" and "poison," and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity' providing for the registration of apprentices in pharmacy requiring employers of such apprentices to see that they are registered and imposing penalties" is hereby amended to read as follows

Section 1 Be it enacted &c That on and after the approval of this act every person who shall enter a [pharmacy or drug store] reputable and properly chartered college of pharmacy with the intention of becoming a pharmacist [or assistant pharmacist] shall make application to the State Board of Pharmacy on a form furnished by it for registration and certificate as registered apprentice. The fee for such registration and certificate shall be two dollars (\$2.00) or such other sum as may be fixed by the Department of Public Instruction under authority of law.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the constitution the yeas and nays were taken and were as follows:

## YEAS—204

Amarando,	Goodling,	Maxwell,	Rubin,
Andrews,	Graybill,	Mazza,	Sarra,
Banker,	Greenwood,	McConnell,	Sax,
Barkdoll,	Greer,	McCormack,	Scanlon,
Baumunk,	Guarnieri,	McCullough,	Schmidt,
Bear,	Gutendorf,	McDermitt,	Schuster,
Beaver,	Guthrie,	McGee,	Scott,
Beech,	Hagerty,	McInroy,	Seyler,
Berkstresser,	Hall,	McKinney,	Shoemaker,
Blair,	Hamilton, R. K.,	McMillen,	Shotwell,
Bloom,	Hamilton, W. H.,	McNally,	Smith,
Boles,	Harney,	Metz,	Snider,
Bolton,	Haudenshield,	Mihm,	Sollenberger,
Bombberger,	Headlee,	Mikula,	Spencer,
Boorse,	Helm,	Miller, H. G.,	Stank,
Bower,	Hersch,	Mills,	Stimmel,



Breisch,	Hewitt,	Mintess,	Stoner,
Breth,	Hocker,	Monroe,	Swartz,
Brown,	Hoggard,	Moore, C. E.,	Swope,
Buechlin,	Hunter,	Moore, H. A.,	Tahl,
Byrne,	Jenkins,	Moran,	Taylor,
Cella,	Johnson,	Muldowney,	Thompson, E. F.,
Clapper,	Jones, G. E.,	Munley,	Thompson, R. L.,
Clendening,	Jones, J. M.,	Murray,	Toll,
Cochran,	Jones, P. F.,	Musto,	Tompkins,
Conway,	Jones, T. H. W.,	Najaka,	Toomey,
Cooper,	Jump,	Naugle,	VanSant,
Corr,	Kamyk,	Needham,	Varallo,
Costa,	Keller,	Olsen,	Varner,
Coyle,	Kent,	Penigase,	Verona,
Dalrymple,	Kline,	Peta,	Wachhaus,
Davis,	Kohl,	Petrosky,	Wargo,
Dennison,	Kolankiewicz,	Pettigrew,	Waterhouse,
Dougherty,	Kornick,	Pfaff,	Watkins,
Dowling,	Kratz,	Pichney,	Weidner,
DuBois,	Kubacki,	Pitzer,	Welsh,
Duffy,	Lederer,	Polaski,	Wescott,
Dunn,	Lelsey,	Polen,	Westrick,
Erb,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Ewing,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Fehrlich,	Leven,	Readinger,	White,
Ferster,	Light,	Reagan,	Williams,
Filip,	Limper,	Reese,	Wilt,
Filo,	Loftus,	Reilly, J. M.,	Wood,
Firmstone,	Lopresti,	Rigby,	Yeakel,
Flack,	Lovett,	Riley, R. L.,	Yester,
Frost,	Lutty,	Robertson,	Yetzer,
Gaffney,	Lyons,	Rose,	Young,
Geer,	Madden,	Rosen,	Ziegler,
Gibson,	Madigan,	Rovansek,	Sorg,
Gleason,	Markley,	Royer,	Speaker
Good,			

NAYS—0

NOT VOTING—3

Lafore, Miller, J. C., Reidenbach.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

## BILL PASSED OVER

There being no objection

House Bill No. 1495, Printer's No. 956 was passed over at the request of the SPEAKER pro tempore.

THE SPEAKER (Herbert P. Sorg) IN THE CHAIR.

The SPEAKER. The Chair thanks the gentleman from Potter, Mr. Hall, for presiding during his absence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1544, as follows:

An Act imposing a permanent and a temporary State tax on fuels used within the Commonwealth in internal combustion engines for the generation of power to propel motor vehicles using the public highways providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring dealers-users to secure licenses and to file bonds as a guarantee of payment of taxes penalties interest fines uncollectible check fees and Attorney General's fees to file reports and to compile and retain certain records requiring registration of carriers for hire imposing duties on such persons requiring persons selling or delivering fuels to licensed dealer-users to furnish information imposing certain costs on counties conferring powers and imposing duties on State officers and departments providing for refunds of taxes penalties and interest illegally or erroneously collected from licensees and providing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Short Title This act shall be known and may be cited as the "Fuel Use Tax Act"

Section 2 Definitions The following words terms and phrases when used in this act shall have the meanings ascribed to them in this section except in those instances where the context clearly indicates a different meaning

"Association" shall mean and include a partnership limited partnership or any other form of unincorporated enterprise owned by two or more persons

"Corporation" shall mean and include a corporation or joint stock association organized under the laws of this Commonwealth the United States or any other state territory or foreign country or dependency

"Dealer-User" shall mean and include any person who delivers or places fuels into the fuel supply tanks or other fueling receptacles or devices of a motor vehicle or who uses fuels within the meaning of the word "use" as defined in this section

"Department" shall mean and include the Department of Revenue of this Commonwealth

"Fuels" shall mean and include all combustible gases and liquids used in an internal combustion engine for the generation of power to propel vehicles of any kind or character on the public highways except such fuels as are defined as liquid fuels by the act approved the twenty-first day of May one thousand nine hundred thirty-one (P. L. 149) known as "The Liquid Fuels Tax Act" and its amendments

"Magistrate" shall mean and include a magistrate alderman justice of the peace or other officer having the powers of a committing magistrate in this Commonwealth

"Motor Vehicles" shall mean and include all vehicles engines machines or mechanical contrivances which are propelled by internal combustion engines or motors

"Person" shall mean and include every natural person association or corporation Whenever used in any clause prescribing and imposing a fine or imprisonment or both the term "person" as applied to association shall mean the partners or members thereof and as applied to corporations the officers thereof

"Public Highways" shall mean and include every way or place of whatever nature open to the public as a matter of right including a toll highway for the purpose of vehicular travel excepting those that are closed or that portion of any stretch which is closed to such travel by order of the State Highway Department for the purpose of construction or reconstruction

"Secretary" shall mean and include the Secretary of Revenue of this Commonwealth or his duly authorized deputy or representative

"Use" shall mean and include (a) the importation into this Commonwealth of fuels in the fuel supply tanks or other fueling receptacles or devices of a motor vehicle in excess of fifty (50) gallons and (b) the delivery or placing of fuels into the fuel supply tanks or other fueling receptacles or devices of a motor vehicles in this Commonwealth for use in whole or part for the generation of power to propel such motor vehicle on the public highways of this Commonwealth the delivery of fuels into such supply tanks or other fueling receptacles or devices shall constitute a conclusive presumption that the fuel so delivered is to be used in propelling such motor vehicles on the public highways of this Commonwealth

The singular shall include the plural and the masculine shall include the feminine and neuter

Section 3 Application for License Licensing of Dealer-Users Bond or Deposit of Collateral Securities (a) On and after the effective date of this act it shall be unlawful for any dealer-user to engage in or thereafter begin to engage in the use or sale and delivery of fuels within this Commonwealth unless a license shall have been issued to him as hereinafter prescribed

Penalty Each day in which any dealer-user shall engage in the use of fuels within this Commonwealth without a license as required by this act shall constitute a separate offense and he shall upon summary conviction thereof before a magistrate be sentenced to pay a fine of



one hundred dollars (\$100) and costs of prosecution or to undergo imprisonment for not more than thirty (30) days for each offense or both

(b) Every person desiring to operate as a dealer-user shall file an application for a license with the department. The application for license shall be made upon a form prescribed prepared and furnished by the department upon request and shall set forth the name under which the applicant transacts or intends to transact business, the location of his principal place of business in this Commonwealth and such other information as the department may require. If the applicant is an association the application shall set forth the names and addresses of the persons constituting the association and if a corporation the names and addresses of the principal officers thereof and any other information prescribed by the department for the purpose of identification. The application shall be signed and verified by oath or affirmation by the applicant if a natural person in the case of an association by a member or partner thereof and in the case of a corporation by the executive officers thereof or person specifically authorized by the corporation to sign the application to which shall be attached written evidence of their authority.

(c) Upon approval of the application and the bond hereinafter required the department shall grant and issue to each dealer-user a license or licenses which shall at all times be posted conspicuously at all places where fuels are stored for use or for sale and delivery licenses shall not be assignable or transferable and shall be valid only for the dealer-user in whose name issued licenses shall be displayed for identification purposes by dealer-users to any officer of the Pennsylvania State Police upon request. Licenses shall continue permanently in effect unless surrendered or suspended or revoked for cause by the secretary.

**Penalty.** Any person assigning or attempting to assign or transfer a license or who shall fail to display his license as required herein shall upon summary conviction before a magistrate be sentenced to pay a fine of one hundred dollars (\$100) for each offense and costs of prosecution or to undergo imprisonment for not more than thirty (30) days for each offense or both.

(d) A license shall not be granted and issued until the person applying therefor has filed with the department a surety and payable to the Commonwealth of Pennsylvania in such amount as shall be fixed by the department except that the amount shall never be less than five hundred dollars (\$500). Every such bond shall have as surety a duly authorized surety company approved by the Insurance Department of this Commonwealth and signed by a resident Pennsylvania agent of the surety conditioned that the dealer-user shall faithfully comply with the provisions of this act during the effective period of his license. The department may require any dealer-user to furnish such additional surety bond as shall be necessary to secure at all times the payment by him to the Commonwealth of all fuel taxes penalties interest fines uncollectible check fees and Attorney General's fees due by him.

For the purpose of determining whether an existing bond or bonds are sufficient the department may at any time by a written notice require any dealer-user to furnish a financial statement in such form as it may prescribe. Upon failure of any dealer-user to furnish a financial statement within thirty (30) days of such written notice the department may forthwith suspend or revoke the license or licenses issued to him and shall collect all fuel taxes penalties interest fines uncollectible check fees and Attorney General's fees due by him.

And surety on a bond furnished by a dealer-user as provided herein shall be released and discharged from any and all liability to the Commonwealth accruing on such bond after the expiration of sixty (60) days from date upon which the surety shall have lodged with the department a written request to be released and discharged but this provision shall not operate to relieve release or discharge the surety from any liability already accrued or which shall accrue before the expiration of the sixty (60) day period. The department shall promptly

after receiving such request notify the dealer-user who furnished the bond and unless the dealer-user shall on or before the expiration of the sixty (60) day period file with the department a new bond with corporate surety approved by the Insurance Department of this Commonwealth the department shall forthwith cancel the dealer-user's license or licenses. Whenever a new bond shall be furnished by the dealer-user as aforesaid the department shall cancel and surrender the original bond of the dealer-user as soon as it shall be satisfied that all liability under the original bond has been fully discharged.

(e) Any person required by the provisions of this section to file a surety bond may in lieu thereof deposit with the State Treasurer negotiable or assigned bonds which are direct obligations of the United States Government or of the Commonwealth of Pennsylvania the par value thereof to be of the amount of the surety bond required of such person as collateral guarantee of payment of all liabilities accruing under the provisions of this act. The State Treasurer shall issue to such person and to the Department of Revenue a certificate of such deposit. The said securities shall be retained by the State Treasurer after the termination of the license of such person whether by his own act or the action of the department and such securities shall not be released from any liability to the Commonwealth already accrued or which shall accrue prior to the issuance of certification by the department that all fuel taxes penalties interest fees fines uncollectible check fees and Attorney General's fee have been paid. The department shall furnish the State Treasurer with a copy of such certification and authorize the return of said securities by the State Treasurer to the owner.

(f) Upon the surrender or revocation for cause of the license of any dealer-user the department shall return surety bonds for cancellation or deposits made in accordance with the provisions of this section only after it is satisfied that all fuel taxes penalties interest fees and fines due the Commonwealth under the terms of the bond and the provisions of this act have been paid.

**Section 4 Imposition of Tax Exemptions.** A permanent excise tax at the rate of three cents (3c) a gallon or fractional part thereof is hereby imposed on all dealer-users upon the use as herein defined of fuel within this Commonwealth to be computed in the manner hereinafter set forth. The tax herein imposed shall not apply on fuels not within the taxing power of this Commonwealth under the Commerce Clause of the Constitution of the United States. Provided That the tax herein imposed and assessed shall be paid to the Commonwealth but once in respect to any fuels used within the Commonwealth and Provided further That no tax is hereby imposed upon (1) any fuel that is used by or sold and delivered to the United States government when such sales and deliveries are supported by documentary evidence satisfactory to the department or (2) upon any fuel not in excess of fifty (50) gallons brought into this Commonwealth in the fuel supply tanks or other fueling receptacles or devices of a motor vehicle or (3) upon any fuel used by or sold or delivered for use in farm machinery or equipment engaged in the production or harvesting of farm or agricultural products involving the use of the public highways within a ten (10) mile radius of the domicile of the owner of the machinery or equipment when such sales and deliveries are supported by documentary evidence satisfactory to the Department or (4) upon any fuel used by or sold or delivered to the Commonwealth of Pennsylvania and its political subdivisions when such sales and deliveries are supported by documentary evidence satisfactory to the department.

In addition to such tax an additional state excise tax of two cents (2c) a gallon or fractional part thereof is hereby imposed and assessed on all dealer-users upon the use as herein defined of fuel within this Commonwealth within the limitations of the provisions of this section for the period beginning December first one thousand nine hundred fifty-one and ending on the thirty-first day of May one thousand nine hundred fifty-three.

**Section 5 By Whom Tax is Payable.** Every dealer-user upon whom a tax is imposed by this act shall pay the



tax into the State Treasury through the department in the manner and within the time specified in this act It shall be the duty of each dealer-user to furnish to the department such information concerning such use as the department may require

**Section 6 Dealer-Users' Reports and Payments of Tax Discount Allowed Interest and Penalties** for the purpose of ascertaining the amount of tax payable under this act it shall be the duty of every dealer-user on or before the last day of each month to file with the department upon forms prescribed prepared and furnished by the department a report under oath or affirmation of the fuels used by him within this Commonwealth during the preceding month This report shall include all such information as the department may require and prescribe dealer-users having more than one place of business within this Commonwealth shall combine in each report the use of fuels at all such separate place of business

Dealer-users at the time of making every report required by this section shall compute and pay to the department the tax due to the Commonwealth on fuels used by him during the preceding month Fuels not accounted for to the satisfaction of the department shall be deemed to have been used for taxable purposes and taxes imposed thereon and collected by the department

If the report required herein is filed and tax paid on time a discount of two per centum (2%) of the gross amount of tax shall be allowed the dealer-user

The amount of all taxes imposed under the provisions of this act for each month shall be due and payable on the last day of the next succeeding month and shall bear interest at the rate of one per centum (1%) per month or fractional part of a month from the date they are due and payable until paid

If any dealer-user shall fail neglect or refuse to make any report or payment as herein required an additional ten per centum (10%) of the gross amount of tax shall be added by the department and collected as hereinafter provided and in addition thereto the license of a dealer-user may forthwith be suspended or revoked by the department and required to be surrendered to the department

**Section 7 Determination and Redetermination of Tax Penalties and Interest Due** (a) If any dealer-user shall fail neglect or refuse to secure a license as provided in this act the department shall estimate the tax due by such dealer-user and determine the amount due by him for taxes penalties and interest as prescribed herein from which determination there shall be no right of review or appeal

(b) In the event a dealer-user shall fail neglect or refuse to file a report and pay the tax imposed by this act or if the department is not satisfied with the report and payment of tax made by any dealer-user under the provisions of this act it is hereby authorized and empowered to make a determination of the tax due by such dealer-user based upon any information within its possession or that shall come into its possession

(c) Promptly after the date of any such determination the department shall send by registered mail a copy thereof to such dealer-user Within thirty (30) days after the date of any such determination such dealer-user may file with the department a petition for redetermination of such tax Every petition for redetermination shall state specifically the reasons which the petitioner believes entitle him to such redetermination and shall be supported by affidavit that it is not made for the purpose of delay and that the facts therein set forth are true It shall be the duty of the department within six (6) months after the date of any petition to dispose of any petition for redetermination Notice of the action taken upon any petition for redetermination shall be given to the petitioner promptly after the date of action on petition by the department

(d) Within sixty (60) days after notice by the department of the action taken on any petition for redetermination filed with it the dealer-user against whom such determination was made may by petition request the Board of Finance and Revenue to review such action Every peti-

tion for review filed hereunder shall state specifically the reasons upon which the petitioner relies and shall in such form as the board of Finance and Revenue may prescribe The petition shall be supported by affidavit that it is not made for the purpose of delay and that the facts therein set forth are true The Board of Finance and Revenue shall dispose of such petitions filed with it within six (6) months after they have been received and in the event of the failure of said board to dispose of any such petition within six (6) months the action taken by the department upon the petition for redetermination shall be deemed sustained The Board of Finance and Revenue may sustain the action taken on the petition for redetermination or it may redetermine the tax due upon such basis as it shall deem according to law and equity Notice of the action of the Board of Finance and Revenue shall be given by mail or otherwise to the department and to the petitioner

(e) The department or any person aggrieved by the decision of the Board of Finance and Revenue or by the board's failure to act upon his petition for review within six (6) months may within sixty (60) days appeal to the Court of Common Pleas of Dauphin County from the decision of the Board of Finance and Revenue or from the decision of the department as the case may be in the manner now or hereafter provided by law for appeals in the case of tax settlement

(f) The department is hereby empowered to redetermine taxes and to authorize adjustments on current fuel use tax reports of dealer-users of over-payments within ninety (90) days of due date and payment providing information in the department's possession warrants such adjustment

**Section 8 Examination of Records and Equipment** The department or any employee appointed in writing by it or any officer of the Pennsylvania State Police is hereby authorized to examine the books and records of account storage tanks motor vehicles and any other equipment of any dealer-user carrier or any other person pertaining to the use sale or delivery of fuels taxable under this act to determine the use or for the purpose of ascertaining whether or not the tax imposed by this act has been paid or to verify the accuracy of any report or payment made under the provisions of this act or to determine the financial responsibility of any dealer-user or the accuracy of any financial statement required to be submitted to the department under the provisions of this act or regulations of the department

The secretary or his deputy is hereby authorized and shall have the power in the enforcement of provisions of this act to hold hearings to administer oaths to witnesses and to take the sworn testimony of any person and cause it to be transcribed into writing

The secretary or his deputy is hereby authorized to issue subpoenas and subpoenas duces tecum and compel the attendance of witnesses and shall have the power to conduct such investigations as he may deem necessary If any person shall refuse access to such books and records of account or other documents or any equipment or if any person shall fail or refuse to obey such subpoenas or subpoenas duces tecum or shall fail or refuse to testify before the secretary or his deputy then the secretary or his deputy shall certify the names and facts to the court of common pleas of any county and the said court shall enter such order against such person in the premises as the enforcement of this act and justice shall require

**Section 9 Regulations** records required and retention of records by all dealer-users and carriers

(a) The secretary shall have the authority to prescribe all forms upon which reports shall be made to the department and any other forms required for the proper administration of this act and shall prescribe and cause to be published all needful rules and regulations for the enforcement of this act

(b) Every dealer-user shall maintain issue and keep as the case may be for a period of two (2) years complete records of fuels received used sold or delivered within this Commonwealth by such dealer-user including suitable books and records of accounts and such other per-



tinent papers as may be required by regulation Every carrier shall keep similar records with respect to deliveries of products capable of being used as fuels

(c) Any person shall at the request of the department furnish to it information with respect to all sales and deliveries made by him to licensed dealer-users of such products capable of being used as fuels as may be designated by regulations issued by the department

Penalty Any person failing to comply with any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of one hundred dollars (\$100) and costs of prosecution for each offense or to undergo imprisonment for not more than thirty (30) days for each offense or both

Section 10 Disposition and Use of Tax The permanent and additional State taxes collected under the provisions of this act less discounts allowed shall be paid into the Liquid Fuels Tax Fund and the Motor License Fund in the same proportions as are liquid fuels taxes and are hereby specifically appropriated for the same uses and purposes

Section 11 Discontinuance of business by dealer-user whenever a dealer-user engaged in the "use" as defined in this act of fuels ceases to be a dealer-user by reason of discontinuance sale or transfer of his business it shall be his duty to so notify the department in writing within five (5) days after the discontinuance sale or transfer takes effect His notice shall give the date of discontinuance and in the event of a sale or transfer of his business the name and address of the purchaser or transferee thereof It shall also be the duty of dealer-users within ten (10) days after the discontinuance sale or transfer takes effect to make a report and pay all taxes interest penalties fees and fines that may be due by him and to surrender to the department the license or licenses issued to him by the department

Penalty Any person failing neglecting or refusing to comply with any of the provisions of this section shall upon summary conviction thereof before a magistrate be sentenced to pay a fine of one hundred dollars (\$100) and costs of prosecution or to undergo imprisonment for not more than thirty (30) days or both

Section 12 Suspension or Revocation of Licenses Whenever the department finds that the holder of a license or licenses has failed to comply with the provisions of this act or regulations issued by the department the department shall notify such holder and afford him a hearing on five (5) days written notice except as hereinbefore provided After such hearing the department may revoke or suspend the dealer-users license or licenses and upon suspending or revoking any license shall demand the holder thereof to surrender to it immediately all licenses issued to him and the dealer-user shall surrender within five (5) days all licenses to the department as hereby required

Any holder of a dealer-user's license aggrieved by the decision of the department in suspending or revoking his license may within thirty (30) days appeal to the Court of Common Pleas of Dauphin County from the decision of the department in the manner provided by law for appeals in the case of tax settlements No such appeal shall act as a supersedeas but the suspension or revocation of the license by the department shall remain in full force and effect pending the disposition of the appeal

Penalty Any person failing neglecting or refusing to surrender a license suspended or revoked by the department as provided herein shall upon summary conviction thereof before a magistrate be sentenced to pay a fine of not less than one hundred dollars (\$100) and costs of prosecution or to undergo imprisonment for not more than thirty (30) days or both

Section 13 Lien of Taxes Penalties Interest Fees and Fines (a) All taxes herein imposed and unpaid penalties interest fees and fines due by any person shall be a lien upon the franchises and property both real and personal of such person from the date said taxes penalties interest fees and fines are due and payable as provided in this act and shall have priority over any subsequent lien or encumbrance whatsoever except the lien of other state taxes having priority by law and except also that such taxes

penalties interest fees and fines shall have priority over a mortgage only if the liens thereof were filed of record as provided in clause (b) hereof prior to the recording of the mortgage

(b) Liens and statements of all taxes penalties interest fees and fines herein imposed due and unpaid certified by the secretary or his representative may at any time be transmitted to the prothonotaries of the respective counties of the Commonwealth through the Department of Justice to be entered of record as of the date due and payable upon which record it shall be lawful for writs of scire facias to issue and be prosecuted to judgment and execution in the same manner as such writs are ordinarily employed

(c) No sheriff receiver trustee assignee master or other officer shall sell the property or franchises of any person who is a licensed dealer-user as herein defined without first giving the department thirty days notice of the sale and a statement containing the following information

1 Name or names of the plaintiff or party at whose instance or upon whose account the sale is to be made

2 Name of the person whose property or franchise is to be sold

3 The time and place of sale

4 The nature of the property and the location of the same

(d) It shall be the duty of the department after receiving notice as aforesaid to furnish the sheriff receiver trustee assignee master or other officer having charge of the sale a certified statement of all fuel taxes penalties interest fees and fines due the Commonwealth as liens against such person and in case no such liens exist a certificate setting forth that fact which certificate shall be publicly read by such officer at and immediately before the sale of the property or franchise of such person

(e) It shall be duty of the department to furnish to any person applying therefor upon payment of the fee herein prescribed a certificate showing the amount of all taxes penalties interest fees and fines owing by any licensed dealer-user which are of record in the department as a lien or which may become a lien against any person under the provisions of this act

Section 14 Collection of Unpaid Taxes: Whenever the taxes penalties interest fees and fines imposed by this act are not paid within thirty days after the date of their determination if no petition for redetermination has been filed or from the date of the department's action on the petition if no petition for review has been filed or within sixty days from the date of decision of the Board of Finance and Revenue upon a petition for review or the expiration of the board's time for acting upon such petition if no appeal has been made and in all cases of judicial sales assignments or bankruptcies the department shall request the Department of Justice to collect the same

On all claims for taxes penalties interest fees and fines hereunder which are collected after the institution of suit by the Department of Justice or any attorney employed by it there shall be paid by and recovered from the dealer-user for the use of the Commonwealth an Attorney General's commission of five (5) per centum upon the amount of recovery not exceeding ten thousand dollars (\$10000) and three (3) per centum upon the amount of recovery in excess of ten thousand dollars (\$10000) and the payment of the Attorney General's commission shall not affect liability for any penalty or interest payable under this act The Attorney General's commission shall be paid into the State Treasury through the Department of Revenue and credited to the General Fund The amount of the Attorney General's commission shall in all cases be added to the amount of the claim against the licensed dealer-user and shall be a lien against his property in like manner as the amount of the claim

Section 15 Registration of Carriers and Reports Required of Carriers Every person engaged in or intending to engage in the transportation and delivery of products capable of being used as fuels taxable under this act in any manner for hire to a dealer-user as defined in this act shall register with the department on forms prescribed and furnished by the department upon request



Every person engaged for hire in the transportation and delivery of products capable of being as fuels taxable under this act in any manner to a dealer-user either in interstate or intrastate commerce to a point within this Commonwealth from a point within or without this Commonwealth shall report under oath or affirmation to the department on or before the last day of each month for the preceding month all deliveries of such products capable of being used as fuels taxable under this act as may be designated by regulations issued by the department made to points within this Commonwealth. Such reports shall be on forms prescribed prepared and furnished by the department and shall state the names and addresses of the consignor and consignee the number of gallons of such products which were transported and delivered together with date of delivery and any other information which the department may require.

**Penalty** Any person failing neglecting or refusing to comply with any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of one hundred dollars (\$100) and costs of prosecution for each offense or to undergo imprisonment for thirty (30) days for each offense or both.

**Section 16 Refunds** The Board of Finance and Revenue may refund to dealer-users tax penalties and interest provided by this act and paid by them as a result of an error of law or of fact or of both law and fact. Claims for refund shall be filed with the Board of Finance and Revenue within one year of the date of overpayment and shall be made under the procedure prescribed by the fiscal Code.

All refunds of moneys allowed hereunder shall be paid from the Motor License Fund and the Liquid Fuels Tax Fund in the amounts equal to the original distribution and the payment of such moneys into said funds.

As much of the moneys from time to time in the Motor License Fund and the Liquid Fuels Tax Fund as may be necessary is hereby appropriated to the Board of Finance and Revenue for the purpose of making refunds as herein authorized. Estimates of the amounts to be expended from these funds from time to time by the board shall be submitted to the Governor for his approval or disapproval as in the case of other appropriations to administrative departments boards and commissions and it shall be unlawful for the Auditor General to honor any requisitions of the Board of Finance and Revenue for the expenditure of moneys hereunder in excess of the estimates approved by the Governor.

**Section 17 Enforcement** The department shall be charged with the enforcement of this act. Such employees of the Commonwealth as are designated as "Pennsylvania State Police" shall aid the department in the enforcement of this act and for this purpose are hereby declared to be peace officers and are hereby given authority throughout the Commonwealth to arrest on view without writ rule order or process any person known to have violated any of the provisions of this act.

Whenever any person acting for or on behalf of the department shall in good faith institute legal proceedings for any violations of the provisions of this act and for any reason shall fail to recover costs of record such costs shall be a charge upon the proper county as shall such costs in the event defendant is imprisoned for failure to pay fine or costs or both and shall be audited and paid as are costs of like character in said county.

**Section 18 Disposition of Fees Fines and Forfeitures** Except as otherwise in this act provided and except as otherwise provided by the Constitution fees fines penalties and bail forfeitures that shall be received recovered paid or collected under the provisions of this act shall be paid into the State Treasury by the department and credited to the Motor License Fund.

**Section 19 Exchange of Information Among the States** Issuance and Sale of Lists and Certified Copies of Records The secretary or his representatives shall upon request received from the officials to whom are entrusted the enforcement of the fuel tax laws of any other state forward to such officials any information for governmental use which it may have in its possession relative to the manu-

facture receipt sale use transportation shipment or delivery by any person of fuel.

The department shall prepare issue and distribute such lists of dealer-users and carriers as may be necessary for the proper administration and enforcement of this act without charge. Sales of such lists as are issued by the department under these provisions may be made for other than governmental use and for each list a fee of ten dollars (\$10) shall be charged payable in advance.

The fee for each certified copy or certified photostat copy of any department record shall be one dollar (\$1) payable in advance. Provided That no fee shall be charged for certified copies or certified photostat copies of any departmental records furnished to any State or Federal Government authorities.

**Section 20 Uncollectible Checks** Whenever any check issued in payment of tax penalties interest fees or fines imposed by this act shall be returned to the department as uncollectible the department shall charge a fee of five dollars (\$5) per hundred dollars or fractional part thereof plus all protest fees to the person offering such check in payment.

**Section 21 Violation** (a) Any person who shall fail neglect or refuse to make the report or pay the tax penalties and interest imposed by this act or who shall refuse to permit representatives of the department or the Pennsylvania State Police to examine his books and records of account storage tanks motor vehicles or other equipment pertaining to the use sale or delivery or importation of fuels within this Commonwealth or who shall make any incomplete false or fraudulent report or who shall attempt to do anything whatsoever to avoid a full disclosure of the quantities of fuels used sold or delivered or to avoid the payment of the whole or any part of the tax penalties or interest due shall be guilty of a misdemeanor and upon conviction thereof be sentenced to pay a fine of not less than two hundred fifty dollars (\$250) and not exceeding one thousand dollars (\$1000) and costs of prosecution or to undergo imprisonment for not more than one (1) year or both. In the case of an association any partner or member thereof and in the case of a corporation any officer thereof whose duty it was to make the report required by this act shall be subject to imprisonment as aforesaid for failure to make the report required and attend to the payment of tax imposed by this act. Such fines shall be in addition to any penalty imposed by any other section or subsection of this act. Upon conviction all of the guilty dealer-users licenses shall be revoked.

(b) It shall be unlawful for any person to commit any of the following acts:

(1) To display or represent as one's own or cause or permit to be displayed any license not issued to the person displaying it or to have unlawfully in one's possession any unsigned fictitious or altered license or any license which is invalid as a result of cancellation suspension revocation by the department or expiration.

(2) To give use or enter a false or fictitious name or give use or enter a false or fictitious address in any investigation or on any application business record or report required under the provisions of this act or otherwise misrepresent or commit a fraud on any application or business record required under the provisions of this act.

**Penalty** Any person violating any of the provisions of this subsection shall be guilty of a misdemeanor and shall upon conviction thereof be sentenced to pay a fine of not less than two hundred fifty dollars (\$250) nor more than one thousand dollars (\$1000) and costs of prosecution or to undergo imprisonment for not more than one year or both.

**Section 22 Carriers registered with the department** as such under the provisions of the Fuel Use Tax Act of 1947 as amended shall not be required to reregister under this act.

**Section 23 Saving Clause** (a) The passage of this act shall not be taken or construed to relieve any person association or corporation whatsoever from the payment of any tax penalty or interest due or owing the Commonwealth under any laws in force at the time this act becomes effective or to affect or terminate any petitions



investigations prosecutions legal or other proceedings pending under such laws or to prevent the commencement of any legal proceedings for violations of such laws heretofore committed or for the recovery of taxes penalties or interest due or owing to the Commonwealth under such laws

(b) All taxes penalties and interest due from users of fuels under laws heretofore in force that are collected or received by the department after the effective date of this act shall be transmitted to the State Treasury through the department and credited to the Liquid Fuels Tax Fund and the Motor License Fund in the proportion provided in the act under which the tax was collected

Section 24 Constitutional Construction The provisions of this act are severable and if any of its provisions shall be held unconstitutional the deviation of the court shall not affect or impair any of the remaining provisions of this act It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provisions not been included herein

Section 25 Acts of Assembly Repealed The act approved the second day of July one thousand nine hundred forty-seven (P. L. 1199) entitled "An act imposing a State tax payable by those herein defined as users on fuels used within the Commonwealth in internal combustion engines for the generation of power to propel motor vehicles using the public highways providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such users to secure licenses to file bonds as a guarantee of payment of taxes penalties interest fines uncollectible check fees and Attorney General's fees to file reports and to compile and retain certain records imposing duties on dealers wholesalers and carriers for hire imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds of taxes penalties and interest illegally or erroneously collected from licensed users and making appropriations" and its amendments is hereby repealed

All act and parts of acts are hereby repealed in so far as they are inconsistent with the provisions of this act

Section 26 Effective Date This act shall become effective on the first day of December one thousand nine hundred fifty-one

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—204

Amarando.	Goodling.	Maxwell.	Rubin.
Andrews.	Graybill.	Mazza.	Sarrafa.
Banker.	Greenwood.	McConnell.	Sax.
Barkdoll.	Greer.	McCullough.	Scanlon.
Baumunk.	Guarnieri.	McCormack.	Schmidt.
Bear.	Gutendorf.	McDermitt.	Schuster.
Beaver.	Guthrie.	McGee.	Scott.
Beech.	Hagerty.	McInroy.	Seyler.
Berkstresser.	Hall.	McKinney.	Shoemaker.
Blair.	Hamilton, R. K.	McMillen.	Shotwell.
Bloom.	Hamilton, W. H.	McNally.	Smith.
Boles.	Harney.	Metz.	Snider.
Bolton.	Haudenschild.	Mihm.	Sollenberger.
Bomberger.	Headlee.	Mikula.	Spencer.
Boorse.	Helm.	Miller, H. G.	Stank.
Bower.	Hersch.	Mills.	Stimmel.
Breisch.	Hewitt.	Mintess.	Stoner.
Breth.	Hocker.	Monroe.	Swartz.
Brown.	Hoggard.	Moore, C. E.	Swope.
Bucchin.	Hunter.	Moore, H. A.	Tahl.
Byrne.	Jenkins.	Moran.	Taylor.
Cella.	Johnson.	Muldowney.	Thompson, E. F.
Clapper.	Jones, G. E.	Munley.	Thompson, R. L.
Clendening.	Jones, J. M.	Murray.	Toll.
Cochran.	Jones, P. F.	Musto.	Tompkins.
Conway.	Jones, T. H. W.	Najaka.	Toomey.
Cooper.	Jump.	Naugle.	VanSant.
Corr.	Kamyk.	Needham.	Varallo.

Costa.	Keller.	Olsen.	Varner.
Coyle.	Kent.	Pengilase.	Verona.
Dalrymple.	Kline.	Peta.	Wachhaus.
Davis.	Kohl.	Petrosky.	Wargo.
Dennison.	Kolankiewicz.	Pettigrew.	Waterhouse.
Dougherty.	Kornick.	Pfaff.	Watkins.
Dowling.	Kratz.	Pichney.	Weidner.
DuBois.	Kubacki.	Pitzer.	Welsh.
Duffy.	Lederer.	Polaski.	Wescott.
Dunn.	Lelsey.	Polen.	Westrick.
Erb.	Leonard, L.	Price, H. W. Jr.	Whalley.
Ewing.	Leonard, W. C.	Price, R. A.	Wheeler.
Fenrich.	Leven.	Readinger.	White.
Ferster.	Light.	Reagan.	Williams.
Filip.	Limper.	Reese.	Willt.
Filo.	Loftus.	Reilly, J. M.	Wood.
Firmstone.	Lopresti.	Rigby.	Yeakel.
Flack.	Lovett.	Riley, R. L.	Yester.
Frost.	Lutty.	Robertson.	Yetzer.
Gaffney.	Lyons.	Rose.	Young.
Geer.	Madden.	Rosen.	Ziegler.
Gibson.	Madigan.	Rovanssek.	Sorg.
Gleason.	Markley.	Royer.	Speaker
Good.			

#### NAYS—0

#### NOT VOTING—3

Lafore.

Miller, J. C.

Reidenbach.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

#### BILL PASSED OVER

There being no objection

House Bill No. 1580, Printer's No. 883 was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1585, as follows:

An Act to amend Section 9 of the act approved the eighteenth day of April one thousand nine hundred forty-nine (P. L. 604) entitled "An act to promote the welfare of the people of the Commonwealth creating a State Highway and Bridge Authority as a body corporate and politic with power to construct reconstruct improve maintain equip furnish and operate highway and bridge projects and roadside rests and to lease the same and to fix and collect fees rentals and charges for the use thereof authorizing and regulating the issuance of bonds by said Authority and providing for the payment of such bonds and the rights of the holders thereof and to enter into agreements with the Government of the United States or any Federal agency and authorizing the Department of Highways to grant assign convey or lease to the Authority lands easements or rights of way of the Commonwealth and interests therein and to acquire lands therefor authorizing said Authority and the Department of Highways to enter into agreements providing for mutual cooperation in furtherance of the construction of any project hereby authorized granting the rights of eminent domain empowering said Authority to sell and convey projects and property to the Commonwealth and providing that no debt of the Commonwealth or any of its political subdivisions shall be incurred in the exercise of any of the powers granted by this act and making an appropriation" by further providing for examination of the accounts and books of the Authority

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 9 of the act approved the eighteenth day of April one thousand nine hundred forty-nine (P. L. 604) entitled "An act to promote the welfare of the people



of the Commonwealth creating a State Highway and Bridge Authority as a body corporate and politic with power to construct reconstruct improve maintain equip furnish and operate highway and bridge projects and roadside rests and to lease the same and to fix and collect fees rentals and charges for the use thereof authorizing and regulating the issuance of bonds by said Authority and providing for the payment of such bonds and the rights of the holders thereof and to enter into agreements with the Government of the United States or any Federal agency and authorizing the Department of Highways to to grant assign convey or lease to the Authority lands easements or rights of way of the Commonwealth and interests therein and to acquire lands therefore authorizing said Authority and the Department of Highways to enter into agreements providing for mutual cooperation in furtherance of the construction of any project hereby authorized granting the right of eminent domain empowering said Authority to sell and convey projects and property to the Commonwealth and providing that no debt of the Commonwealth or any of its political subdivisions shall be incurred in the exercise of any of the powers granted by this act and making an appropriation" is hereby amended to read as follows

Section 9 Moneys of the Authority All moneys of the Authority from whatever source derived shall be paid to the treasurer of the Authority Said moneys shall be deposited in the first instance by the treasurer in one or more banks or trust companies in one or more special accounts and each of such special accounts shall be continuously secured by a pledge of direct obligations of the United States of America of the Commonwealth or of a county of the Commonwealth having an aggregate market value exclusive of accrued interest at all times at least equal to the balance on deposit in such account Such securities shall either be deposited with the treasurer or be held by a trustee or agent satisfactory to the Authority All banks and trust companies are authorized to give such security for such deposits The moneys in said accounts shall be paid out on the warrant or other order of the treasurer of the Authority or of such person or persons as the Authority may authorize to execute such warrants or orders The Department of Revenue of the Commonwealth or its legally authorized representatives are hereby authorized and empowered from time to time to examine the accounts and books of the Authority including its receipts disbursements contracts leases sinking funds investments and any other matters relating to its finances operation and affairs In order to reimburse the General Fund appropriation to the Department of Revenue for costs incurred by the Department of Revenue in making such examination or examinations the Authority shall be billed by the Department of Revenue from time to time as such examination or examinations are made upon a cost basis at such amounts as the Department of Revenue with approval of the Executive Board shall determine and such amounts shall be paid by the Authority to the Department of Revenue and shall be by it paid into the General Fund of the State Treasury and credited to the General Fund appropriation of the Department of Revenue

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—204

Amarando,	Goodling,	Maxwell,	Rubin,
Andrews,	Graybill,	Mazza,	Sarra,
Banker,	Greenwood,	McConnell,	Sax,
Barkdoll,	Greer,	McCormack,	Scanlon,
Baumunk,	Guarnieri,	McCullough,	Schmidt,
Bea,	Gutendorf,	McDermitt,	Schuster,
Beaver,	Guthrie,	McGee,	Scott,
Beech,	Hagerty,	McInroy,	Seyler,

Berkstresser,	Hall,	McKinney,	Shoemaker,
Blair,	Hamilton, R. K.,	McMillen,	Shotwell,
Bloom,	Hamilton, W. H.,	McNally,	Smith,
Boles,	Harney,	Metz,	Snider,
Bolton,	Haudenshield,	Mihm,	Sollenberger,
Bomberger,	Headlee,	Mikula,	Spencer,
Boorse,	Helm,	Miller, H. G.,	Stank,
Bower,	Hersch,	Milla,	Stimmel,
Breisch,	Hewitt,	Mintoss,	Stoner,
Breth,	Hocker,	Monroe,	Swartz,
Brown,	Hoggard,	Moore, C. E.,	Swope,
Buccin,	Hunter,	Moore, H. A.,	Tahl,
Byrne,	Jenkins,	Moran,	Taylor,
Cella,	Johnson,	Muldowney,	Thompson, E. F.,
Clapper,	Jones, G. E.,	Munley,	Thompson, R. L.,
Clendening,	Jones, J. M.,	Murray,	Toll,
Cochran,	Jones, P. F.,	Musto,	Tompkins,
Conway,	Jones, T. H. W.,	Najaka,	Toomey,
Cooper,	Jump,	Naugle,	VanSant,
Corr,	Kamyk,	Needham,	Varallo,
Costa,	Keller,	Olsen,	Varner,
Coyle,	Kent,	Pengilase,	Verona,
Dalrymple,	Kline,	Peta,	Wachhaus,
Davis,	Kohl,	Petrosky,	Wargo,
Dennison,	Kolankiewicz,	Rettigrew,	Waterhouse,
Dougherty,	Kornick,	Praff,	Watkins,
Dowling,	Kratz,	Pichney,	Weldner,
DuBois,	Kubacki,	Pitzer,	Welsh,
Duffy,	Lederer,	Polaski,	Westcott,
Dunn,	Leisey,	Polen,	Westrick,
Erb,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Ewing,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Fenrich,	Level,	Readinger,	White,
Ferster,	Light,	Reagan,	Williams,
Filip,	Limper,	Reese,	Wilt,
Filo,	Loftus,	Reilly, J. M.,	Wood,
Firmstone,	Lopresti,	Rigby,	Yeakel,
Flack,	Lovett,	Riley, R. L.,	Yeater,
Frost,	Lutty,	Robertson,	Yetzer,
Gaffney,	Lyons,	Rose,	Young,
Geer,	Madden,	Rosen,	Ziegler,
Gibson,	Madigan,	Rovanssek,	Sorg,
Gleason,	Markley,	Royer,	Speaker
Good,			

## NAYS—0

## NOT VOTING—3

Lafore, Miller, J. C., Reidenbach.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1587, as follows:

An Act to amend section 8 of the act approved the thirty-first day of March one thousand nine hundred forty-nine (P. L. 372) entitled "An act to promote the welfare of the people of the Commonwealth creating The General State Authority as a body corporate and politic with power to construct improve equip furnish and operate projects and to lease the same and to fix fees rentals and charges for the use thereof authorizing and regulating the issuance of bonds for said Authority and providing for the payment of such bonds and the rights of the holders thereof and to enter into agreements with the Government of the United States or any Federal agency and authorizing the Department of Property and Supplies to grant assign convey or lease to the Authority lands of the Commonwealth and interests therein and to acquire lands therefor granting the right of eminent domain empowering The General State Authority to sell and convey projects and property to the Commonwealth and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act" by further providing for examination of the accounts and books of the Authority



The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 8 of the act approved the thirty-first day of March one thousand nine hundred forty-nine (P. L. 372) entitled "An act to promote the welfare of the people of the Commonwealth creating The General State Authority as a body corporate and politic with power to construct improve equip furnish and operate projects and to lease the same and to fix fees rentals and charges for the use thereof authorizing and regulating the issuance of bonds for said Authority and providing for the payment of such bonds and the rights of the holders thereof and to enter into agreements with the Government of the United States or any Federal agency and authorizing the Department of Property and Supplies to grant assign convey or lease to the Authority lands of the Commonwealth and interests therein and to acquire lands therfor granting the right of eminent domain empowering The General State Authority to sell and convey projects and property to the Commonwealth shall be incurred in the exercise of any of the powers granted by this act" is hereby amended to read as follows

Section 8 Moneys of the Authority All moneys of the Authority from whatever source derived shall be paid to the treasurer of the Authority Said moneys shall be deposited in the first instance by the treasurer in one or more banks or trust companies in one or more special accounts and each of such special accounts shall be continuously secured by a pledge of direct obligations to the United States of America of the Commonwealth or of the county having an aggregate market value exclusive of accrued interest at all times at least equal to the balance on deposit in such account Such securities shall either be deposited with the treasurer or be held by a trustee or agent satisfactory to the Authority All banks and trust companies are authorized to give such security for such deposits The moneys in said accounts shall be paid out on the warrant or other order of the treasurer of the Authority or of such other person or persons as the Authority may authorize to execute such warrants or orders the Department of Revenue of the Commonwealth and its legally authorized representatives are hereby authorized and empowered from time to time to examine the accounts and books of the Authority including its receipts disbursements contracts leases sinking funds investments and any other matters relating to its finances operation and affairs In order to reimburse the General Fund appropriation to the Department of Revenue for costs incurred by the Department of Revenue in making such examination or examinations the Authority shall be billed by the Department of Revenue from time to time as such examination or examinations are made upon a cost basis at such amounts as the Department of Revenue with approval of the Executive Board shall determine and such amounts shall be paid by the Authority to the Department of Revenue and shall be by it paid into the General Fund of the State Treasury and credited to the General Fund appropriation of the Department of Revenue

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—204

Amarando,	Goodling,	Maxwell,	Rubin,
Andrews,	Graybill,	Mazza,	Sarraf,
Banker,	Greenwood,	McConnell,	Sax,
Barkdoll,	Greer,	McCormack,	Scanlon,
Baumunk,	Guarnieri,	McCullough,	Schmidt,
Beas,	Gutendorf,	McDermitt,	Schuster,
Beaver,	Guthrie,	McGee,	Scott,
Beech,	Hagerty,	McInroy,	Seyler,
Berkstresser,	Hall,	McKinney,	Shoemaker,
Blair,	Hamilton, R. K.,	McMillen,	Shotwell,

Bloom,	Hamilton, W. H.,	McNally,	Smith,
Boles,	Harney,	Metz,	Snider,
Bolton,	Haudenshield,	Mihm,	Sollenberger,
Bomberger,	Headlee,	Mikula,	Spencer,
Boorse,	Helm,	Miller, H. G.,	Stank,
Bower,	Hersch,	Mills,	Stimmel,
Brelsach,	Hewitt,	Mintess,	Stoner,
Breth,	Hocker,	Monroe,	Swartz,
Brown,	Hoggard,	Moore, C. E.,	Swope,
Bucchin,	Hunter,	Moore, H. A.,	Tahl,
Byrne,	Jenkins,	Moran,	Taylor,
Cella,	Johnson,	Muldowney,	Thompson, E. F.,
Clapper,	Jones, G. E.,	Munley,	Thompson, R. L.,
Clendening,	Jones, J. M.,	Murray,	Toll,
Cochran,	Jones, P. F.,	Musto,	Tompkins,
Conway,	Jones, T. H. W.,	Najaka,	Toomey,
Cooper,	Jump,	Naugle,	VanSant,
Corr,	Kamyk,	Needham,	Varallo,
Costa,	Keller,	Olsen,	Varnier,
Coyle,	Kent,	Penglase,	Verona,
Dalrymple,	Kline,	Peta,	Wachhaus,
Davis,	Kohl,	Petrosky,	Wargo,
Dennison,	Kolankiewicz,	Pettigrew,	Waterhouse,
Dougherty,	Kornick,	Pfaff,	Watkins,
Dowling,	Kratz,	Pichney,	Weidner,
DuBois,	Kubacki,	Pitzer,	Welsh,
Duffy,	Lederer,	Polaski,	Wescott,
Dunn,	Lelsey,	Polen,	Westrick,
Erb,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Ewing,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Fenrich,	Leven,	Readinger,	White,
Ferster,	Light,	Reagan,	Williams,
Filip,	Limper,	Reese,	Wilt,
Filo,	Loftus,	Reilly, J. M.,	Wood,
Firmstones,	Lopresti,	Rigby,	Yeakel,
Flack,	Lovett,	Riley, R. L.,	Yester,
Frost,	Lutty,	Robertson,	Yetzer,
Gaffney,	Lyons,	Rose,	Young,
Geer,	Madden,	Rosen,	Ziegler,
Gibson,	Madigan,	Rovansek,	Sorg,
Gleason,	Markley,	Royer,	Speaker
Good,			

#### NAYS—0

#### NOT VOTING—3

Lafore, Miller, J. C., Reidenbach.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1624, as follows:

An Act to further amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United State Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" by further prescribing the powers and duties of the Department of Public Assistance and the local boards further defining "Assistance" and those persons eligible for assistance further prescribing residence requirements with respect to assistance changing the terms of county board members clarifying the provisions with respect to the payment to the United



States of its share of moneys received by way of restitution prescribing additional penalties and repealing a certain act

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1 Section two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designed and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United State Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" as last amended by the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 434) is hereby further amended to read as follows

Section 2 Definitions As used in this act unless otherwise indicated

"Assistance" means assistance in money goods shelter medical care work relief or services provided from or with State or Federal funds for indigent persons who reside in Pennsylvania and need assistance to enable them to maintain provide for themselves and their dependents a decent and healthful standard of living [and for indigent homeless or transient persons] The word assistance shall be construed to include pensions for those blind persons who are entitled to pensions as provided in this act and to include also burial for those indigent persons who were receiving assistance at the time of their death

"General Assistance" means assistance provided from or with State or Federal funds only to persons entitled under this act to assistance other than dependent children aged persons [and] blind persons and disabled persons

"Local Board" means any county board of assistance established under the provisions of this act

The masculine pronoun includes the feminine

Section 2 Clauses (a) (b) (c) and (j) of section four of said act clause (a) of which was amended by the act approved the twenty-sixth day of June one thousand nine hundred thirty-nine (P. L. 1091) clause (b) and (c) of which were last amended by the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 434) and clause (j) of which was added by the act approved the twenty-sixth day of June one thousand nine hundred thirty-nine (P. L. 1091) are hereby amended or further amended to read as follows

Section 4 General Powers and Duties of Department of Public Assistance The Department of Public Assistance shall have the power and its duty shall be

(a) To allocate to the several assistance programs funds with which to provide assistance and funds for administrative expenses and as may be needed from time to time to keep reasonable emergency funds in the hands of local boards which shall be used subject to the rules regulations and standards of the department by the executive director for the furnishing of assistance and pensions respectively in emergency cases upon application to him or under the direction of any member of the local board

(b) To establish with the approval of the State Board of Public Assistance rules regulations and standards consistent with the law as to eligibility for assistance and as to its nature and extent and to enforce compliance therewith by the local boards and by persons receiving assistance

(c) To exercise general supervision of the local boards and to establish for such boards rules regulations and standards as to accounting and as to forms records and

reports so as to effect reasonable uniformity] direct and supervise the local boards to establish for such boards rules regulations and standards and to enforce compliance therewith

\* \* \*

(j) Whenever the department deems it necessary and advisable to purchase credit reports and other services on a fee basis or to employ investigators on a salary basis for the purpose of supplementing or confirming the investigation of eligibility for assistance by local boards

Section 3 Section five of said act as last amended in part by the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 434) is hereby further amended to read as follows

Section 5 Establishment of County Boards of Assistance (a) For each county of the Commonwealth there is hereby established a county board of assistance to be known as the

County Board of Assistance which shall be composed of men and women to be appointed as hereinafter provided The board shall be composed as far as possible of persons engaged or interested in business social welfare labor industry education or public administration The members of the board shall serve without compensation but shall be reimbursed for necessary expenses No member of a board shall hold office in any political party Not all of the members of a board shall belong to the same political party

(b) Each board shall be composed of eleven members in counties of the first and second classes and of seven members in other counties In each county having a board of seven the Governor shall with the advice and consent of two-thirds of all the members of the Senate appoint two members to serve for the term ending December thirty-first one thousand nine hundred thirty-eight two members to serve for the term ending December thirty-first one thousand nine hundred thirty-nine and three members to serve for the term ending December thirty-first one thousand nine hundred forty In each county having a board of eleven the Governor shall in the same manner appoint three members to serve for the term ending December thirty-first one thousand nine hundred thirty-eight four members to serve for the term ending December thirty-first one thousand nine hundred thirty-nine and four members to serve for the term ending December thirty-first one thousand nine hundred forty After the original appointments any vacancy caused by the expiration of a term shall be filled by an appointment in the manner above provided for a term of three years and any vacancy otherwise caused shall be filled for the duration of the unexpired term by appointment in the same manner [No member of a board shall be eligible to serve for more than two consecutive terms] Any member of a board who has served all or any portions of three consecutive three-year terms as above specified shall be ineligible for further reappointment until after one full term has passed If service is completed and the member is reappointed to a term ending at a different time from his original series of terms his service shall be computed as if he were continuing to serve in the original series A member of a board who misses three or more consecutive meetings without reasons satisfactory to the rest of the board will be regarded as having in effect resigned from the position

(c) Each board shall organize annually and elect from among its members a chairman vice-chairman and a secretary

Section 4 Clauses (b.1) (c) and (f) of section seven of said act clause (b.1) of which was added by the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 434) and clauses (c) and (f) of which were amended by the act approved the twenty-sixth day of June one thousand nine hundred thirty-nine (P. L. 1091) are hereby amended or further amended to read as follows

Section 7 Powers and Duties of County Boards of Assistance Each county board of assistance shall have the power and its duty shall be

\* \* \*

(b.1) To administer public assistance in the county and determine the eligibility [of applicants] for assistance of



applicants and continued eligibility for assistance of persons receiving the same in accordance with law and the general principles and policies determined by the State Board of Public Assistance

(c) To conform to the rules regulations and standards established by the Department of Public Assistance [as to accounting and as to forms records and reports]

(f) To supervise the administration of and promote any other public function related to assistance or to the work of the Department of Public Assistance or of the county board of assistance which shall be committed to the board by a political subdivision of the Commonwealth with the approval of the [State Board] Department of Public Assistance

Section 5 Clause (j) of section seven of said act as added by the act approved the twenty-sixth day of June one thousand nine hundred thirty-nine (P. L. 1091) is hereby repealed

Section 6 Section nine of said act as last amended in part by the acts approved the twenty-sixth day of June one thousand nine hundred thirty-nine (P. L. 1091) the sixteenth day of May one thousand nine hundred forty (1941 P. L. 945) the twenty-fourth day of July one thousand nine hundred forty-one (P. L. 475) the twenty-eighth day of July one thousand nine hundred forty-one (P. L. 546) the twenty-first day of May one thousand nine hundred forty-three (P. L. 434) the eighth day of July one thousand nine hundred forty-seven (P. L. 1448) and the twenty-eighth day of April one thousand nine hundred forty-nine (P. L. 767) is hereby further amended to read as follows

Section 9 Eligibility for Assistance Any person residing within this Commonwealth shall hereafter be entitled to receive public assistance as provided by law without regard to the period of time he or she has resided therein and the Department of Public Assistance charged with the granting of public assistance may do so without regard to the period of time any person seeking public assistance and otherwise entitled thereto shall have resided within this State Provided however That if the applicant for public assistance has resided in Pennsylvania for less than one year immediately preceding the date of making application for assistance such person shall only be entitled to receive public assistance if he or she was last a resident of a state which by law regulation or reciprocal agreement with Pennsylvania grants public assistance to a person who has resided therein for less than one year A child less than one year of age is considered as deriving residence from either (1) a parent or (2) other relative with whom he is living as hereinbefore provided in this section Except as hereinafter specifically otherwise provided in the case of pensions for the blind all persons of the following classes except those who hereafter advocate and actively participate by an overt act or acts in a movement proposing a change in the form of government of the United States by means not provided for in Constitution of the United States shall be eligible to receive assistance in accordance with rules regulations and standards established by the Department of Public Assistance with the approval of the State Board of Assistance as to eligibility for assistance and as to its nature and extent

(a) Dependent Children A dependent child is defined as any needy child under the age of sixteen or under the age of eighteen if found to be regularly attending school who [(1)] has been deprived of parental support or care by reason of the death continued absence from the home or physical or mental incapacity of a parent and who is living with his father mother grandfather grandmother brother sister stepfather stepmother stepbrother stepsister uncle or aunt in a place of residence maintained by one or more of such relatives as his or their own home and (2) has resided in this Commonwealth for one year immediately preceding the date of application for assistance or has been born in this Commonwealth within one year immediately preceding the date of such application of a mother who has resided in this Commonwealth for one year immediately preceding the birth of the child

(b) Aged Persons An aged person is defined as one who (1) [is seventy years of age or more or who after December thirty-first one thousand nine hundred thirty-nine is sixty-five years of age or more (2) [resides in this Commonwealth and has so resided therein for five years during the nine years immediately preceding the date of making application for assistance and has so resided continuously for one year immediately preceding the date of making such application except that in all cases where the state in which the applicant last had a residence makes similar provision for persons whose last residence was in this Commonwealth residence in this Commonwealth residence in this Commonwealth of one year immediately preceding the date of application shall be sufficient (3)] is not at the time of receiving assistance an inmate of a public institution and [(4)] (3) has not conveyed or transferred his real or personal property of the value of five hundred dollars (\$500.00) or upwards without fair consideration within two years preceding the date of making such application

Absence in the service of the Commonwealth of of the United States shall not be deemed to interrupt residence of an aged person in the Commonwealth if a domicile has not been acquired outside the Commonwealth

(c) Blind Persons A blind person is defined as one who (1) is twenty-one years of age or more (2) has three-sixtieth or ten-two hundredths or less normal vision (3) [has resided in the Commonwealth for at least five years during the nine years immediately preceding his application for a pension and has resided therein continuously for one year immediately preceding the application (4)] is not receiving assistance as an aged person during the period for which he is receiving assistance as a blind person [(5)] (4) is not an inmate of any prison jail insane asylum or any other public reform or correctional institution The pension of a blind person shall be forty dollars (\$40) per month Provided That any blind person with an actual income of one thousand five hundred ninety-six dollars (\$1,596) or upwards and any blind person having real property with an assessed valuation of over five thousand dollars (\$5,000) is not entitled to such pension And provided further That where a blind person has an income of less than one thousand five hundred ninety-six dollars (\$1,596) per year the pension shall be fixed in such amount so that the combined income and pension shall not exceed one thousand five hundred ninety-six dollars (\$1,596) a year No person shall be denied a pension because of the fact that he or she is not a citizen of the United States In the event that any act of Congress providing Federal aid toward pension for the blind requires the recipients to be citizens no such Federal aid moneys shall be expended in the payment of pensions to non-citizens but such persons shall receive pensions out of moneys appropriated by this Commonwealth

(d) Disabled Persons A disabled person is defined as one who (1) is between the ages of eighteen and sixty-four inclusive (2) is permanently and totally disabled and (3) is not at the time of receiving assistance an inmate of a public institution

(e) Any children who at the time they are receiving assistance are at the direction of the court removed from the home of their parents and placed in foster homes or children's homes maintained by a county institution district

[(d)] (f) Other persons who are citizens of the United States and who have a settlement in Pennsylvania] all aliens who have within two years previous to the first day of January one thousand nine hundred and forty filed their declaration of intention to become a citizen and [who have a legal settlement in Pennsylvania and] need assistance to [enable them to maintain] provide for themselves and their dependents a decent and healthful standard of living and who do not require institutional care because of physical or mental infirmity

[(e)] Any person within any group defined in this section who has a quasi-settlement in this Commonwealth until he is removed to his place of legal settlement]

[(f)] Any children who at the time they are receiving assistance are at the direction of the court removed from



the home of their parents and placed in foster homes or children's homes maintained by a county institution district]

Section 7 Section eleven of said act is hereby repealed

Section 8 Subsection (b) of section twelve of said act is hereby amended to read as follows.

Section 12 Federal Contributions Restitution

\* \* \* \* \*

(b) So long as required as a condition of Federal participation [one half] of the net amount collected or recovered by way of restitution from any [aged] person or from his estate by or for the Department of Public Assistance for any assistance received to which the Federal government contributed there shall be promptly paid to the United States an amount equal to its proportionate share of the amount collected or recovered and the remainder thereof shall be paid into the State Treasury and shall be credited to the current appropriation to the Department for Public Assistance as provided by law

Section 9 Section thirteen of said act subsections (a) and (b) as amended by the act approved the twenty-sixth day of June one thousand nine hundred thirty-nine (P. L. 1091) and subsections (c) and (d) of which were added by the act approved the sixteenth day of July one thousand nine hundred forty-one (P. L. 398) and another subsection (c) of which was added by the act approved the twenty-fifth day of July one thousand nine hundred forty-one (P. L. 509) is hereby further amended to read as follows

Sections 13 Penalties Additional Powers of Department (a) Any person who either prior to or at the time of or subsequent to the application for assistance by means of a wilfully false statement or misrepresentation or by impersonation or other fraudulent means secures or attempts to secure or aids or abets any person in securing assistance under this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding [five hundred dollars (\$500.00)] one thousand dollars (\$1000.00) or to undergo imprisonment not exceeding [six months] one (1) year or both at the discretion of the court and also shall be sentenced to make restitution of any moneys he has received by reason of any such false statement misrepresentation impersonation or fraudulent means

(d) Any person in the employ of any county board who either directly or indirectly influences or endeavors to influence the vote of any person receiving or applying for any form of assistance or pension under the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one hundred [(\$100)] dollars (\$100.00) or to undergo imprisonment not exceeding six (6) months or both at the discretion of the court

(c) The Department of Public Assistance shall have power and authority to make and enforce rules and regulations

(1) To insure the names and lists of applicants and recipients or persons applying for or receiving assistance of any type covered by the public assistance provisions of the Federal Social Security Act against improper publication

(2) To restrict the use of such information furnished other officials departments or persons to purposes connected with the administration of public assistance

(3) To afford adequate protection to the rights and interests of persons with respect to whom personal or confidential information is in its possession

(4) All such rules and regulations shall be kept on file with the department and shall be open to the public

(5) Such rules and regulations shall not prevent or interfere with investigations by the proper authorities as to the rights of individuals or groups to receive such assistance or aid or the amount of the same

(d) Any person knowingly violating any of the rules and regulations of the department made in accordance with this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one hundred dollars [(\$100)] (\$1000.00) or to undergo imprisonment not exceeding six (66 months or both at the discretion of the court

(e) Any person who knowingly receives any assistance under this act to which he is not entitled shall upon conviction thereof in a summary proceeding be sentenced to make restitution of such assistance and to pay a fine of not more than two hundred dollars (\$200.00) and in default of making restitution and the payment of the fine imposed to undergo imprisonment not exceeding sixty (60) days

[(c)] (f) It shall be unlawful for any person directly or indirectly to promise any employment position work compensation or other benefit provided for in clause (1) of section four of this act to any person as consideration favor or reward for any political activity or for the support of or opposition to any candidate in any election or any political party

It shall be unlawful for any person directly or indirectly to deprive attempt to deprive or threaten to deprive by any means any person of any employment position work compensation or other benefit provided for in clause (1) of section four of this act on account of race creed color or any support of or opposition to any candidate or any political party in any election

It shall be unlawful for any person administering or supervising work relief projects under the provisions of clause (1) of section four of this act to use such authority or influence for the purpose of interfering with an election or affecting the results thereof

Any person violating the provisions of this subsection shall be immediately removed from any position or office if any held under the provisions of clause (1) of section four of this act and in addition thereto he shall be sentenced to pay a fine not to exceed one thousand dollars [(\$1,000)] (\$1,000.00) and to imprisonment not to exceed one (1) year or both

Section 10 The act approved the first day of May one thousand nine hundred forty-five (P. L. 370) entitled "An act relating to settlements abolishing settlement and residence as a factor in eligibility for receiving public assistance or liability of the Commonwealth or any political subdivision thereof for granting assistance and repealing inconsistent legislation" is hereby repealed

Section 11 All other acts or parts of acts inconsistent with the provisions of this act are hereby repealed

Section 12 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—204

Amarando,	Goodling,	Maxwell	Rubin,
Andrews,	Graybill,	Mazza,	Sarraf,
Banker,	Greenwood,	McConnell,	Sax,
Barkdoll,	Greer,	McCormack,	Scanlon,
Baumunk,	Guarnieri,	McCullough,	Schmidt,
Bear,	Gutendorf,	McDermitt,	Schuster,
Beaver,	Guthrie,	McGee,	Scott,
Beech,	Hagerty,	McInroy,	Seyler,
Berkstresser,	Hall,	McKinney,	Shoemaker,
Blair,	Hamilton, R. K.,	McMillen,	Shotwell,
Bloom,	Hamilton, W. H.,	McNally,	Smith,
Boies,	Harney,	Metz,	Snider,
Bolton,	Haudenshield,	Mihm,	Sollenberger,
Bomberger,	Headlee,	Mikula,	Spencer,
Boorse,	Helm,	Miller, H. G.,	Stank,
Bower,	Hersch,	Miller,	Stimmel,
Breisch,	Hewitt,	Minness,	Stoner,
Breth,	Hocker,	Monroe,	Swartz,
Brown,	Hoggard,	Moore, C. E.,	Swops,
Buechin,	Hunter,	Moore, H. A.,	Tahl,
Byrne,	Jenkins,	Moran,	Taylor,
Cella,	Johnson,	Muldowney,	Thompson, E. F.,
Clapper,	Jones, G. E.,	Munley,	Thompson, R. L.,
Clendenning,	Jones, J. M.,	Murray,	Toll,
Cochran,	Jones, P. F.,	Musto,	Tompkins,
Conway,	Jones, T. H. W.,	Najaka,	Toomey,
Cooper,	Jump,	Naugle,	Van Sant,



Corr,	Kamyk,	Needham,	Varallo,
Costa,	Keller,	Olsen,	Varner,
Coyle,	Kent,	Penglase,	Verona,
Dalrymple,	Kline,	Peta,	Wachhaus,
Davis,	Kohl,	Petrosky,	Wargo,
Dennison,	Kolankiewicz,	Pettigrew,	Waterhouse,
Dougherty,	Kornick,	Pfaff,	Watkins,
Dowling,	Kratz,	Pichney,	Weidner,
DuBois,	Kubacki,	Pitzer,	Welsh,
Duffy,	Lederer,	Polaski,	Wescott,
Dunn,	Lelsey,	Polen,	Westrick,
Erb,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Ewing,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Fenrich,	Leven,	Readinger,	White,
Ferster,	Light,	Reagan,	Williams,
Filip,	Limper,	Reese,	Wilt,
Filo,	Loftus,	Reilly, J. M.,	Wood,
Firmstone,	Lopresti,	Rigby,	Yeakel,
Flack,	Lovett,	Riley, R. L.,	Yester,
Frost,	Lutty,	Robertson,	Yetzer,
Gaffney,	Lyons,	Rose,	Young,
Geer,	Madden,	Rosen,	Ziegler,
Gibson,	Madigan,	Rovanssek,	Sorg,
Gleason,	Markley,	Royer,	Speaker
Good,			

NAYS—0

NOT VOTING—0

Lafore, Miller, J. C., Reidenbach.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1625, as follows:

An Act to add sections 14.1 and 14.2 to the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employees serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by changing the provision thereof as to contributors who are qualified for retirement but who die before retirement and making such changes retroactive in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1 The act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employees serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" is hereby amended by adding thereto after section 14 two new sections to read as follows

#### Retirement as of Time of Death

Section 14.1 Any contributor who is entitled to retire under the provisions of this act by reason of having completed twenty-five (25) years of total service or by reason of having reached superannuation retirement age may file

with the retirement board a written application for retirement in the form required for such application but requesting that such retirement shall become effective as of the time of his death electing one of the options provided in section fourteen and nominating a beneficiary under said option as required in said section

In all such cases the applications shall be held by the retirement board until the contributor shall file a later application in the usual manner for retirement or until the death of the contributor occurring while in State service at which time his retirement shall become effective with the same benefits to the designated beneficiary as if the contribution had retired on the day immediately preceding his death

#### Retirement While In State Service

Section 14.2 Any contributor who is entitled to retire under the provisions of this act by reason of having completed twenty-five (25) years of total service or by reason of having reached superannuation retirement age and who shall die while in State service before filing with the Retirement Board a written application for retirement as heretofore provided shall be considered as having elected Option 1 as provided in section fourteen of this act as of the date of his or her death In such event payment under Option 1 shall be made to the beneficiary designated in the nomination of beneficiary form on file with the retirement board If said beneficiary has predeceased the contributor payment under Option 1 shall be made to the legal representative of said contributor

Section 2 The provisions of this amending act shall apply to all contributors who became eligible for retirement before the first day of January one thousand nine hundred fifty and who have died since that date without having filed a written statement as required in sections thirteen and fourteen of the act to which this is an amendment

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Amarando.	Goodling.	Maxwell.	Rubin.
Andrews.	Grayson.	Mazza.	Sarraff.
Banker.	Greenwood.	McConnell.	Sax.
Barkdoll.	Greer.	McCormack.	Scanlon.
Baumunk.	Guarnieri.	McCullough.	Schmidt.
Bear.	Gutendorf.	McDermitt.	Schuster.
Beaver.	Guthrie.	McGee.	Scott.
Beech.	Hagerty.	McInroy.	Seyler.
Berkstreser.	Hall.	McKinney.	Shoemaker.
Blair.	Hamilton, R. K.,	McMillen.	Shotwell.
Bloom.	Hamilton, W. H.,	McNally.	Smith.
Boles.	Harney.	Metz.	Snider.
Bolton.	Haudenshield.	Mihm.	Sollenberger.
Bomberger.	Headlee.	Mikula.	Spencer.
Boorse.	Helm.	Miller, H. G.,	Stank.
Bower.	Hersch.	Mills.	Stimmel.
Breisch.	Hewitt.	Mintess.	Stoner.
Breth.	Hocker.	Monroe.	Swartz.
Brown.	Hoggard.	Moore, C. E.,	Swope.
Buechin.	Hunter.	Moore, H. A.,	Tahl.
Byrne.	Jenkins.	Moran.	Taylor.
Cella.	Johnson.	Muldowney.	Thompson, E. F.,
Clapper.	Jones, G. E.,	Munley.	Thompson, R. L.,
Clendening.	Jones, J. M.,	Murray.	Toil.
Cochran.	Jones, P. F.,	Musto.	Tompkins.
Conway.	Jones, T. H. W.,	Najaka.	Toomey.
Cooper.	Jump.	Naugle.	VanSant.
Corr.	Kamyk.	Needham.	Varallo.
Costa.	Keller.	Olsen.	Varner.
Coyle.	Kent.	Penglase.	Verona.
Dalrymple.	Kline.	Peta.	Wachhaus.
Davis.	Kohl.	Petrosky.	Wargo.
Dennison.	Kolankiewicz,	Pettigrew.	Waterhouse.
Dougherty.	Kornick,	Pfaff.	Watkins.
Dowling.	Kratz,	Pichney,	Weidner.



DuBois,	Kubacki,	Pitzer,	Welsh,
Duffy,	Lederer,	Polaski,	Wescott,
Dunn,	Lelsey,	Polen,	Westrick,
Erb,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Ewing,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Fenrich,	Leven,	Readinger,	White,
Ferster,	Light,	Reagan,	Williams,
Filip,	Limper,	Reese,	Wilt,
Filo,	Loftus,	Reilly, J. M.,	Wood,
Firmstone,	Lopresti,	Rigby,	Yeakel,
Flack,	Lovett,	Riley, R. L.,	Yester,
Frost,	Lutty,	Robertson,	Yetzer,
Gaffney,	Lyons,	Rose,	Young,
Geer,	Madden,	Rosen,	Ziegler,
Gibson,	Madigan,	Rovansek,	Sorg,
Gleason,	Markley,	Royer,	Speaker
Good,			

## NAYS—0

## NOT VOTING—0

Lafore, Miller, J. C., Reidenbach.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1671, as follows:

An Act to amend Section 902 of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1242) entitled "An act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto" by requiring the supervisors of townships of the second class to furnish the Department of Highways copies of petitions ordinances agreements and resolutions laying out or vacating public roads

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 902 of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1242) entitled "An act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto" is hereby amended to read as follows

Section 902 Certifications of Reports of Viewers Ordinances Petitions Agreements and Resolutions Laying Out or Vacating Public Roads Upon the confirmation by the court of quarter sessions of the report of any jury of view laying out or vacating a public road it shall be the duty of the clerk of said court to immediately certify a copy of said report with the accompanying draft and the action of the court on the report of the viewers to the department For such services the clerk of the court shall receive from the department the sum of three dollars and fifty cents (\$3.50) for each certification

Upon the approval of any petition or upon the filing with the clerk of the court of quarter sessions any ordinance agreement or resolution laying out or vacating a public road in a second class township it shall be the duty of the township supervisors to immediately submit a copy of said petition ordinance agreement or resolution with the accompanying draft and the final action on each such matter to the department

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—204

Amarando.	Goodling.	Maxwell.	Rubin.
Andrews.	Graybill,	Mazza.	Sarraff,
Banker.	Greenwood,	McConnell,	Sax,
Barkdoll,	Greer,	McCormack.	Scanlon.
Baumunk,	Guarnieri,	McCullough,	Schmidt.
Bear,	Gutendorf,	McDermitt,	Schuster,
Beaver,	Guthrie,	McGee,	Scott,
Beech,	Hagerty,	McInroy,	Seyler,
Berkstresser,	Hall,	McKinney,	Shoemaker,
Blair,	Hamilton, R. K.,	McMillen,	Shotwell.
Bloom,	Hamilton, W. H.,	McNally,	Smith,
Boles,	Harney,	Metz,	Snider,
Bolton,	Haudenshield,	Mihm,	Sollenberger.
Bomberger,	Headlee,	Mikula,	Spencer,
Boorse,	Helm,	Miller, H. G.,	Stank,
Bower,	Hersch,	Mills,	Stimmel,
Brelsch,	Hewitt,	Mintess,	Stoner,
Breth,	Hocker,	Monroe,	Swartz,
Brown,	Hoggard,	Moore, C. E.,	Swope,
Bucchin,	Hunter,	Moore, H. A.,	Tahl,
Byrne,	Jenkins,	Moran,	Taylor,
Cella,	Johnson,	Muldowney,	Thompson, E. F.,
Clapper,	Jones, G. E.,	Munley,	Thompson, R. L.,
Clendening,	Jones, J. M.,	Murray,	Toll,
Cochran,	Jones, P. F.,	Musto,	Tompkins,
Conway,	Jones, T. H. W.,	Najaka,	Toomey,
Cooper,	Jump,	Naugle,	VanSant,
Corr,	Kamyk,	Needham,	Varallo,
Costa,	Keller,	Olsen,	Varnier,
Coyle,	Kent,	Penglase,	Verona,
Dalrymple,	Kilne,	Peta,	Wachhaus,
Davis,	Kohl,	Petrosky,	Wargo,
Dennison,	Kolankiewicz,	Pettigrew,	Waterhouse,
Dougherty,	Kornick,	Pfaff,	Watkins,
Dowling,	Kratz,	Pichney,	Weldner,
DuBois,	Kubacki,	Pitzer,	Welsh,
Duffy,	Lederer,	Polaski,	Wescott,
Dunn,	Lelsey,	Polen,	Westrick,
Erb,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Ewing,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Fenrich,	Leven,	Readinger,	White,
Ferster,	Light,	Reagan,	Williams,
Filip,	Limper,	Reese,	Wilt,
Filo,	Loftus,	Reilly, J. M.,	Wood,
Flack,	Lopresti,	Rigby,	Yeakel,
Firmstone,	Lovett,	Riley, R. L.,	Yester,
Frost,	Lutty,	Robertson,	Yetzer,
Gaffney,	Lyons,	Rose,	Young,
Geer,	Madden,	Rosen,	Ziegler,
Gibson,	Madigan,	Rovansek,	Sorg,
Gleason,	Markley,	Royer,	Speaker
Good,			

## NAYS—0

## NOT VOTING—0

Lafore, Miller, J. C., Reidenbach.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1679, entitled:

An Act to further amend the last paragraph of subsection (c) of Section 507 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal School or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and offi-



ers fixngcers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by authorizing departments boards and commissions to contract for utility services furnished by political subdivisions and authorities

On the question,

Will the House agree to the bill on third reading?

Mr. JOHNSON. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Title, page 1, line 1 of title, by striking out the words "subsection (c) of"

Amend Sec. 1, page 2, line 1, by striking out the words "subsection (c) of"

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1681, as follows:

An Act to amend Section 1 of the act approved the twenty-sixth day of May one thousand nine hundred forty-nine (P. L. 1846) entitled "An act fixinfi the salaries of State mine inspectors under the jurisdiction of the Department of Mines and the expenses incident to their office" by increasing the salary of mine inspectors

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1 of the act approved the twenty-sixth day of May one thousand nine hundred forty-nine (P. L. 1846) entitled "An act fixing the salaries of State mine inspectors under the jurisdiction of the Department of Mines and the expenses incident to their office" is hereby amended to read as follows

Section 1 The salary of mine inspectors under the jurisdiction of the Department of Mines of this Commonwealth shall be [six thousand six hundred dollars (\$6000)] seven thousand five hundred dollars (\$7500) per annum together with the necessary expenses incidental to the performance of their duties under the law which money shall be paid in the manner now provided by law

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Amarando,  
Andrews,

Goodling,  
Graybill,

Maxwell,  
Mazza,

Rubin,  
Sarraf,

Banker,  
Barkdoll,  
Baumunk,  
Bear,  
Beaver,  
Beech,  
Berkstresser,  
Blair,  
Bloom,  
Boles,  
Bolton,  
Bomberger,  
Boorse,  
Bower,  
Breisch,  
Breth,  
Brown,  
Bucchin,  
Byrne,  
Cella,  
Clapper,  
Clendenning,  
Cochran,  
Conway,  
Cooper,  
Corr,  
Costa,  
Coyle,  
Dalrymple,  
Davis,  
Dennison,  
Dougherty,  
Dowling,  
DuBols,  
Duffy,  
Dunn,  
Erb,  
Ewing,  
Fenrich,  
Ferster,  
Filip,  
Filo,  
Firmstone,  
Flack,  
Frost,  
Gaffney,  
Geer,  
Gibson,  
Gleason,  
Good,

Greenwood,  
Greer,  
Guarnieri,  
Gutendorf,  
Guthrie,  
Hagerty,  
Hall,  
Hamilton, R. K.,  
Hamilton, W. H.,  
Harney,  
Haudenshield,  
Headlee,  
Helm,  
Hersch,  
Hewitt,  
Hocker,  
Hoggard,  
Hunter,  
Jenkins,  
Johnson,  
Jones, G. E.,  
Jones, J. M.,  
Jones, P. F.,  
Jones, T. H. W.,  
Jump,  
Kamyk,  
Keller,  
Kent,  
Kline,  
Kohl,  
Kolanklewics,  
Kornick,  
Kratz,  
Kubacki,  
Lederer,  
Leisey,  
Leonard, L.,  
Leonard, W. C.,  
Leven,  
Light,  
Limper,  
Loftus,  
Lopresti,  
Lovett,  
Lutty,  
Lyons,  
Madden,  
Madigan,  
Markley,

McConnell,  
McCormack,  
McCullough,  
McDermitt,  
McGee,  
McInroy,  
McKinney,  
McMillen,  
McNally,  
Metz,  
Mihm,  
Mikula,  
Miller, H. G.,  
Mills,  
Mintess,  
Monroe,  
Moore, C. E.,  
Moore, H. A.,  
Moran,  
Muldowney,  
Munley,  
Murray,  
Musto,  
Najaka,  
Naugle,  
Needham,  
Olsen,  
Penglase,  
Peta,  
Petrosky,  
Pettigrew,  
Pfaff,  
Pichney,  
Pitzer,  
Polaski,  
Polen,  
Price, H. W. Jr.,  
Price, R. A.,  
Readinger,  
Reagan,  
Reese,  
Reilly, J. M.,  
Rigby,  
Riley, R. L.,  
Robertson,  
Rose,  
Rosen,  
Rovanssek,  
Royer,

Sax,  
Scanlon,  
Schmidt,  
Schuster,  
Scott,  
Seyler,  
Shoemaker,  
Shotwell,  
Smith,  
Snider,  
Sollenberger,  
Spencer,  
Stank,  
Stimmel,  
Stoner,  
Swartz,  
Swope,  
Tahl,  
Taylor,  
Thompson, E. F.,  
Thompson, R. L.,  
Toll,  
Tompkins,  
Toomey,  
VanSant,  
Varallo,  
Varnier,  
Verona,  
Wachhaus,  
Wargo,  
Waterhouse,  
Watkins,  
Weidner,  
Welsh,  
Wescott,  
Westrick,  
Whalley,  
Wheeler,  
White,  
Williams,  
Wilt,  
Wood,  
Yeakel,  
Yester,  
Yetzer,  
Young,  
Ziegler,  
Sorg,  
Speaker

NAYS—0

NOT VOTING—0

Lafore,

Miller, J. C.,

Reidenbach.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1682, as follows:

An Act to further amend section four of the act approved the twenty-ninth day of May one thousand nine hundred forty-five (P. L. 1132) entitled "An act providing for the health and safety to persons employed in and about coal mines in the Commonwealth of Pennsylvania the protection and preservation of property connected therewith the appointment of first aid and mine rescue instructors by the Secretary of Mines with the approval of the Governor fixing their salaries and qualifications providing for the purchase of trucks and necessary equipment to carry on the work and making an appropriation thereof" by further increasing the salary of the first aid and mine rescue instructors

The General Assembly of the Commonwealth of Pennsylvania enacts as follows

Section 1 Section four of the act approved the twenty-ninth day of May one thousand nine hundred forty-five (P. L. 1132) entitled "An act providing for the health and



safety of persons employed in and about coal mines in the Commonwealth of Pennsylvania the protection and preservation of property connected therewith the appointment of first aid and mine rescue instructors by the Secretary of Mines with the approval of the Governor fixing their salaries and qualifications providing for the purchase of trucks and necessary equipment to carry on the work and making an appropriation therefor," as amended by the act approved the ninth day of May one thousand nine hundred forty-nine (P. L. 918) is hereby further amended to read as follows

Section 4 The first aid and mine rescue instructors shall receive a salary of [four thousand three hundred ninety-two dollars (\$4392) four thousand nine hundred eighty-nine (\$4989) per annum together with the necessary expenses incidental to the performance of his duties under the law Except however one member of the crew manning each truck shall be termed chief of crew and shall receive a salary of [four thousand eight hundred eighty dollars (\$4880) five thousand five hundred forty-three dollars (\$5543) per annum together with the necessary expenses incidental to the performance of his duties under the law and shall be responsible for the orderly conduct of the work to be performed

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—204

Amarando,	Goodling,	Maxwell,	Rubin,
Andrews,	Graybill,	Mazza,	Sarra,
Banker,	Greenwood,	McConnell,	Sax,
Barkdoll,	Greer,	McCormack,	Scanlon,
Baumunk,	Guarnieri,	McCullough,	Schmidt,
Bear,	Gutendorf,	McDermitt,	Schuster,
Beaver,	Guthrie,	McGee,	Scott,
Beech,	Hagerty,	McInroy,	Seyler,
Berkstresser,	Hall,	McKinney,	Shoemaker,
Blair,	Hamilton, R. K.,	McMillen,	Shotwell,
Bloom,	Hamilton, W. H.,	McNally,	Smith,
Boles,	Harney,	Metz,	Snider,
Bolton,	Haudenschild,	Mihm,	Sollenberger,
Bomberger,	Headlee,	Mikula,	Spencer,
Boorse,	Helm,	Miller, H. G.,	Stank,
Bower,	Hersch,	Mills,	Stimmel,
Breisch,	Hewitt,	Mintess,	Stoner,
Breth,	Hocker,	Monroe,	Swartz,
Brown,	Hoggard,	Moore, C. E.,	Swope,
Bucchin,	Hunter,	Moore, H. A.,	Tahl,
Byrne,	Jenkins,	Moran,	Taylor,
Cella,	Johnson,	Muldowney,	Thompson, E. F.,
Clapper,	Jones, G. E.,	Munley,	Thompson, R. L.,
Clendening,	Jones, J. M.,	Murray,	Toil,
Cochran,	Jones, P. F.,	Musto,	Tompkins,
Conway,	Jones, T. H. W.,	Najaka,	Toomey,
Cooper,	Jump,	Naugle,	VanSant,
Corr,	Kamyk,	Needham,	Varallo,
Costa,	Keller,	Olsen,	Varnar,
Coyle,	Kent,	Penglase,	Verona,
Dalrymple,	Kline,	Petia,	Wachhaus,
Davis,	Kohl,	Petrosky,	Wargo,
Dennison,	Kolankiewicz,	Pettigrew,	Waterhouse,
Dougherty,	Kornick,	Pfaff,	Watkins,
Dowling,	Kratz,	Pichney,	Weidner,
DuBois,	Kubacki,	Pitzer,	Welsh,
Duffy,	Lederer,	Polaski,	Wescott,
Dunn,	Leisey,	Polen,	Westrick,
Erb,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Ewing,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Fenrich,	Leven,	Readinger,	White,
Fenster,	Light,	Reagan,	Williams,
Filip,	Limper,	Reese,	Wilt,
Filo,	Loftus,	Reilly, J. M.,	Wood,
Firmstone,	Lopresti,	Rigby,	Yeakel,
Flack,	Lovett,	Riley, R. L.,	Yester,
Frost,	Lutty,	Robertson,	Yetzer,
Gaffney,	Lyons,	Rose,	Young,

Geer,  
Gibson,  
Gleason,  
Good,

Madden,  
Madigan,  
Markley,

Rosen,  
Rovasek,  
Royer,

Ziegler,  
Sorg,  
Speaker

NAYS—0

NOT VOTING—0

Lafore,

Miller, J. C.,

Reidenbach,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1683, as follows:

An Act to further amend Section 2 of the act approved the twenty-fifth day of April one thousand nine hundred forty-five (P. L. 289) entitled "An act providing for the health and safety of persons employed in and about the coal mines of the Commonwealth of Pennsylvania the protection and preservation of property connected therewith the appointment of electrical inspectors by the Secretary of Mines with the consent and approval of the Governor the fixing of their salaries and necessary expenses incurred in the performance of their duties and the fixing of the qualifications which shall be possessed by persons appointed to the position of electrical inspector" by increasing the salary of electrical inspectors

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 2 of the act approved the twenty-fifth day of April one thousand nine hundred forty-five (P. L. 289) entitled "An act providing for the health and safety of persons employed in and about the coal mines of the Commonwealth of Pennsylvania the protection and preservation of property connected therewith the appointment of electrical inspectors by the Secretary of Mines with the consent and approval of the Governor the fixing of their salaries and necessary expenses incurred in the performance of their duties and the fixing of the qualifications which shall be possessed by persons appointed to the position of electrical inspector" as amended by the act approved the ninth day of May one thousand nine hundred forty-nine (P. L. 917) is hereby further amended to read as follows

Section 2 The persons appointed to the position of electrical inspector shall not be under 30 or over 50 years of age on the date of their appointment They shall be citizens of this Commonwealth and shall devote their whole time and attention to the duties of their office They shall have had five years' experience in gaseous mines of this Commonwealth as electrician or electrical engineer and shall be conversant with the laws and regulations equipment in and around coal mines The electrical governing the installation and operation of electrical inspector shall receive a salary of [five thousand eight hundred fifty-six dollars (\$5,856) six thousand six hundred fifty-two dollars (\$6,652) per annum together with the necessary expenses incidental to the performance of his duties under the law Such salaries and expenses shall be paid from the appropriation made for the payment of the salaries and expenses of the mine inspectors

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:



## YEAS—204

Amarando.	Goodling.	Maxwell.	Rubin.
Andrews.	Graybill.	Mazza.	Sarraff.
Banker.	Greenwood.	McConnell.	Sax.
Barkdoll.	Greer.	McCormack.	Scanlon.
Baumunk.	Guarnieri.	McCullough.	Schmidt.
Bear.	Gutendorf.	McDermitt.	Schuster.
Beaver.	Guthrie.	McGee.	Scott.
Beech.	Hagerty.	McInroy.	Seyler.
Berkstresser.	Hall.	McKinney.	Shoemaker.
Blair.	Hamilton, R. K.	McMillen.	Shotwell.
Bloom.	Hamilton, W. H.	McNally.	Smith.
Boles.	Harney.	Metz.	Snider.
Bolton.	Haudenshield.	Mihm.	Sollenberger.
Bomberger.	Headlee.	Mikula.	Spencer.
Boorse.	Helm.	Miller, H. G.	Stank.
Bower.	Hersch.	Mills.	Stimmel.
Breisch.	Hewitt.	Mintess.	Stoner.
Breth.	Hocker.	Monroe.	Swartz.
Brown.	Hoggard.	Moore, C. E.	Swope.
Bucchin.	Hunter.	Moore, H. A.	Tahl.
Byrne.	Jenkins.	Moran.	Taylor.
Cella.	Johnson.	Muldowney.	Thompson, E. F.
Clapper.	Jones, G. E.	Munley.	Thompson, R. L.
Clendenning.	Jones, J. M.	Murray.	Toll.
Cochran.	Jones, P. F.	Musto.	Tompkins.
Conway.	Jones, T. H. W.	Najaka.	Toomey.
Cooper.	Jump.	Naugle.	VanSant.
Corr.	Kamyk.	Needham.	Varallo.
Costa.	Keller.	Olsen.	Varner.
Coyle.	Kent.	Penglase.	Verona.
Dairymple.	Kline.	Peta.	Wachhaus.
Davis.	Kohl.	Petrosky.	Wargo.
Dennison.	Kolankiewicz.	Pettigrew.	Waterhouse.
Dougherty.	Kornick.	Pfaff.	Watkins.
Dowling.	Kratz.	Pichney.	Weidner.
DuBols.	Kubacki.	Pitzer.	Welsh.
Duffy.	Lederer.	Polaski.	Wescott.
Dunn.	Lelsey.	Polen.	Westrick.
Erb.	Leonard, L.	Price, H. W. Jr.	Whalley.
Ewing.	Leonard, W. C.	Price, R. A.	Wheeler.
Fenrich.	Leven.	Readinger.	White.
Ferster.	Light.	Reagan.	Williams.
Filip.	Limper.	Reese.	Wilt.
Filo.	Loftus.	Reilly, J. M.	Wood.
Firmstone.	Lopresti.	Rigby.	Yeakel.
Flack.	Lovett.	Riley, R. L.	Yester.
Frost.	Lutty.	Robertson.	Yetzer.
Gaffney.	Lyons.	Rose.	Young.
Geer.	Madden.	Rosen.	Ziegler.
Gibson.	Madigan.	Rovansek.	Sorg.
Gleason.	Markley.	Royer.	Speaker
Good.			

## NAYS—0

## NOT VOTING—3

Lafore, Miller, J. C., Reidenbach.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

## BILL INTRODUCED AND REFERRED

By Mr. DENNISON. HOUSE BILL No. 1733.

An Act to further amend the act approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances and legal claims, registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of

the peace, the courts and the clerks thereof, owners of vehicles and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by further providing for the transfer of registration plates from one motor vehicle trailer or semi-trailer to another.

Referred to the Committee on Motor Vehicles.

## BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1705, as follows:

An Act appropriating certain surplus funds to the Department of Public Assistance upon the exhaustion of its appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1 Any sum or sums of money representing surplus funds in the General Fund during the 1951-1953 biennium arising from revenues above the estimate curtailment of other appropriations increases of lapses or arising in any other manner not exceeding twenty-five million dollars (\$25,000,000) are hereby appropriated to the Department of Public Assistance Provided however that this act shall not become effective until the Department of Public Assistance has exhausted the appropriations made to it by the General Assembly

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—204

Amarando.	Goodling.	Maxwell.	Rubin.
Andrews.	Graybill.	Mazza.	Sarraff.
Banker.	Greenwood.	McConnell.	Sax.
Barkdoll.	Greer.	McCormack.	Scanlon.
Baumunk.	Guarnieri.	McCullough.	Schmidt.
Bear.	Gutendorf.	McDermitt.	Schuster.
Beaver.	Guthrie.	McGee.	Scott.
Beech.	Hagerty.	McInroy.	Seyler.
Berkstresser.	Hall.	McKinney.	Shoemaker.
Blair.	Hamilton, R. K.	McMillen.	Shotwell.
Bloom.	Hamilton, W. H.	McNally.	Smith.
Boles.	Harney.	Metz.	Snider.
Bolton.	Haudenshield.	Mihm.	Sollenberger.
Bomberger.	Headlee.	Mikula.	Spencer.
Boorse.	Helm.	Miller, H. G.	Stank.
Bower.	Hersch.	Mills.	Stimmel.
Breisch.	Hewitt.	Mintess.	Stoner.
Breth.	Hocker.	Monroe.	Swartz.
Brown.	Hoggard.	Moore, C. E.	Swope.
Bucchin.	Hunter.	Moore, H. A.	Tahl.
Byrne.	Jenkins.	Moran.	Taylor.
Cella.	Johnson.	Muldowney.	Thompson, E. F.
Clapper.	Jones, G. E.	Munley.	Thompson, R. L.
Clendenning.	Jones, J. M.	Murray.	Toll.
Cochran.	Jones, P. F.	Musto.	Tompkins.
Conway.	Jones, T. H. W.	Najaka.	Toomey.
Cooper.	Jump.	Naugle.	VanSant.
Corr.	Kamyk.	Needham.	Varallo.
Costa.	Keller.	Olsen.	Varner.
Coyle.	Kent.	Penglase.	Verona.
Dairymple.	Kline.	Peta.	Wachhaus.
Davis.	Kohl.	Petrosky.	Wargo.
Dennison.	Kolankiewicz.	Pettigrew.	Waterhouse.
Dougherty.	Kornick.	Pfaff.	Watkins.
Dowling.	Kratz.	Pichney.	Weidner.
DuBols.	Kubacki.	Pitzer.	Welsh.
Duffy.	Lederer.	Polaski.	Wescott.



Dunn,	Lelsey,	Polen,	Westrick,
Erb,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Ewing,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Fenrich,	Leven,	Readinger,	White,
Ferster,	Light,	Reagan,	Williams,
Filip,	Limper,	Reese,	Wilt,
Fillo,	Loftus,	Reilly, J. M.,	Wood,
Firmstone,	Lopresti,	Rigby,	Yeakel,
Flack,	Lovett,	Riley, R. L.,	Yester,
Frost,	Lutty,	Robertson,	Yetzer,
Gaffney,	Lyons,	Rose,	Young,
Geer,	Madden,	Rosen,	Ziegler,
Gibson,	Madigan,	Rovansek,	Sorg,
Gleason,	Markley,	Royer,	Speaker
Good,			

NAYS—0

NOT VOTING—3

Lafore,	Miller, J. C.,	Reidenbach,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1706, as follows:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of Hazelton State Hospital to acquire three tracts of land for the use of the Hazelton State Hospital and making an appropriation therefor

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Property and Supplies with the approval of the Governor and the Board of Trustees of the Hazelton State Hospital is hereby authorized to purchase in the name of the Commonwealth of Pennsylvania three tracts of land in Luzerne County Pennsylvania the first tract being bounded and described as follows

Beginning at a point in the southerly line of Mine Street where the same is interested by the northwesterly line of lands of Lehigh Valley Railroad Company (formerly occupied by the Hospital Branch of the Lehigh Valley Railroad) thence (1) South fifty-two degrees forty minutes East along the said southerly line of Mine Street a distance of thirty-three (33) feet to its intersection with the easterly line of East Street thence (2) North thirty-six degrees fourteen minutes East along the said easterly line of East Street a distance of twenty-eight (28) feet to a point thence (3) South fifty-two degrees forty minutes East through lands of Lehigh Valley Railroad Company a distance of thirty-one and five hundred sixty-one thousandths (31,561) feet to a point in the southeasterly line of lands of the Lehigh Valley Railroad Company thence (4) South forty-four degrees thirty-three minutes West along the said southeasterly line of lands of the Lehigh Valley Railroad Company a distance of four hundred eighty-four and two hundred forty-one thousandths (484,241) feet to a point in the easterly line of a proposed street thence (5) North twenty degrees six minutes West along the said easterly line of a proposed street a distance of sixty-six and thirty-nine hundredths (66.39) feet to a point in the aforesaid northwesterly line of lands of the Lehigh Valley Railroad Company thence (6) North forty-four degrees thirty-three minutes East along the said northwesterly line of lands of the Lehigh Valley Railroad Company a distance of four hundred twenty (420) feet to the point or place of beginning Containing six hundred twenty-two thousands (0.622) of an acre of land more or less

The second tract is bounded and described as follows

Beginning at a corner the intersection of the easterly side of East Street and the southerly side of Mine Street

thence along the southerly side of Main Street South 53° East one hundred fifty (150) feet more or less to a point in the westerly right-of-way line of the Lehigh Valley Railroad Company's so-called "Hospital Branch" thence along said right-of-way line South 43° 30' West four hundred eighteen (418) feet to the northerly side of a proposed street thence along said proposed street North 21° 54' West thirty (30) feet more or less to a point in the easterly side of East Street thence along same North 25° 30' East four hundred six (406) feet more or less to the place of beginning Containing 0.82 acre more or less

The third tract is bounded and described as follows

Beginning at a point the southeasterly corner of land conveyed to James G Walker and wife by deed dated June 27 1950 said point being also in the westerly side of a proposed street thence along said proposed Street South 68° 06' West 400 feet more or less to a point the intersection of the proposed street and easterly right-of-way line of the Lehigh Valley Railroad Company so-called Hospital Branch thence along said right-of-way line North 43° 30' East 375 feet more or less to a point in lands about to be conveyed to James G Walker and wife aforesaid thence along said lands South 53° East 127 feet more or less to the southwesterly corner of said Walker's lands first mentioned thence along the South 22° 30' East 55 feet more or less to the place of beginning Containing eighth-tenths (0.8) of an acre more or less

Section 2 Said tracts of land when purchased shall be added to the lands of the Hazelton State Hospital The deed of conveyance shall be deposited with the Secretary of Internal Affairs Said land shall not be acquired until title thereto has been approved by the Department of Justice

Section 3 The sum of eleven thousand five hundred dollars (\$11,500) or as much thereof as may be necessary is hereby appropriated to the Department of Property and Supplies for the payment of the purchase price of said tracts of land and the expenses incidental thereto including title searches

Section 4 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Amarando,	Goodling,	Maxwell,	Rubin,
Andrews,	Graybill,	Maxxa,	Sarra,
Banker,	Greenwood,	McConnell,	Sax,
Barkdoll,	Greer,	McCormack,	Scanlon,
Baumunk,	Guarnieri,	McCullough,	Schmidt,
Beaz,	Gutendorf,	McDermitt,	Schuster,
Beaver,	Guthrie,	McGee,	Scott,
Beech,	Hagerty,	McInroy,	Seyler,
Berkstresser,	Hall,	McKinney,	Shoemaker,
Blair,	Hamilton, R. K.,	McMillen,	Shotwell,
Bloom,	Hamilton, W. H.,	McNally,	Smith,
Boles,	Harney,	Metz,	Snider,
Bolton,	Haudenshield,	Mihm,	Sollenberger,
Bomberger,	Headlee,	Mikula,	Spencer,
Boorse,	Helm,	Miller, H. G.,	Stank,
Bower,	Hersch,	Mills,	Stimmel,
Brelsach,	Hewitt,	Mintees,	Stoner,
Breth,	Hocker,	Monroe,	Swartz,
Brown,	Hoggard,	Moore, C. E.,	Swope,
Bucchin,	Hunter,	Moore, H. A.,	Tahl,
Byrne,	Jenkins,	Moran,	Taylor,
Cella,	Johnson,	Muldowney,	Thompson, E. F.,
Clapper,	Jones, G. E.,	Munley,	Thompson, R. L.,
Clendenning,	Jones, J. M.,	Murray,	Toll,
Cochran,	Jones, P. F.,	Musto,	Tompkins,
Conway,	Jones, T. H. W.,	Najaka,	Toomey,
Cooper,	Jump,	Naugle,	VanSant,
Corr,	Kamyk,	Needham,	Varello,
Costa,	Keller,	Olsen,	Varner,
Coyle,	Kent,	Penglass,	Verona,



Dalrymple,	Kline,	Peta,	Wachhaus,
Davis,	Kohl,	Petrosky,	Wargo,
Dennison,	Kolankiewicz,	Pettigrew,	Waterhouse,
Dougherty,	Kornick,	Pfaff,	Watkins,
Dowling,	Kratz,	Pichney,	Weidner,
DuBois,	Kubacki,	Pitzer,	Welsh,
Duffy,	Lederer,	Polaski,	Wescott,
Dunn,	Lelsey,	Polen,	Westrick,
Erb,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Ewing,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Fenrich,	Leven,	Readinger,	White,
Ferster,	Light,	Reagan,	Williams,
Filip,	Limper,	Reese,	Wilt,
Filo,	Loftus,	Reilly, J. M.,	Wood,
Firmstone,	Lopresti,	Rigby,	Yeakel,
Flack,	Lovett,	Riley, R. L.,	Yester,
Frost,	Lutty,	Robertson,	Yetzer,
Gaffney,	Lyons,	Rose,	Young,
Geer,	Madden,	Rosen,	Seyler,
Gibson,	Madigan,	Rovansek,	Sorg,
Gleason,	Markley,	Royer,	Speaker
Good,			

NAYS—0

NOT VOTING—3

Lafore, Miller, J. C., Reidenbach.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

## BILL PASSED OVER

There being no objection,

House Bill No. 1711, Printer's No. 968, was passed over at the request of Mr. ANDREWS.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1715, as follows:

An Act making an appropriation to The Brandywine Battlefield Park Commission for the payment of necessary expenses

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1 The sum of three thousand dollars (\$3,000) or as much thereof as may be necessary is hereby specifically appropriated to The Brandywine Battlefield Park Commission for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the commission and to maintain the lands or structures acquired under the provisions of Act No. 517 approved July 5 1947 (P. L. 1293) for the two fiscal years beginning June 1 1951

Section 2 When approved by the Governor the appropriation in the act providing moneys for the purposes herein indicated for the biennium will be reduced by the amount appropriated by this act

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Amarando,	Goodling,	Maxwell,	Rubin,
Andrews,	Graybill,	Mazza,	Sarraf,
Banker,	Greenwood,	McConnell,	Sax,
Barkdoll,	Greer,	McCormack,	Scanlon,
Baumunk,	Guarnieri,	McCullough,	Schmidt,
Bear,	Gutendorf,	McDermitt,	Schuster,
Beaver,	Guthrie,	McGes,	Scott,
Beech,	Hagerty,	McInroy,	Seyler,

Berkstesser,	Hall,	McKinney,	Shoemaker,
Blair,	Hamilton, R. K.,	McMillen,	Shotwell,
Bloom,	Hamilton, W. H.,	McNally,	Smith,
Boles,	Harney,	Metz,	Snider,
Bolton,	Haudenshield,	Mihm,	Sollenberger,
Bomberger,	Headlee,	Mikula,	Spencer,
Boorse,	Helm,	Miller, H. G.,	Stank,
Bower,	Herach,	Mills,	Stimmel,
Breisch,	Hewitt,	Mintess,	Stoner,
Breth,	Hocker,	Monroe,	Swartz,
Brown,	Hoggard,	Moore, S. E.,	Swope,
Bucchin,	Hunter,	Moore, H. A.,	Tahl,
Byrne,	Jenkins,	Moran,	Taylor,
Cella,	Johnson,	Muldowney,	Thompson, E. F.,
Clapper,	Jones, G. E.,	Munley,	Thompson, R. L.,
Clendenning,	Jones, J. M.,	Murray,	Toil,
Cochran,	Jones, P. F.,	Musto,	Tompkins,
Conway,	Jones, T. H. W.,	Najaka,	Toomey,
Cooper,	Jump,	Naugle,	VanSant,
Corr,	Kamyk,	Needham,	Varallo,
Costa,	Keller,	Olsen,	Varnier,
Coyle,	Kent,	Penglase,	Verona,
Dalrymple,	Kline,	Peta,	Wachhaus,
Davis,	Kohl,	Petrosky,	Wargo,
Dennison,	Kolankiewicz,	Pettigrew,	Waterhouse,
Dougherty,	Kornick,	Pfaff,	Watkins,
Dowling,	Kratz,	Pichney,	Weidner,
DuBois,	Kubacki,	Pitzer,	Welsh,
Duffy,	Lederer,	Polaski,	Wescott,
Dunn,	Lelsey,	Polen,	Westrick,
Erb,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Ewing,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Fenrich,	Leven,	Readinger,	White,
Ferster,	Light,	Reagan,	Williams,
Filip,	Limper,	Reese,	Wilt,
Filo,	Loftus,	Reilly, J. M.,	Wood,
Firmstone,	Lopresti,	Rigby,	Yeakel,
Flack,	Lovett,	Riley, R. L.,	Yester,
Frost,	Lutty,	Robertson,	Yetzer,
Gaffney,	Lyons,	Rose,	Young,
Geer,	Madden,	Rosen,	Ziegler,
Gibson,	Madigan,	Rovansek,	Sorg,
Gleason,	Markley,	Royer,	Speaker
Good,			

NAYS—0

NOT VOTING—3

Lafore, Miller, J. C., Reidenbach.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1716, as follows:

An Act to further amend Section 25 of the act approved the twenty-first day of January one thousand nine hundred forty-seven (P. L. 3) entitled "An act relating to officers and employes of the General Assembly fixing the number qualifications compensation mileage and duties of the officers and employes of the Senate and of the House of Representatives providing for their election or appointment term of office or of service removal and manner of filling vacancies and making appropriations to the Senate House of Representatives and Legislative Reference Bureau" by changing the compensation of the messenger of the majority leader of the House of Representatives

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 25 of the act approved the twenty-first day of January one thousand nine hundred forty-seven (P. L. 3) entitled "An act relating to officers and employes of the General Assembly fixing the number qualifications compensation mileage and duties of the officers and employes of the Senate and of the House of Representatives providing for their election or appointment term of office or of service removal and manner



of filling vacancies and making appropriations to the Senate House of Representatives and Legislative Reference Bureau" as last amended by the act approved the sixth day of March one thousand nine hundred fifty-one (P. L. 18 Act No 2) are hereby further amended to read as follows

Section 25 The following employes of the House of Representatives shall be appointed by the Majority Leader who for the purposes of this act shall be deemed an officer of the House of Representatives to serve at his pleasure and receive the compensation and perform the duties herein specified

(1) One secretary at an annual salary of three thousand six hundred dollars (\$3600)

(2) One administrative assistant at a per diem compensation of fifteen dollars (\$15)

(3) One messenger at a per diem compensation of eight dollars (\$8) during each regular special or extraordinary session and at the rate of two thousand one hundred dollars (2100) per annum during the interim between legislative sessions

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—204

Amarando,	Goodling,	Maxwell,	Rubin.
Andrews,	Graybill,	Mazza,	Sarra,
Banker,	Greenwood,	McConnell,	Sax,
Barkdoll,	Greer,	McCormack,	Scanlon,
Baumunk,	Guarnieri,	McCullough,	Schmidt,
Bear,	Gutendorf,	McDermitt,	Schuster,
Beaver,	Guthrie,	McGee,	Scott,
Beech,	Hagerty,	McInroy,	Seyler,
Berkstresser,	Hall,	McKinney,	Shoemaker,
Blair,	Hamilton, R. K.,	McMillen,	Shotwell,
Bloom,	Hamilton, W. H.,	McNally,	Smith,
Boles,	Harney,	Metz,	Snider,
Bolton,	Haudenshield,	Mihm,	Sollenberger,
Bombberger,	Headlee,	Mikula,	Spencer,
Boorse,	Helm,	Miller, H. G.,	Stank,
Bower,	Hersch,	Mills,	Stimmel,
Brelsch,	Hewitt,	Mintess,	Stoner,
Breth,	Hocker,	Monroe,	Swartz,
Brown,	Hoggard,	Moore, C. E.,	Swope,
Bucchin,	Hunter,	Moore, H. A.,	Tahl,
Byrne,	Jenkins,	Moran,	Taylor,
Cella,	Johnson,	Muldowney,	Thompson, E. F.,
Clapper,	Jones, G. E.,	Munley,	Thompson, R. L.,
Clendenning,	Jones, J. M.,	Murray,	Toil,
Cochran,	Jones, P. F.,	Musto,	Tompkins,
Conway,	Jones, T. H. W.,	Najaka,	Toomey,
Cooper,	Jump,	Naugle,	VanSant,
Corr,	Kamyk,	Needham,	Varallo,
Costa,	Keller,	Olsen,	Varnier,
Coyle,	Kent,	Pengase,	Verona,
Dairymple,	Kline,	Peta,	Wachhaus,
Davis,	Kohl,	Petrosky,	Wargo,
Dennison,	Kolankiewicz,	Pettigrew,	Waterhouse,
Dougherty,	Kornick,	Pfaff,	Watkins,
Dowling,	Kratz,	Pichney,	Weldner,
DuBois,	Kubacki,	Pitzer,	Welsh,
Duffy,	Lederer,	Polaski,	Wescott,
Dunn,	Leisey,	Polen,	Westrick,
Erb,	Leonard, L.,	Price, R. A.,	Whalley,
Ewing,	Leonard, W. C.,	Price, H. W. Jr.,	Wheeler,
Fenrich,	Leven,	Readinger,	White,
Ferster,	Light,	Reagan,	Williams,
Fillip,	Limper,	Reese,	Wilt,
Filo,	Loftus,	Relly, J. M.,	Wood,
Firmstone,	Lopresti,	Rigby,	Yeakel,
Flack,	Lovett,	Riley, R. L.,	Yester,
Frost,	Lutty,	Robertson,	Yetzer,
Gaffney,	Lyons,	Rose,	Young,
Geer,	Madden,	Rosen,	Ziegler,
Gibson,	Madigan,	Rovansek,	Sorg,
Gleason,	Markley,	Royer,	Speaker
Good,			

#### NAYS—0

#### NOT VOTING—3

Lafore,

Miller, J. C.,

Reidenbach,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

#### BILLS PASSED OVER

There being no objection,

Senate Bill No. 319, Printer's No. 270,

Senate Bill No. 494, Printer's No. 528.

Senate Bill No. 500, Printers No. 183.

Senate Bill No. 502, Printer's No. 536.

Senate Bill No. 503, Printer's No. 537.

Senate Bill No. 504, Printer's No. 224.

Senate Bill No. 656, Printer's No. 405.

Senate Bill No. 658, Printer's No. 504.

Senate Bill No. 675, Printer's No. 489.

Senate Bill No. 676, Printer's No. 535.

Senate Bill No. 677, Printer's No. 491.

Senate Bill No. 678, Printer's No. 492.

Senate Bill No. 679, Printer's No. 478.

Senate Bill No. 680, Printer's No. 516.

Senate Bill No. 681, Printer's No. 545.

Senate Bill No. 682, Printer's No. 397.

Senate Bill No. 708, Printer's No. 338.

Senate Bill No. 729, Printer's No. 402 and

Senate Bill No. 742, Printer's No. 461,

were passed over at the request of the SPEAKER.

#### REPORTS FROM COMMITTEES

Mr. LOVETT from the Committee on Labor Relations, reported as amended, House Bill No. 506, entitled:

An Act to amend subsection (b) of section one, and sections two and four of the act, approved the seventh day of July, one thousand nine hundred forty-seven (P. L. 1401), entitled "An act prohibiting discrimination in rate of pay because of sex; conferring powers and imposing duties on the Department of Labor and Industry; and prescribing penalties," by further defining employer, providing for a penalty, and deleting certain provisions relative to wage rates and collection of unpaid wages.

Mr. BOWER from the Committee on Appropriations, reported as committed, House Bill No. 992, entitled:

An Act making an appropriation to the Department of Forests and Waters for the purpose of study, survey and examination of flood control conditions, causes and effects in the Juniata Valley and for making designs, plans and recommendations for controlling such flood conditions, and saving life and property.

Mr. STANK from the Committee on Mines and Mining, reported as committed, House Bill No. 1041, entitled:

An Act to further amend the act approved the twenty-seventh day of June one thousand nine hundred forty-seven (P. L. 1095) entitled "Anthracite Strip Mining Law" by amending section twelve.

Mr. WILT from the Committee on Judiciary, reported as committed, House Bill No. 1215, entitled:

An Act fixing the fees or costs to be charged by aldermen, magistrates, and justices of the peace; and imposing liability therefor upon the county in certain cases.



Mr. CLAPPER from the Committee on Education, reported as committed, House Bill No. 1690, entitled:

An Act to add Section 12.2 to the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "An act establishing a public school employees' retirement system, and creating a retirement board for the administration thereof, establishing certain funds from contributions by the Commonwealth and contributing employees, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employees; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; an dproviding penalties," by providing for the furnishing of information and the transfer of certain moneys by the board to the State Employees' Retirement Board and Fund.

Mr. KELLER from the Committee on Education, reported as committed, House Bill No. 1708, entitled:

An Act to amend Section 312 and to repeal Section 312 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating, and changing the laws relating thereto," by providing representation of each component district on the board of directors of union and merged school districts.

Mr. POLASKI from the Committee on Appropriations, reported as committed, House Bill No. 1051, entitled:

An Act creating a Bituminous Mine Law Study Commission for the purpose of making a study and investigation of all laws relating to bituminous coal mines and the preparation of a modern code relating thereto and making an appropriation.

Mr. Rigby from the Committee on Motor Vehicles, reported as committed, House Bill No. 1097, entitled:

An Act to further amend subsections (a), (b) and (c) of Section 1112 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by authorizing the designation of thru highways and stop intersections in second class townships.

Mr. McGEE from the Committee on Motor Vehicles, reported as committed, House Bill No. 1733, entitled:

An Act to further amend the act approved the first

day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An Act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances and legal claims, registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation an dproviding for refunds," by further providing for the transfer of registration plates from one motor vehicle trailer or semi-trailer to another.

Mr. POLASKI from the Committee on State Government, reported as committed, Senate Bill No. 644, entitled:

An Act to further amend Section 402 of the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," by further providing for distribution of copies of audits made by the Department of Auditor General.

Mr. GRAYBILL from the Committee on Motor Vehicles, reported as committed, House Bill No. 1565, entitled:

An Act to further amend Section 1012 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registrations of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace



officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships within the Commonwealth; liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation and providing for refunds," by requiring the installation on all motor vehicles of mechanical or electrical directional signal equipment of a type approved by the Secretary of Revenue.

Mr. SCHMIDT from the Committee on State Government, reported as committed, House Bill No. 1646, entitled:

An Act to add subsection (4) to section 2 of the act, approved the twenty-fourth day of July, one thousand nine hundred thirteen (P. L. 965), entitled "An act defining commodities; regulating the sale thereof; and providing penalties for violation hereof," by providing for the transportation, sale, and delivery of manure.

Mr. McKINNEY from the Committee on State Government, reported as committed, House Bill No. 1651, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executives and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employees in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments, boards and commissions shall be determined," by creating the Vocational Technical Institute Board of Pennsylvania as an administrative board in the Department of Public Instruction and defining its powers and duties.

Mr. McGEE from the Committee on Public Health and Sanitation, reported as committee, House Bill No. 1652, entitled:

An Act to further amend Section 13 of the act, approved the seventh day of June, one thousand nine hundred one (P. L. 493), entitled as amended "An act providing for the examination, licensure and registration of persons, firms or corporations engaged or engaging in the business or work of plumbing or house drainage, and prescribing certain rules, regulations and requirements for the construction of plumbing, house drainage and cesspools, in cities of the second class, second class A and third class and imposing fines, penalties and forfeiture for violation thereof," by permitting the use of certain concrete pipe as sewer pipe under certain conditions.

Mr. LYONS from the Committee on State Government, reported as committed, House Bill No. 1707, entitled:

An Act to further amend section seven of the act, approved the fourteenth day of May, one thousand nine

hundred fifteen (P. L. 524), entitled "An act creating a fund for the purpose of rebuilding, restoring, and replacing, and replacing buildings, structures, equipment, or other property for the Commonwealth of Pennsylvania, damaged or destroyed by fire or other casualty, and regulating the placing of insurance thereon, and providing penalties for violation of the provisions of this act, by authorizing the Department of Property and Supplies to purchase insurance on property owned by the Commonwealth against loss or damage by fire or other casualty exceeding five hundred thousand dollars (\$500,000) and resulting from a single occurrence.

Mr. DUNN from the Committee on Motor Vehicles, reported as committee, House Bill No. 1724, entitled:

An Act to add subsection (h) to section 802.4 of the act approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways, of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, and courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, borough, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties, imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by authorizing the use of additional red reflectors.

Mr. HARRY W. PRICE, JR., from the Committee on State Government, reported as amended, House Bill No. 1398, entitled:

An Act to amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine, (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools or Teacher Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employees in certain departments, boards and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments, boards and commissions shall be determined," by adding to the Department of Labor and Industry an Advisory Council on Affairs of the Handicapped and providing for its organization, powers and duties.

## BILLS ON FIRST READING

Pursuant to a resolution adopted by the House September 17, the following bills were read the first time:



Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 992, entitled:

An Act making an appropriation to the Department of Forests and Waters for the purpose of study, survey and examination of flood control conditions, causes and effects in the Juniata Valley and for making designs, plans and recommendations for controlling such flood conditions, and saving life and property.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1051, entitled:

An act creating a Bituminous Mine Law Study Commission for the purpose of making a study and investigation of all laws relating to bituminous coal mines and the preparation of a modern code relating thereto and making an appropriation.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1041, entitled:

An Act to further amend the act approved the twenty-seventh day of June one thousand nine hundred forty-seven (P. L. 1095) entitled "Anthracite Strip Mining Law" by amending section twelve.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1097, entitled:

An Act to further amend subsections (a), (b) and (c) of Section 1112 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by authorizing the designation of thru highways and stop intersections in second class townships.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1215, entitled:

An Act fixing the fees or costs to be charged by aldermen, magistrates, and justices of the peace; and imposing liability therefore upon the county in certain cases.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1565, entitled:

An Act to further amend Section 1012 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation and providing for refunds," by requiring the installation on all motor vehicles of mechanical or electrical directional signal equipment of a type approved by the Secretary of Revenue.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1646, entitled:

An Act to add subsection (4) to section 2 of the act, approved the twenty-fourth day of July, one thousand nine hundred thirteen (P. L. 965), entitled "An act defining commodities; regulating the sale thereof; and providing penalties for violation hereof," by providing for the transportation, sale, and delivery of manure.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1651, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards,



commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by creating the Vocational Technical Institute Board of Pennsylvania as an administrative board in the Department of Public Instruction and defining its powers and duties.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1652, entitled:

An Act to further amend Section 13 of the act, approved the seventh day of June, one thousand nine hundred one (P. L. 493), entitled as amended "An act providing for the examination, licensure and registration of persons, firms or corporations engaged or engaging in the business or work of plumbing or house drainage, and prescribing certain rules, regulations and requirements for the construction of plumbing, house drainage and cesspools, in cities of the second class, second class A and third class and imposing fines, penalties and forfeiture for violation thereof," by permitting the use of certain concrete pipe as sewer pipe under certain conditions.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1690, entitled:

An Act to add Section 12.2 to the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "An act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof, establishing certain funds from contributions by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by providing for the furnishing of information and the transfer of certain moneys by the board to the State Employes' Retirement Board and Fund.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1707, entitled:

An Act to further amend section seven of the act, approved the fourteenth day of May, one thousand nine hundred fifteen (P. L. 524), entitled "An act creating a fund for the purpose of rebuilding, restoring, and replacing buildings, structures, equipment, or other property of the Commonwealth of Pennsylvania, damaged or destroyed by fire or other casualty, and regulating the placing of insurance thereon, and providing penalties for any violation of the provisions of this act," by authorizing the Department of Property and Supplies to purchase insurance on property owned by the Commonwealth against loss or damage by fire or other casualty exceeding five hundred thousand dollars (\$500,000) and resulting from a single occurrence.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1708, entitled:

An Act to amend Section 312 and to repeal Section 313 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating, and changing the laws relating thereto," by providing representation of each component district on the board of directors of union and merged school districts.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1724, entitled:

An Act to add subsection (h) to section 802.4 of the act approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties, imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by authorizing the use of additional red reflectors.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1733, entitled:

An Act to further amend the act approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances and legal claims, registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justice of the peace, the courts and the clerks thereof, owners of vehicles and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth,



liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by further providing for the transfer of registration plates from one motor vehicle trailer or semi-trailer to another.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 644, entitled:

An Act to further amend Section 402 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" by further providing for distribution of copies of audits made by the Department of Auditor General.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

#### COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

#### APPROVAL OF HOUSE CONCURRENT RESOLUTION RECALLING HOUSE BILL No. 1293.

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, August 24, 1951.  
To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 1293, Printer's No. 594, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

JOHN S. FINE.

#### COMMUNICATION AND BILL LAID ON TABLE

Mr. SMITH. Mr. Speaker, I move that the communication from the Governor together with the bill be laid on the table.

The motion was agreed to.

#### COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

#### APPROVAL OF HOUSE CONCURRENT RESOLUTION RECALLING HOUSE BILL No. 1294.

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, August 24, 1951.  
To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 1294, Printer's No. 722, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

JOHN S. FINE.

#### COMMUNICATION AND BILL LAID ON TABLE

Mr. SMITH. Mr. Speaker, I move that the communication from the Governor together with the bill be laid on the table.

The motion was agreed to.

#### COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

#### APPROVAL OF HOUSE CONCURRENT RESOLUTION RECALLING HOUSE BILL No. 1324.

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, August 24, 1951.  
To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 1324, Printer's No. 596, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

JOHN S. FINE.

#### COMMUNICATION AND BILL LAID ON TABLE

Mr. SMITH. Mr. Speaker, I move that the communication from the Governor together with the bill be laid on the table.

The motion was agreed to.

#### COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

#### APPROVAL OF HOUSE CONCURRENT RESOLUTION RECALLING HOUSE BILL No. 1404.

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, August 24, 1951.  
To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 1404, Printer's No. 685, for the purpose of amendment and further consideration.

Accordingly, the original bill is herewith returned.

JOHN S. FINE.



## COMMUNICATION AND BILL LAID ON TABLE

Mr. SMITH. Mr. Speaker, I move that the communication from the Governor together with the bill be laid on the table.

The motion was agreed to.

### RESOLUTION CONGRATULATIONS

Messrs. PITZER, DUBOIS, DAVIS and STONER offered a resolution which was read, considered and unanimously adopted as follows:

In the House of Representatives, September 20, 1951.

Whereas, The Honorable August Metz, Jr., representative of Pike County in this august body, today celebrates the forty-ninth anniversary of his birth; and

Whereas, Mr. Metz will undoubtedly entertain his colleagues and many friends with interesting stories in celebration of this important anniversary; and

Whereas, The Lions and Wilderness Clubs, which occupy much of Mr. Metz's interest and attention, will undoubtedly celebrate this occasion with proper and fitting ceremonies to honor Mr. Metz, who has distinguished himself as a loyal and stalwart member of both organizations and

Whereas, The game animals residing in the fields and forests of this Commonwealth know that Mr. Metz will stalk them as prey with undimmed and unspent vigor and vitality for many years to come; and

Whereas, Mr. Metz has won the respect and acclaim of his fellow residents of Pike County and other parts of Pennsylvania because of his interest and activity in the field of politics, which he has always considered as affording an opportunity to serve the community and to further the science and art of government; therefore be it

Resolved, That this House of Representatives hereby extends its greetings and felicitations to Mr. Metz on this anniversary of his birth, and wishes him many more happy anniversaries of this occasion.

The SPEAKER. The Chair recognizes the gentleman from Pike, Mr. Metz.

Mr. METZ. Mr. Speaker, I wish to thank the Members of the House for their kind remembrance of my birthday. There is only one thing I would like to correct and that is Jack Benny and I have an agreement on that age, it is 39 years.

### SENATE MESSAGES

#### AMENDED SENATE BILLS RECALLED FROM THE GOVERNOR RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows:

#### SENATE BILL No. 407.

An Act to further amend the title and section one of the act approved the third day of May one thousand nine hundred and nine (P. L. 424) entitled as amended "An act providing that in all counties of the first second third fourth fifth and sixth class advertisements and notices required by law or rules of court to be published in newspapers of general circulation unless dispensed with by special order of court shall be published in the legal newspaper issued at least weekly of the proper county designated by rules of court for the publication of court or other legal notices" by extending the provisions of the said act to all counties and further defining publications excepted from its operation

Said bill having been recalled from the Governor for the purpose of amendment. The vote had on final passage

and third reading on said bill was reconsidered in the Senate and the bill amended, in which amendments the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments. The Clerk read the amendments as follows:

Amend Section 2, page 4, line 7, by striking out the first two words in line 7; page 4, line 9, by inserting after the word "taxpayers" the following "and provided further that publication of election notices in legal newspapers shall be governed by the provisions of the Pennsylvania Election Code."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. JOHNSON. I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—204

Amarando,	Goodling,	Maxwell,	Rubin,
Andrews,	Graybill,	Mazza,	Sarrafa,
Banker,	Greenwood,	McConnel,	Sax,
Barkdoll,	Greer,	McCormack,	Scanlon,
Baumunk,	Guarnieri,	McCullough,	Schmidt,
Bear,	Gutendorf,	McDermitt,	Schuster,
Beaver,	Guthrie,	McGee,	Scott,
Beech,	Hagerty,	McInroy,	Seyler,
Berkstesser,	Hall,	McKinney,	Shoemaker,
Blair,	Hamilton, R. K.,	McMillen,	Shotwell,
Bloom,	Hamilton, W. H.,	McNally,	Smith,
Boles,	Harney,	Metz,	Snider,
Bolton,	Haudenschild,	Mihm,	Sollenberger,
Bomberger,	Headlee,	Mikula,	Spencer,
Boorse,	Helm,	Miller, H. G.,	Stank,
Bower,	Hersch,	Mills,	Stimmel,
Breisch,	Hewitt,	Mintess,	Stoner,
Breth,	Hocker,	Monroe,	Swartz,
Brown,	Hoggard,	Moore, C. E.,	Swope,
Bucchin,	Hunter,	Moore, H. A.,	Tahl,
Byrne,	Jenkins,	Moran,	Taylor,
Cella,	Johnson,	Muldowney,	Thompson, E. F.,
Clapper,	Jones, G. E.,	Munley,	Thompson, R. L.,
Glendening,	Jones, J. M.,	Murray,	Toll,
Cochran,	Jones, P. F.,	Musto,	Tompkins,
Conway,	Jones, T. H. W.,	Najaka,	Toomey,
Cooper,	Jump,	Naugle,	VanSant,
Corr,	Kamyk,	Needham,	Varallo,
Costa,	Keller,	Olsen,	Varner,
Coyle,	Kent,	Penglase,	Verona,
Dalrymple,	Kline,	Peta,	Wachhaus,
Davis,	Kohl,	Petrosky,	Wargo,
Dennison,	Kolankiewicz,	Pettigrew,	Waterhouse,
Dougherty,	Kornick,	Pfaff,	Watkins,
Dowling,	Krats,	Pishney,	Weidner,
DuBois,	Kubacki,	Pitzer,	Welsh,
Duffy,	Lederer,	Polaski,	Weecott,
Dunh,	Leisey,	Polen,	Westrick,
Erb,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Ewing,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Fearich,	Leven,	Readinger,	White,
Ferster,	Light,	Reagan,	Williams,
Filip,	Limper,	Reese,	Wilt,
Flo,	Loftus,	Reilly, J. M.,	Wood,
Firmstone,	Lopresti,	Rigby,	Yeakel,
Flack,	Lovett,	Riley, R. L.,	Yeater,
Frost,	Lutty,	Robertson,	Yetzer,
Gaffney,	Lyons,	Rose,	Young,
Geer,	Madden,	Rosen,	Ziegler,
Gibson,	Madigan,	Rovanek,	Sorg,
Gleason,	Markley,	Royer,	Speaker
Good,			

#### NAYS—0

#### NOT VOTING—3

Lafore, Miller, J. C., Reldenbach.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.



The Clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows:

**SENATE BILL No. 739.**

An Act providing for the construction by the General State Authority of an addition of a medical and surgical hospital building to the Philadelphia State Hospital on a site heretofore conveyed to it by the Mercy-Douglass Hospital and authorizing the Department of Property and Supplies to sublease said land and building to the Mercy-Douglass Hospital

Said bill having been recalled from the Governor for the purpose of amendment. The vote had on final passage and third reading on said bill was reconsidered in the Senate and the bill amended, in which amendments the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments. The Clerk read the amendments as follows:

Amend the title, page 1, by striking out all of lines 1 to 4 inclusive and the first word on line 5 and inserting in lieu thereof the following "providing for the construction by the General State Authority of an addition of a medical and surgical hospital building to the Philadelphia State Hospital on a site heretofore conveyed to it by the Mercy-Douglass Hospital and authorizing the Department of Property and Supplies to sublease said land and building to the Mercy-Douglass Hospital."

Amend the bill, Section 1, page 2, line 1, by striking out after "Section 1" the words "The proposed" and inserting in lieu thereof the word "an"; page 2, line 2, by striking out after the word "a" the words "Medical and Surgical Hospital" and inserting in lieu thereof the words "medical and surgical hospital is hereby authorized"; page 3, line 18 by striking out after the word "October" the word "thirtieth" and inserting in lieu thereof the words "thirty-first"; page 3, line 19, by striking out after the word "recorded" the words "at Philadelphia in the" and inserting in lieu thereof the words "in the office for recording of deeds in and for," page 4, line 2, by striking out after the word "for" the words "Office of the Recorder of Deeds" and inserting in lieu thereof the words "the county of Philadelphia"; page 4, line 5, by striking out after the word "fee" the words "shall upon the" and inserting in lieu thereof the word "upon"; page 4, line 6, by striking out after the word "completion" the words "thereof to be created and constituted a separate State institution to be known as the Mercy Douglass" and inserting in lieu thereof the words "said hospital building shall be constituted an addition to the Philadelphia".

Amend the bill, page 4, by striking out all of lines 10 to 20 inclusive.

Amend the bill, page 5, by striking out all of lines 1 to 12 inclusive.

Amend the bill, page 5, line 13, by striking out after the word "Section" the figure "6" and inserting in lieu thereof the figure "2"; page 5, line 14, by striking out after the word "of" the words "the Mercy Douglass State Hospital" and inserting in lieu thereof the words "said hospital building"; page 5, line 19, by striking out after the word "Hospital" the words "all the lands buildings and equipment in the City of Philadelphia County of Philadelphia Pennsylvania which comprise the Mercy Douglass State Hospital for such term" and inserting in lieu thereof the words "said land and hospital building upon such terms and conditions."

Amend the bill, page 6, line 5, by striking out after the word "Section" the figure "7" and inserting in lieu thereof the figure "3"; page 6, line 7, by striking out after the first word "the" the words "and the Attorney General."

Amend the bill, page 6, line 8, by striking out after the word "Section" the figure "8" and inserting in lieu thereof the figure "4"; page 6, line 9, by striking out after the words "Mercy-Douglass" the word "State"; page 6, line 12, by striking out after the word "agency" the words "thereof a fully as if it were a private non-profit in-

stitution" and inserting in lieu thereof the words "governing private non-profit institutions."

Amend the bill, page 6, line 14, by striking out after the word "Section" the figure "9" and inserting in lieu thereof the figure "5".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. JOHNSON. I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

**YEAS—204**

Amarando,	Goodling,	Maxwell,	Rubin,
Andrews,	Graybill,	Mazza,	Sarraff,
Banker,	Greenwood,	McConnell,	Sax,
Barkdoll,	Greer,	McCormack,	Scanlon,
Baumunk,	Guarnieri,	McCullough,	Schmidt,
Bear,	Gutendorf,	McDermitt,	Schuster,
Beaver,	Guthrie,	McGee,	Scott,
Beech,	Hagerty,	McInroy,	Seyler,
Berkstresser,	Hall,	McKinney,	Shoemaker,
Blair,	Hamilton, R. K.,	McMillen,	Shotwell,
Bloom,	Hamilton, W. H.,	McNally,	Smith,
Boles,	Harney,	Metz,	Snider,
Bolton,	Haudenshield,	Mihm,	Sollenberger,
Bomberger,	Headlee,	Mikula,	Spencer,
Boorse,	Helm,	Miller, H. G.,	Stank,
Bower,	Hersch,	Mills,	Stimmel,
Breisch,	Hewitt,	Mintess,	Stoner,
Breth,	Hocker,	Monroe,	Swartz,
Brown,	Hoggard,	Moore, C. E.,	Swope,
Bucchin,	Hunter,	Moore, H. A.,	Tahl,
Byrne,	Jenkins,	Moran,	Taylor,
Cella,	Johnson,	Muldowney,	Thompson, E. F.,
Clapper,	Jones, G. E.,	Munley,	Thompson, R. L.,
Clendenning,	Jones, J. M.,	Murray,	Toll,
Cochran,	Jones, P. F.,	Musto,	Tompkins,
Conway,	Jones, T. H. W.,	Najaka,	Toomey,
Cooper,	Jump,	Naugle,	VanSant,
Corr,	Kamyk,	Needham,	Varallo,
Costa,	Keller,	Olsen,	Varnier,
Coyle,	Kent,	Penglase,	Verona,
Dalrymple,	Kline,	Peta,	Wachhaus,
Davis,	Kohl,	Petrosky,	Wargo,
Dennison,	Kolankiewicz,	Pettigrew,	Waterhouse,
Dougherty,	Kornick,	Pfaff,	Watkins,
Dowling,	Kratz,	Pichney,	Weidner,
DuBols,	Kubacki,	Pitzer,	Welsh,
Duffy,	Lederer,	Polaaki,	Wescott,
Dunn,	Leisey,	Poleh,	Westrick,
Erb,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Ewing,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Fenrich,	Leven,	Readinger,	White,
Ferster,	Light,	Reagan,	Williams,
Filip,	Limper,	Reese,	Wilt,
Flo,	Loftus,	Reilly, J. M.,	Wood,
Firmstone,	Lopresti,	Rigby,	Yeakel,
Flack,	Lovett,	Riley, R. L.,	Yester,
Frost,	Lutty,	Robertson,	Yetzer,
Gaffney,	Lyons,	Rose,	Young,
Geer,	Madden,	Rosen,	Ziegler,
Gibson,	Madigan,	Rovansek,	Sorg,
Gleason,	Markley,	Royer,	Speaker
Good,			

**NAYS—0**

**NOT VOTING—3**

Lafore, Miller, J. C., Reidenbach,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

**AMENDED HOUSE BILLS RETURNED FOR CONCURRENCE**

The Clerk of the Senate being introduced, returned



bill from the House of Representatives numbered and entitled as follows:

#### HOUSE BILL No. 1027.

An Act to amend subsection (b) of Section 4 of the act approved the twenty-third day of May one thousand nine hundred forty-five (P. L. 903) entitled "An act authorizing cities of the third class to establish an optional retirement system for officers and employees independently of any pension system or systems existing in such cities" by limiting rights to involuntary retirement and providing for the reinstatement of certain persons to and the placing of others upon the pension rolls of certain cities

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments. The Clerk read the amendments as follows:

Amend the title, page 1, line 7, by inserting after the word "to" the words "and the placing of others upon."

Amend Section 2, page 4, line 11, by inserting after the word "and" the following "any officer or employee who would have been entitled to receive a pension but for the lack of a fixed age in subsection (b) of section four of the act approved the twenty-third day of May one thousand nine hundred forty-five (P. L. 903)."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. JOHNSON. I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—204

Amarando,	Goodling,	Maxwell,	Rubin,
Andrews,	Graybill,	Mazza,	Sarraf,
Banker,	Greenwood,	McConnell,	Sax,
Barkdoll,	Greer,	McCormack,	Scanlon,
Baumunk,	Guarnieri,	McCullough,	Schmidt,
Bear,	Gutendorf,	McDermitt,	Schuster,
Beaver,	Guthrie,	McGee,	Scott,
Beech,	Hagerty,	McInroy,	Seyler,
Berkstresser,	Hall,	McKinney,	Shoemaker,
Blair,	Hamilton, R. K.,	McMillen,	Shotwell,
Bloom,	Hamilton, W. H.,	McNally,	Smith,
Boles,	Harney,	Metz,	Snider,
Bolton,	Haudenschild,	Mihm,	Sollenberger,
Bomberger,	Headlee,	Mikula,	Spencer,
Boorse,	Helm,	Miller, H. G.,	Stank,
Bower,	Hersch,	Mills,	Stimmel,
Brelsch,	Hewitt,	Mintess,	Stoner,
Breth,	Hocker,	Monroe,	Swartz,
Brown,	Hoggard,	Moore, C. E.,	Swope,
Bucchin,	Hunter,	Moore, H. A.,	Tahl,
Byrne,	Jenkins,	Moran,	Taylor,
Cella,	Johnson,	Muldowney,	Thompson, E. F.,
Clapper,	Jones, G. E.,	Munley,	Thompson, R. L.,
Clendenning,	Jones, J. M.,	Murray,	Toll,
Cochran,	Jones, P. F.,	Musto,	Tompkins,
Conway,	Jones, T. H. W.,	Najaka,	Toomey,
Cooper,	Jump,	Naugle,	VanSant,
Corr,	Kamyk,	Needham,	Varallo,
Costa,	Keller,	Olsen,	Varnier,
Coyle,	Kent,	Penglase,	Verona,
Dalrymple,	Kline,	Peta,	Wachhaus,
Davis,	Kohl,	Petrosky,	Wargo,
Dennison,	Kolankiewicz,	Pettigrew,	Waterhouse,
Dougherty,	Kornick,	Pfaff,	Watkins,
Dowling,	Kratz,	Pichney,	Weidner,
DuBois,	Kubacki,	Pitzer,	Welsh,
Duffy,	Lederer,	Polaski,	Wescott,
Dunn,	Lelsey,	Polen,	Westrick,
Erb,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Ewing,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Fenrich,	Leven,	Readinger,	White,
Ferster,	Light,	Reagan,	Williams,

Filip,  
Filo,  
Firmstone,  
Flack,  
Frost,  
Gaffney,  
Geer,  
Gibson,  
Gleason,  
Good,

Limper,  
Loftus,  
Lopresti,  
Lovett,  
Lutty,  
Lyons,  
Madden,  
Madigan,  
Markley,

Reese,  
Reilly, J. M.,  
Rigby,  
Riley, R. L.,  
Robertson,  
Rose,  
Rosen,  
Rovansk,  
Royer,

Wilt,  
Wood,  
Yeakel,  
Yester,  
Yetzer,  
Young,  
Ziegler,  
Sorg,  
Speaker

NAYS—0

NOT VOTING—3

Lafore,

Miller, J. C.,

Reidenbach,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

#### HOUSE BILL No. 1554.

An Act to authorize the Secretary of Public Assistance of the Commonwealth of Pennsylvania to apply to the Secretary of Agriculture of the United States for the return of assets of the former Pennsylvania Rural Rehabilitation Corporation to receive deposit and administer such assets for rural rehabilitation or other authorized purposes and to enter into agreements with the Secretary of Agriculture of the United States with respect to the future administration of said assets

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the bill, section 2, page 2, line 14 by striking out after the first word "of" the word "Agriculture" and inserting in lieu thereof the words "public assistance."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. JOHNSON. I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—204

Amarando,	Goodling,	Maxwell,	Rubin,
Andrews,	Graybill,	Mazza,	Sarraf,
Banker,	Greenwood,	McConnell,	Sax,
Barkdoll,	Greer,	McCormack,	Scanlon,
Baumunk,	Guarnieri,	McCullough,	Schmidt,
Bear,	Gutendorf,	McDermitt,	Schuster,
Beaver,	Guthrie,	McGee,	Scott,
Beech,	Hagerty,	McInroy,	Seyler,
Berkstresser,	Hall,	McKinney,	Shoemaker,
Blair,	Hamilton, R. K.,	McMillen,	Shotwell,
Bloom,	Hamilton, W. H.,	McNally,	Smith,
Boles,	Harney,	Metz,	Snider,
Bolton,	Haudenschild,	Mihm,	Sollenberger,
Bomberger,	Headlee,	Mikula,	Spencer,
Boorse,	Helm,	Miller, H. G.,	Stank,
Bower,	Hersch,	Mills,	Stimmel,
Brelsch,	Hewitt,	Mintess,	Stoner,
Breth,	Hocker,	Monroe,	Swartz,
Brown,	Hoggard,	Moore, C. E.,	Swope,
Bucchin,	Hunter,	Moore, H. A.,	Tahl,
Byrne,	Jenkins,	Moran,	Taylor,
Cella,	Johnson,	Muldowney,	Thompson, E. F.,
Clapper,	Jones, G. E.,	Munley,	Thompson, R. L.,
Clendenning,	Jones, J. M.,	Murray,	Toll,
Cochran,	Jones, P. F.,	Musto,	Tompkins,



Conway,	Jones, T. H. W.,	Najaka,	Toomey,
Cooper,	Jump,	Naugle,	VanSant,
Corr,	Kamyk,	Needham,	Varallo,
Costa,	Keller,	Olsen,	Varnier,
Coyle,	Kent,	Penglase,	Verona,
Dairymple,	Kline,	Peta,	Wachhaus,
Davis,	Kohl,	Petrosky,	Wargo,
Dennison,	Kolankiewicz,	Pettigrew,	Waterhouse,
Dougherty,	Kornick,	Pfaff,	Watkins,
Dowling,	Kratz,	Pichney,	Weldner,
DuBois,	Kubacki,	Pitzer,	Welsh,
Duffy,	Lederer,	Polaski,	Wescott,
Dunn,	Leisey,	Polen,	Westrick,
Erb,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Ewing,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Fenrich,	Leven,	Readinger,	White,
Fenster,	Light,	Reagan,	Williams,
Fillip,	Limper,	Reese,	Wilt,
Filo,	Loftus,	Reilly, J. M.,	Wood,
Firmstone,	Lopresti,	Rigby,	Yeakel,
Flack,	Lovett,	Riley, R. L.,	Yester,
Frost,	Lutty,	Robertson,	Yetzer,
Gaffney,	Lyons,	Rose,	Young,
Geer,	Madden,	Rosen,	Ziegler,
Gibson,	Madigan,	Rovansek,	Sorg,
Gleason,	Markley,	Royer,	Speaker
Good,			

NAYS—0

NOT VOTING—3

Lafore, Miller, J. C., Reidenbach.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

#### AMENDED SENATE BILL NONCONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has nonconcurred in the amendments made by the House of Representatives to Senate bill numbered and entitled as follows:

#### SENATE BILL No. 598.

An Act to further amend Section 10 of the act approved the twenty-ninth day of May one thousand eight hundred eighty-five (P. L. 29) entitled "An act to provide for the incorporation and regulation of natural gas companies" by providing that natural gas companies shall have the right of eminent domain for underground storage of natural gas or manufactured fuel gas and regulating the exercise of such right

Mr. JOHNSON. Mr. Speaker, I move that the House insist upon its amendments non-concurred in by the Senate to Senate Bill No. 598.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

#### BILLS INTRODUCED AND REFERRED

By Mr. DAVIS.

HOUSE BILL No. 1734.

An Act regulating the propagation of fur-bearing animals; providing for the granting of permits to propagate fur-bearing animals by the Department of Agriculture; imposing duties on the Secretary of Agriculture; requiring reports of transactions by holders of permits; providing for the disposition and removal of fur-bearing animals from fur farms; providing for permits to operate fur farms on certain marsh lands or water areas; fixing penalties; repealing inconsistent acts.

Referred to the Committee on Agriculture and Dairy Industries.

By Mr. GLEASON.

HOUSE BILL No. 1735.

An Act to amend the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by changing the procedure for the voting of electors serving in the armed forces of the United States and bedridden or hospitalized veterans.

Referred to the Committee on Elections and Apportionment.

By Mr. GRANVILLE E. JONES. HOUSE BILL No. 1736.

An Act providing for the expiration of Commonwealth taxes, hereafter assessed and levied, two years after the original collection thereof, and forbidding like taxation for a period of two years after the expiration thereof.

Referred to the Committee on Ways and Means.

By Mr. WATERHOUSE.

HOUSE BILL No. 1737.

An Act to promote the welfare of the people of this Commonwealth; creating The Port of Erie Authority as a body corporate and politic with power to acquire, construct, maintain and operate projects for the improvement and development of the port district, and to collect tolls, fares, fees, rentals and charges for the use thereof; defining its powers and duties; authorizing the issuance of bonds for said authority; defining the port district and granting the right of eminent domain within the port district.

Referred to the Committee on State Government.

#### RECONSIDERATION OF VOTE

Mr. McMILLEN. Mr. Speaker, I move that the vote by which House Bill No. 1624, Printer's No. 889, entitled:

An Act to further amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" by further prescribing the powers and duties of the Department of Public Assistance and the local boards further defining "Assistance" and those persons eligible for assistance further prescribing residence requirements with respect to assistance changing the terms of county board members clarifying the provisions with respect to the payment to the United States of its share of moneys received by way of restitution prescribing additional penalties and repealing a certain act



on page 36 of today's calendar, was passed finally, be reconsidered.

Mr. HARRY W. PRICE, Jr. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Indiana, Mr. McMillen, vote on the final passage of this bill?

Mr. McMILLEN. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Mifflin, Mr. Price, vote on the final passage of this bill?

Mr. HARRY W. PRICE, Jr. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

It was agreed to.

#### BILL POSTPONED

Mr. McMILLEN. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

The motion was agreed to.

#### SENATE MESSAGE

##### SENATE INSISTS ON AMENDMENTS NON-CONCURRED IN BY HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 1056, entitled:

An Act to further amend clause (q) of section seven hundred thirty-one of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by changing certain penal provisions

Mr. JOHNSON. Mr. Speaker, I move that the House insist upon its non-concurrence in the amendments made and insisted upon by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

##### APPOINTMENT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1056

The SPEAKER. The Chair appoints as a Committee of Conference on said bill, Messrs. Tompkins, Goodling and Breath.

Ordered, That the Clerk inform the Senate accordingly.

##### REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 757

Mr. RIGBY. Mr. Speaker, I call up the report of the Committee of Conference on House Bill No. 757.

The report was read as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 757, entitled: "An act to add Article XVI-A to the act, approved the seventh day of March, one thousand nine hundred one (P. L. 20) entitled 'An act for the government of cities of the second class,' by providing for the establishment of a municipal traffic court in cities of the second class."

Respectfully submit the following bill as our report:

ROBERT D. FLEMING,

JOHN H. WALKER,  
JOSEPH M. BARR,  
(Committee on the part of the Senate.)

JOSEPH P. RIGBY,  
DANIEL A. VERONA,  
GEORGE W. COOPER,  
(Committee on the part of the House of Representatives.)

An Act to add Article XVI-A to the act approved the seventh day of March one thousand nine hundred one (P. L. 20) entitled "An act for the government of cities of the second class" by providing for the establishment of a municipal traffic court in cities of the second class The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the seventh day of March one thousand nine hundred one (P. L. 20) entitled "An act for the government of cities of the second class" is hereby amended by adding after Article XVI thereof a new article to read as follows

#### Article XVI-A

##### Municipal Traffic Court

Section 1 Traffic Courts Established in Cities of the Second Class Jurisdiction In each city of the second class there is hereby established a court not of record to be called the "Municipal Traffic Court of the City of \_\_\_\_\_" The court hereby created notwithstanding any provision of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) known as the vehicle code or of any other law to the contrary shall have jurisdiction in all prosecutions for summary offenses and the preliminary proceedings in prosecutions for indictable offenses arising under the vehicle code or any municipal ordinance of such city enacted pursuant thereto committed within the corporate limits of such city

Section 2 Composition of Municipal Traffic Court The municipal traffic court shall be held by such police magistrates as shall be assigned thereto from time to time by the mayor of such city one of whom shall be designated by the mayor as presiding magistrate of traffic court The presiding magistrate shall preside over and supervise the work of the municipal traffic court

Section 3 Powers of the Magistrates of the Municipal Traffic Court All magistrates of the municipal traffic court in each city of the second class shall have full and complete jurisdiction power and authority to receive and take criminal informations on oath or affirmation of and subscribed to by the affiant accusing any person or persons of the commission of any summary offense or felony or misdemeanor arising under the vehicle code or any ordinance enacted pursuant thereto committed within the corporate limits of the city in which the said municipal traffic court has jurisdiction and to administer oaths issue summonses subpoenas and warrants for the arrest of the accused and hear and decide all such summary offenses impose fines and costs of prosecution and to commit to jail in default of the payment thereof and hold preliminary hearings and prosecutions for indictable offenses under the vehicle code and any local ordinance enacted pursuant thereto and commit to jail or bind over for trial at the next term of the proper court of the county or discharge such accused person or persons as the evidence produced at such preliminary hearing or hearings may warrant

Section 4 Necessary Facilities and Supplies to be Furnished by City It shall be the duty of each second class city to supply and pay for whatever may be necessary for the transaction of the business of the said municipal traffic court and to supply all proper court rooms chambers and accommodations including waiting rooms lavatories conference rooms dockets blanks books legal blanks stationery furniture and equipment and such law books as may be certified by the traffic court magistrates to be necessary for the use of the municipal traffic court and to pay all salaries compensations expenses and disbursements that are herein or are otherwise authorized by law



and it shall be the duty of the council of the city to appropriate annually a sum sufficient to pay such salaries compensations expenses and disbursements The court rooms chambers waiting rooms lavatories conference rooms accommodations furniture and equipment to be supplied shall be of such character and be kept in such condition of repair cleanliness and useful service at the expense of the city as the traffic court magistrates shall determine to be necessary or desirable

Section 5 Clerk of Municipal Traffic Court Assistants compensation a clerk of the municipal traffic court hereby created by whatsoever title he may be designated and all necessary assistants shall be appointed and their compensation and duties fixed in the manner provided by law which compensation shall be paid out of the treasury of such city in the same manner as other expenses are paid by law The clerk shall have custody of the seal as well as the docket of the court and all papers pertaining to the business of the court

Section 6 Seal of Municipal Traffic Court Custody The municipal traffic court shall have a seal for the use of said court which shall contain the name of the court and the word "Seal" which seal shall be affixed to all processes summonses informations warrants transcripts and other official certificates issued by or under the order of said court

Section 7 Business Hours of Municipal Traffic Court The municipal traffic court shall be open for the transaction of business at such time as shall be designated by ordinance and shall be under the supervision of the presiding magistrate In the absence of the presiding magistrate the magistrate then presiding shall have such supervision

Section 8 City Solicitor to Assign Prosecuting Attorney Upon Request of Presiding Magistrate The city solicitor shall upon request of the presiding magistrate assign a member of his staff to prosecute any proceeding jurisdiction of which is conferred upon the municipal traffic court hereby created

Section 9 Costs Magistrates' Fees Disposition Costs taxable in proceedings before the municipal traffic court shall include magistrates' fees as allowed by law which fees shall be paid by the clerk into the city treasury daily and other costs as allowed by law but shall not include witness fees for police officers

Section 10 Rules of Practice Within sixty (60) days after this act takes effect it shall be the duty of the magistrates of the municipal traffic court to prepare and submit to the judges of the county court or if there be no county court in the county in which the municipal traffic court is situate then the judges of the court of quarter sessions thereof rules and regulations for the practice and procedure in and the conduct of the business of the municipal traffic court which shall become valid and binding as such when the same are approved by a majority of the judges of the county court or the court of quarter sessions as the case may be If the magistrates of the municipal traffic court shall fail or neglect to prepare such rules and regulations and submit the same to the judges of the county court or the court of quarter sessions as the case may be it shall be the duty of said judges of their own motion to promulgate such rules and regulations which shall be the official rules and regulations of the municipal traffic court Said rules and regulations may be altered amended or repealed by the magistrates of the municipal traffic court or by the judges of the county court or if there be no county court then by the judges of the court of quarter sessions and such rules and regulations promulgated as they may deem necessary and proper

Section 11 Annual Report On or before the twentieth day of January of each year in addition to the reports and audits now or hereafter required by municipal officers by law or ordinance the presiding magistrate of the municipal traffic court shall make written report to the mayor of the city with respect to the business of the court during the preceding calendar year Copies of said report shall be furnished each member of council the city controller each judge of the county court or if there be no county court then of the court of quarter sessions and the Secretary of Revenue of the Commonwealth

Section 2 All acts and parts of acts are hereby repealed in so far as they are inconsistent with the provisions of this act

Section 3 The provisions of this act shall become effective immediately upon final enactment

On the question,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—204

Amarando,	Goodling,	Maxwell,	Rubin,
Andrews,	Graybill,	Mazza,	Sarrafa,
Banker,	Greenwood,	McConnell,	Sax,
Barkdoll,	Greer,	McCormack,	Scanlon,
Baumunk,	Guarnieri,	McCullough,	Schmidt,
Beard,	Gutendorf,	McDermitt,	Schuster,
Beaver,	Guthrie,	McGee,	Scott,
Beech,	Hagerty,	McInroy,	Seyler,
Berkstresser,	Hall,	McKinney,	Shoemaker,
Blair,	Hamilton, R. K.,	McMillen,	Shotwell,
Bloom,	Hamilton, W. H.,	McNally,	Smith,
Boles,	Harney,	Metz,	Snider,
Bolton,	Haudenschild,	Mihm,	Sollenberger,
Bomberger,	Headlee,	Mikula,	Spencer,
Boorse,	Helm,	Miller, H. G.,	Stank,
Bower,	Hersch,	Mills,	Stimmel,
Breisch,	Hewitt,	Mintess,	Stoner,
Breth,	Hocker,	Monroe,	Swartz,
Brown,	Hoggard,	Moore, C. E.,	Swope,
Bucchi,	Hunter,	Moore, H. A.,	Tahl,
Byrne,	Jenkins,	Moran,	Taylor,
Cella,	Johnson,	Muldowney,	Thompson, E. F.,
Clapper,	Jones, G. E.,	Munley,	Thompson, R. L.,
Clendenning,	Jones, J. M.,	Murray,	Toll,
Cochran,	Jones, P. F.,	Musto,	Tompkins,
Conway,	Jones, T. H. W.,	Najaka,	Toomey,
Cooper,	Jump,	Naugle,	VanSant,
Corr,	Kamyk,	Needham,	Varallo,
Costa,	Keller,	Olsen,	Varner,
Coyle,	Kent,	Penglase,	Verona,
Dalrymple,	Kline,	Peta,	Wachhaus,
Davis,	Kohl,	Petrosky,	Wargo,
Dennison,	Kolankiewicz,	Pettigrew,	Waterhouse,
Dougherty,	Kornick,	Piaff,	Watkins,
Dowling,	Kratz,	Pichney,	Weldner,
DuBois,	Kubacki,	Pitzer,	Welsh,
Duffy,	Lederer,	Polaski,	Wescott,
Dunn,	Lelsey,	Polen,	Westrick,
Erb,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Ewing,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Fenrich,	Leven,	Readinger,	White,
Fenster,	Light,	Reagan,	Williams,
Filip,	Limper,	Reese,	Wilt,
Fillo,	Loftus,	Reilly, J. M.,	Wood,
Firmstone,	Lopresti,	Rigby,	Yeakel,
Flack,	Lovett,	Riley, R. L.,	Yester,
Frost,	Lutty,	Robertson,	Yetzer,
Gaffney,	Lyons,	Rose,	Young,
Geer,	Madden,	Rosen,	Ziegler,
Gibson,	Madigan,	Rovansek,	Sorg,
Gleason,	Markley,	Royer,	Speaker
Good,			

#### NAYS—0

#### NOT VOTING—3

Lafore, Miller, J. C., Reidenbach,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

#### RECESS

The SPEAKER. If there is no objection, the Chair will declare a recess for two hours. The Chair hears none, and a recess is declared.



## AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Herbert P. Sorg) in the Chair.

## SENATE MESSAGES

## AMENDED SENATE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate bill numbered and entitled as follows:

## SENATE BILL No. 688.

An Act to further amend Section 303 of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2017), entitled "An act creating in each county (except of the first class) as a separate corporation, and in each city of the first and second class as a part of the city government, an institution district for the care and maintenance of certain indigent persons and children; prescribing the powers and duties of county commissioners, county treasurers, city departments of public welfare, the State Department of Welfare and the State Department of Public Assistance in respect thereto; abolishing certain poor districts and terminating the terms of directors, overseers, guardians and managers of the poor and poor district auditors, and providing for the temporary employment of certain of them; providing for the transfer, vesting, sale and disposition of the property of poor districts and the payment of their obligations; imposing certain existing obligations on institution districts and on the Commonwealth; regulating the affairs of poor districts until abolished; revising, amending, changing and consolidating the law relating to the care of the poor; and repealing existing laws," by directing that an allowance be paid to certain county controllers for the expenses pertaining to the institution district for a temporary period.

SENATE INSISTS ON AMENDMENTS NON-  
CONCURRED IN BY HOUSE.

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 1056, entitled:

An Act to further amend clause (q) of section seven hundred thirty-one of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by changing certain penal provisions

And has appointed Messrs. Blass, Kessler and Bayne a committee of conference to confer with a similar committee of the House of Representatives already appointed on the subject of the differences existing between the two Houses in relation to said bill.

## BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

## HOUSE BILL No. 1027.

An Act to amend subsection (b) of Section 4 of the act approved the twenty-third day of May one thousand nine hundred forty-five (P. L. 903) entitled "An act authoriz-

ing cities of the third class to establish an optional retirement system for officers and employes independently of any pension system or systems existing in such cities" by limiting rights to involuntary retirement and providing for the reinstatement of certain persons to and the placing of others upon the pension rolls of certain cities

## HOUSE BILL No. 1554.

An Act to authorize the Secretary of Public Assistance of the Commonwealth of Pennsylvania to apply to the Secretary of Agriculture of the United States for the return of assets of the former Pennsylvania Rural Rehabilitation Corporation to receive deposit and administer such assets for rural rehabilitation or other authorized purposes and to enter into agreements with the Secretary of Agriculture of the United States with respect to the future administration of said assets

## SENATE BILL No. 407.

An Act to further amend the title and section one of the act approved the third day of May one thousand nine hundred and nine (P. L. 424) entitled as amended "An act providing that in all counties of the first second third fourth fifth and sixth class advertisements and notices required by law or rules of court to be published in newspapers of general circulation unless dispensed with by special order of court shall be published in the legal newspaper issued at least weekly of the proper county designated by rules of court for the publication of court or other legal notices" by extending the provisions of the said act to all counties and further defining publications excepted from its operation

## SENATE BILL No. 688.

An Act to further amend Section 303 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" by directing that an allowance be paid to certain county controllers for the expenses pertaining to the institution district for a temporary period

## SENATE BILL No. 739.

An Act providing for the construction by the General State Authority of an addition of a medical and surgical hospital building to the Philadelphia State Hospital on a site heretofore conveyed to it by the Mercy-Douglass Hospital and authorizing the Department of Property and Supplies to sublease said land and building to the Mercy-Douglass Hospital

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

## SENATE MESSAGE

## HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned



bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 589.

An Act to amend section one thousand one hundred forty-four of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further providing for additional increments for holders of college certificates or Masters' Degrees

HOUSE BILL No. 590.

An Act to amend section one thousand one hundred forty-four of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further providing for increments for professional employees holding a Master's Degree or its equivalent

HOUSE BILL No. 1590.

An Act to further amend the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 566) entitled "A supplement to the act approved the second day of June one thousand nine hundred and fifteen (P. L. 736) entitled as amended 'An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties' as re-enacted and amended providing for the payment of compensation to volunteer firemen or their dependents" by amplifying the provisions thereof as to persons entitled to such benefits

With the information that the Senate has passed the same without amendment.

ADJOURNMENT

Mr. WATERHOUSE. Mr. Speaker, I move that this House do now adjourn until Monday, September 24, 1951 at 3:30 p. m., E.S.T.

The motion was agreed to, and (at 4:26 p. m., E.S.T.) the House adjourned.



# Legislative Journal.

Session 1951.

139th of the General Assembly.

Vol. 32.

HARRISBURG, PA., MONDAY, SEPTEMBER 24, 1951.

No. 85.

## SENATE

MONDAY, September 24, 1951.

The Senate met at 2:00 o'clock, p. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Lloyd H. Wood) in the Chair.

### PRAYER

The Chaplain, Rev. WILLIAM D. McLEAN, Pastor of St. Peters Episcopal Church, Butler, Pennsylvania, offered the following prayer:

Almighty God, our Heavenly Father, we humbly beseech Thee as for the people of this Commonwealth of Pennsylvania, so specially for their Senate now assembled, that Thou would'st be pleased to direct and prosper all their consultations to the advancement of Thy glory, the safety, honor and welfare of Thy people; that all things may be so ordered and settled by their endeavors upon the best and surest foundations, that truth and justice may be established among us.

Graciously harken to us who call upon Thee, and grant us Thy help and guidance at this time, through Jesus Christ our Lord. Amen.

### JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WALKER and Mr. HARE, further reading was dispensed with, and the Journal was approved.

### LEAVE OF ABSENCE

Mr. Hare asked and obtained leave of absence for Mr. McPHERSON for today's Session only, because of business.

### COMMUNICATIONS FROM THE GOVERNOR REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows and referred to the Committee on Executive Nominations:

### RECALLING NOMINATION OF JUSTICE OF THE PEACE, SEWICKLEY BOROUGH, ALLEGHENY COUNTY

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, September 24, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated September 19, 1951, for the appointment of William F. McCrea, 306 Broad Street, Sewickley, Allegheny County, as Justice of the Peace in and for the Borough of Sewickley, Allegheny County, until the first Monday of January 1954, vice Mrs. Margaret M. Morgan, deceased.

I respectfully request the return to me of the official message of nomination in the premises.

JOHN S. FINE.

### REPORTS OF COMMITTEES

Mr. CHAPMAN, from the Committee on Appropriations reported as committed, House Bill No. 1715, entitled:

An Act making an appropriation to The Brandywine Battlefield Park Commission for the payment of necessary expenses.

Mr. SNOWDEN, from the Committee on Highways, reported as committed, House Bill No. 1248, entitled:

An Act to further amend the act approved the fifth day of May one thousand nine hundred twenty-seven (P. L. 787) entitled "An act establishing certain public roads as State Highways and providing for their construction and maintenance at the expense of the Commonwealth" by changing certain routes.

He also, from the Committee on Highways, reported as committed, House Bill No. 1252, entitled:

An Act to establish certain roads or sections of road as State Highways.

He also, from the Committee on Highways, reported as committed, House Bill No. 1253, entitled:

An Act to amend the act approved the eighth day of April one thousand nine hundred twenty-five (P. L. 191) entitled "An act establishing certain public roads as State highways and providing for their construction and maintenance at the expense of the Commonwealth" by changing certain routes.

He also, from the Committee on Highways, reported as amended, House Bill No. 1247, entitled:

An Act to further amend section two of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 720) entitled "An act providing for the taking over by the Commonwealth under certain terms conditions and limitations of certain streets in cities of the second class second class A and third class as State highways and for the improvement construction reconstruction resurfacing and maintenance by the Commonwealth of certain defined widths of said



streets imposing duties on such cities and on public utility companies using such streets providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon authorizing cities persons associations or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance providing for the assessment of certain portions of the cost of street improvements or abutting property owners regulating the replacement of certain facilities of public utility companies prohibiting the opening of said streets after improvement without a permit and providing penalty therefor regulating the maintenance of detours authorizing the increase of city indebtedness in certain cases and appropriating money in the Motor License Fund for the purposes of this act" by changing or deleting certain routes and adding certain new routes

He also, from the Committee on Highways, reported as amended, House Bill No. 1249, entitled:

An Act to further amend the act approved the eighteenth day of May one thousand nine hundred forty-five (P. L. 809) entitled "An act removing certain roads or sections of road from the State highway system and providing for their future maintenance and construction" by removing additional roads from the State highway system.

He also, from the Committee on Highways, reported, as amended, House Bill No. 1250, entitled:

An Act to further amend section two of the act approved the first day of June one thousand nine hundred thirty-three (P. L. 1172) entitled "An act establishing certain streets in boroughs and incorporated towns as State highways and providing for their construction and maintenance at the expense of the Commonwealth" by changing or deleting certain routes and adding certain new routes.

He also, from the Committee on Highways, reported as amended, House Bill No. 1251, entitled:

An Act to further amend the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 594), entitled "An act establishing certain township roads as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act" by changing or deleting certain routes and adding certain new routes.

#### REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. WATSON. Mr. President, from the Committee on Executive Nominations, I desire to report the following nomination made by His Excellency, the Governor:

#### JUSTICE OF THE PEACE, SEWICKLEY BOROUGH, ALLEGHENY COUNTY

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, September 19, 1951.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate William F. McCrea, 306 Broad Street, Sewickley, Allegheny County, for appointment as Justice of the Peace in and for the Borough of Sewickley, Allegheny County, until the

first Monday of January 1954, vice Mrs. Margaret M. Morgan, deceased.

JOHN S. FINE

#### NOMINATION RETURNED TO THE GOVERNOR

Mr. WATSON. Mr. President, at the request of His Excellency, the Governor, I move that the nomination just reported be returned to the Governor.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

The PRESIDENT. The nomination will be returned to His Excellency, the Governor.

#### REPORT FROM COMMITTEE

Mr. MAHANY, from the Committee on Local Government, reported as amended, House Bill No. 1518, entitled:

An Act to amend Section 2001 of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by changing the provisions relating to protests by property owners to the exercise of zoning powers.

#### PERMISSION TO ADDRESS SENATE

Mr. SILVERT asked and obtained unanimous consent to address the Senate.

Mr. SILVERT. Mr. President, in April of this year the Northeast Philadelphia Chamber of Commerce filed a bill in equity in our United States District Court, the object of which bill was to compel this Legislature to reapportionment because they had not done so since the year 1920. It was just over this week end that the Federal Court rendered a decision saying that while they greatly regret it, they feel that they do not have the power to compel this Legislature to reapportion itself.

Mr. President, I should like to read briefly a part of that opinion. This opinion, filed by Chief Judge Biggs and concurred in by Judges Clary and Bard, said:

"We are aware, as is almost everyone in Philadelphia, that what the plaintiffs assert in their complaint is notoriously true. The blunt fact," it adds, "is that the General Assembly of Pennsylvania has been derelict in their duty specifically imposed on them by the Constitution of Pennsylvania in failing to pass the Reapportionment Act, as required by the express mandate of the Constitution."

I, therefore, Mr. President, read in place and present to the Chair on behalf of Senator Byrne and myself this bill which is for the reapportionment of the Senatorial Districts in Philadelphia only.

#### BILL INTRODUCED AND REFERRED

Messrs. SILVERT and BYRNE read in place and presented to the Chair Senate Bill No. 866, entitled

An Act to fix the number of Senators in the General Assembly from the City of Philadelphia and to apportion the city into senatorial districts.

Which was committed to the Committee on Reapportionment.

#### PETITIONS AND COMMUNICATIONS

Mr. BARR. Mr. President and fellow Members of the



Senate, I think I will wait a moment because I want the Majority Leader to hear what I have to say.

The PRESIDENT. The gentleman from Allegheny may now proceed.

Mr. BARR. Mr. President and fellow Members of the Senate, never before has there been so much rumor and so much ill-wind blasted about the Senate Chamber as there has been during the nine months of this Session of the Legislature.

For the past nine months, we on the Democratic side have waited patiently for the Republican leadership to resolve the problems of the State in such a manner that it would give the greatest good to the greatest number.

The Democratic Minority has time and time again offered to cooperate in a nonpartisan or bipartisan manner, in order to bring this Session to a successful conclusion. However, our leader, Senator John H. Dent's offers of cooperation have been repeatedly refused by the Republican leader, Senator Walker, who has flip-pantly said time after time that this is a Republican problem, a Republican responsibility, and will be solved by the Republican Members of the Senate.

Mr. President, I am convinced now more than ever before that the split on the Republican side is not motivated by opposition to the income tax as such, but as a political vendetta originated and planned by a few selfish men who have no regard for the actual needs of the Commonwealth, of the schools, the hospitals, of the needy persons and of the universities, and who are more interested in political and personal results and gains as against the welfare of the Commonwealth.

Some particularly vicious stories have been printed today in leading newspapers that have no source or no foundation of truth, and they are deliberate attempts to discredit any Member of the Senate who conscientiously is trying to solve the fiscal problem. Senator Walker and some of his colleagues are deliberately bringing into the tax fight in Pennsylvania matters that have never been discussed by me or any of my colleagues with any of the Republican leaders in or out of the Administration. The results of our deliberations have nothing to do with the affairs of the City of Pittsburgh, with political appointments or with any of the other so-called points in any secret deals. Only those Members who are seeking to make deals of their own, and whose political morality has degenerated to a low level, are responsible for these vicious and unprecedented, deliberate lies fed to the innocent newspaper men. I am more interested in the welfare of the people and the industry of Pennsylvania than I am in the political success or political ambitions of any individual in or out of the Senate of Pennsylvania.

Mr. President, I stand here today and say to the Members of the Senate, I have not been a party to any deal and I think that the men who are responsible for the present dilemma of Pennsylvania are talking out of both sides of their mouths at the same time. In private and in committee they acknowledge the need for more money but in order to keep up the false and hypocritical front to the public, they stand before the public and deny the need for more money, while at the same time they vote for increased appropriations beyond the ability of the Commonwealth to pay.

In the Senate Finance Committee there reposes as of

this date House Bill No. 840, which imposes a flat income tax, and the so-called package of bills which add up to nine in number. In this package two bills, namely, House Bills Nos. 1692 and 1695, impose a tax on dividends received from foreign companies, no part of whose activities are carried on in Pennsylvania. These bills would succeed in driving the great industries out of western Pennsylvania, would remove hundreds of millions of dollars of deposits from western Pennsylvania banks, would decrease purchasing power in the area and make its effect felt on every type of retail business activity in the district. Further, by driving these industries out of western Pennsylvania, the State of Pennsylvania would be denied millions of dollars revenue which they now receive from capital stock and income tax. To name just a few, I submit to the Members of the Senate the names of the H. J. Heinz Company, Pittsburgh Plate Glass Company, Gulf Oil Corporation, National Steel Company, Western Electric Company, Jones & Laughlin Steel Corporation and practically every other corporation which conducts its holding company's business in western Pennsylvania.

Mr. President, if as an alternative to the Governor's tax program, this Senate is to vote the so-called amendments to the C. N. I., we in western Pennsylvania might just as well make up our minds that our cities and towns will become "ghost towns." As I see it, the welfare of any community is dependent upon the successful operation of our big industries. We are not an agricultural settlement. Our civic, our governmental and our individual welfare require that we maintain our high levels of employment and wages. Corporations are only groups of individuals, and an intolerable tax burden will drive them out of our area. Our civic drive has been to get industry into our area and I, for one, am not going to be a party to driving it out.

Mr. HOLLAND. Mr. President, we have spent nine months in this Session of the General Assembly trying to decide a fiscal policy for the Commonwealth. In this time, many members of the Senate have suggested to the Governor that he call in an outside group or groups and make a study of the costs of Government. I, personally, have introduced resolution after resolution requesting that a study be made with one view in mind, and that was to exercise economy in State Government. The only answer that we have received back from the Administration is that the figures of the Budget Controllers are so "holy" that it is a sin to even question their figures. The slogan of this Administration has been, "We want more taxes". At no time has the Administration permitted any cuts in appropriation, and when I tried to get the Main and Company of Pittsburgh, a very reliable Certified Public Accountant House, to make a study of the budget and the expenditures therein, we were refused permission.

Mr. President, in the last three week's recess I had the opportunity to make a study of some of the items appearing in the budget, and how these items increased in cost during the Administration of Governor Martin and Governor Duff. I picked this period, for today these two Governors are United States Senators, and have been traveling up and down the country talking to groups, and over the radio, demanding economy in Government after



they have mortgaged their own State for years to come and deliberately lied about surpluses not existing. I am not going to read all of the sorrowful examples of spending that occurred in their Administration, for if I did, I would take in every item in the budget. However, I want to show to this Senate a few items and how a little economy on our part would not effect the hospitals, the schools or the institutional districts.

Mr. President my first item will be in the Agriculture Department. Animal indemnities have been raised by \$305,000. In other words we have jumped the cost of destroying animals to \$2,500,000, in face of the fact that the Agriculture Department states, and the Milk Control Commission, that many animal herds have been discontinued by farmers. I would cut this item by \$305,000.

When Governor Martin came into office, the Department of Commerce and Planning Board cost the State \$392,000. It now costs the State \$1,490,000, an increase of 280 per cent. I have introduced a bill, and have spoken on this floor, to do away with the Department of Commerce as it is a joke and a farce. This would lop off \$1,490,000 of the Budget.

The Department of Forests and Waters, under Governors Martin and Duff, jumped from \$1,644,000 to \$5,955,000 for salaries and departmental expenses, an increase of 262 per cent. I would cut off from this department just ten per cent, or \$595,000.

The Washington Crossing Park Commission went up from \$37,200 to \$180,000 in these two economy minded governors' Administration, an increase of 384 per cent. I would cut off \$90,000 for this commission.

The Valley Forge Park Commission jumped from \$94,000 to \$225,000, an increase of 139 per cent. I would lop off \$75,000 for this commission.

The Pennsylvania State Park and Harbor Commission increased 98 per cent, or from \$71,600 to \$142,000. I would operate this commission at \$30,000 less.

The Navigation Commission for the Delaware River increased 51 per cent and is now \$98,000 I would take \$15,000 from this commission.

Under Stream Clearance, Conservation and Flood Control, I would take \$238,000 from their present figure of \$2,380,000 or a ten per cent cut.

In the Department of Health the salaries and departmental expenses have jumped 101 per cent in the Martin-Duff regime. I would cut this by \$250,000.

In the Department of Health they have two items for Cancer Research, one \$250,000 and another for \$300,000 the latter one going to the Cancer Research Laboratory at Fox Chase, Philadelphia. Now, all of us are willing to give all we can to cancer research, but there has mushroomed over the country many laboratories and cancer research societies. Nearly every Member of this Senate will verify that never a day goes by that we do not receive a letter from one of these cancer research groups asking us for personal donations to these research organizations. I believe the Department of Health should investigate all of them if they wish to give the State's money and then give it to the one they choose as best. I would cut out \$250,000 from the budget

at this time, until the State has made a thorough investigation.

We now spend \$6,000,000 a biennium for school health examinations, which we all agree is a very fine thing to do, but I think this large appropriation of \$6,000,000 can stand a quarter million cut.

In the Department of Labor and Industry \$350,000 has been set up to administer the Fair Employment Practice Commission. This we know is not needed, as there is no F. E. P. C. in Pennsylvania.

I wonder when we are going to stop being the "suckers" for the coal companies, who abandon mines and compel the State to pay \$1,407,000 in this biennium for sealing these mines. I think that we can save \$150,000 on this item.

In the Department of Public Assistance, strange to say, this item went up under the two great economists, Martin and Duff, from \$76,005,200 to \$135,000,000, or about 75 per cent. Although we are now enjoying in Pennsylvania the highest employment we have ever experienced, I am sure that taking \$5,000,000 away from this figure will not starve anyone in the State.

The State Teachers Colleges have always been a controversial issue in the State, and wherever State Teachers Colleges are located, the people in that community take for granted that they are there for their own personal use. It has been proven that only about thirty per cent of the teachers graduated from these colleges enter the teaching profession. When they were originally established they were needed, but I doubt that their increased cost of operation under Governors Martin and Duff, from \$4,000,000 to \$10,500,000, or an increase of 163 per cent, is warranted. However, I only ask to cut this item, \$1,000,000.

Operation of the Thaddeus Stevens Trade School has jumped from \$130,000 to \$600,000, and increase of 362 per cent in the last eight years. I am not too well acquainted with the operation of this school, so I will only cut it \$50,000. It certainly can spare a \$50,000 cut out of a \$470,000 increase.

Now, Mr. President, we come to the one figure that I believe will startle the members of the Senate. Public School Transportation is now costing the taxpayers of this Commonwealth \$20,500,000, an increase in the Martin-Duff Administration of \$11,500,000 or 125 per cent. This is a staggering amount, one that I think should bear investigation by the State Government Commission, in co-operation with the Department of Public Instruction. Certainly where transportation does not exist and the distance is long and hazardous, there should be some arrangements for getting the children to and from school. I do not think it fair to give free transportation to some children, for in our cities today it costs the parents (for instance in Pittsburgh) 85c per week for a school pass. I cannot see why the State should pay the entire cost, or \$20,500,000 for this transportation of the school children. However, I do not at this time want to cut this item entirely out and will merely cut it by \$2,500,000, and I would ask that the State Government Commission make a study of the entire problem and make their report to us at the next Session.

Mr. President, there are some items that I do not intend to cut, but I do want to draw them to the attention of the Senate.



The Retirement Fund for School Employees has gone up 461 per cent in six years, an increase of \$30,774,987. It was only \$6,670,000 when Martin came in; however, I would not like to give my opinion on this until further study.

The maintenance of the Pennsylvania State College has jumped in the last eight years from \$5,035,000 to \$15,605,000, an increase of 210 per cent. I would cut this appropriation \$2,000,000.

I wonder how many Members of this Senate are acquainted with the fact that we lend our support and our votes to supply the money for the operation of ten medical and surgical hospitals in the hard coal regions that were foisted on the Commonwealth of Pennsylvania as far back as 1879, by political graft. It seems, according to the records I can dig up, that the coal companies and the railroads refused to pay the hospital bills of men in their employ who were hurt while working in the mines or on the railroads. Their political strength, at that time, was so great that they forced the Commonwealth of Pennsylvania to maintain and operate ten hospitals in the coal regions free of charge for their employees. I have a list of all the acts that were passed, creating these hospitals. I want to read to you the wording of these bills. In all of these bills there is a section that reads as follows, and I quote:—

“That this hospital shall be specially devoted to the reception, care and treatment of persons injured in and about mines, work shops and railroads, and all other laboring men, provided, however, that no patient shall be admitted for the treatment is said hospital to the exclusion of the classes herein stated, and who have not contracted injuries in or at the coal mines”.

In other words, these hospitals were built for the railroads and the coal companies as their exclusive properties. They refused to pay for any of their patients. Another section of these bills read as follows:—

“Trustees of said hospitals may from time to time charge any patient, other than the classes named in other section of this Act, an amount sufficient to cover the cost of treatment”.

The Trustees of those hospitals are still living up to these rules and regulations, and are furnishing the best socialized medicine that can be found in any other place in the world.

Mr. President, we have heard a great deal about Schuylkill County in this Legislature. We have been asked to pay teachers' salaries that they can't pay in the county for want of money that they don't collect from the coal companies for their just real estate taxes. Now, we find out that we maintain three hospitals for Schuylkill County, for their exclusive use. These hospitals are Ashland, Coaldale, and the Locust Mountain Hospital at Shenandoah. We have paid the bills for Schuylkill County for 118,530 patient days. I think it is asking too much for Schuylkill County to ask the Senate to pay for the cost of their schools, and also the hospitalization of its people.

Luzerne County has two such hospitals; one at Hazleton and one at Nanticoke. They received 88,781 patient day services, paid for by other taxpayers in the State. I have found out that in these hospitals the doctors in these counties (that is, a privileged few) bring their patients there to get free hospitalization, and in that way the doc-

tors get their fees without any trouble for operations performed. When I questioned a certain doctor, he told me that there was nothing illegal in what they did, for the Trustees had the right, under the previous sections that I read you, to give free hospitalization to anyone who worked in or about a mine, railroad, or was a laborer, under the intent of this Act.

I have checked the population in the districts in which these hospitals are located and I find that every man, woman and child, according to the population, must have been in the hospital two days in the last biennium, as the record shows the ten hospitals furnished 439,080 patient days for a population of 243,690. I am positive that the rest of the State of Pennsylvania does not know where these ten hospitals are located, and I now give you the list of hospitals:

Ashland (Schuylkill County)  
Coaldale (Schuylkill County)  
Locust Mountain (Schuylkill County)  
Nanticoke (Luzerne County)  
Scranton (Lackawanna County)  
Blossburg (Tioga County)  
Connelville (Fayette County)  
Hazleton (Luzerne County)  
Phillipsburg (Centre County)  
Shamokin (Northumberland County)

Each of these ten are receiving a free ride when you, back home, are paying for city hospitals and giving money and donations to private hospitals.

Mr. President, I do not know why the welfare funds and health programs enjoyed by employees of industry today are not used to pay their bills at the hospitals. We are going to give these hospitals \$9,750,000 in this biennium. This amount has increased from \$3,750,000 when Martin came into office, and increase of 160 per cent. I can now see why these districts turn in big majorities for the Administration (with the exception of Lackawanna County) on Election Day. At least one member of every family in these counties must have, at some time, had a free ride on the gravy train, run by the State for the railroad and the mine owners.

If we do one thing this Session, at this late hour, we should see to it that these hospitals are placed under either private ownership or local municipal ownership. That is why I cut \$9,750,000 for the upkeep of hospitals who have gouged this Government since 1879—seventy-two years.

We have in the Budget this year \$700,000 for a Public School Building Authority, and at another time I intend to discuss the State Public Building Authority. I am advised that the Local School Authorities can build much cheaper and save a considerable amount of money by using their own local authorities; however, I am going to be conservative and only cut their appropriation by \$100,000.

Much has been said about Civil Defense and the need for this appropriation. However, I have talked to numerous people who know a great deal about Civil Defense, and who believe that volunteer civil defense is better than giving a lot of politicians jobs. I think that \$5,000,000 is enough for this fund, so I will save \$15,000,000 here.

The Milk Control Commission, I have told this house time and time again, is a joke. It was created in the de-



pression years and has since outlived its usefulness. It should be completely wiped out by this Legislature and it would save another \$480,000.

The Pennsylvania Board of Parole has increased the cost of their Board by fifty-five per cent since 1943. I do not think that they can prove the necessity of this increase. I would cut it \$250,000.

The Pennsylvania Historical and Museum Commission has been on the gravy train, too, as they have increased their request from 1943 to today by 108 per cent, and they are now asking for \$670,000, while in 1943 they received \$332,500. I am sure they can spare \$200,000 in these trying times.

Gentlemen, I have made these cuts and have not hurt anyone. I have not touched the subsidies to the medical and surgical hospitals, who are now getting State aid. I have not cut any appropriations to the public school system, I have not cut any grants to our state institutions, so that our educational system, and our hospital system and the care for the aged and the mental will not be affected by these economies, although I do believe we are spending too much in the State institutions for the kind of service we are getting. I believe that we should have a business manager in charge of every State institution and let the medical profession take care of the patients, as no one can be a specialist in both.

Mr. President, the same holds good with the Department of Public Instruction. I would like to see a business executive in charge of the Department of Public Instruction, who could administer our school system with efficiency and economy. Let the educator take care of the educational program, but let a watch dog be in this department to control the spending. You know, it is hard today to say anything against education or health for fear that the public may misunderstand you. I am for a good health program, I am for a good education system, but I don't think it fair to tax the people of Pennsylvania and the industries of Pennsylvania to pay for waste and inefficiency which now exists in both of these departments.

Mr. President, if the Governor of this State was not being too stubborn in insisting that we take the figures of the Budget Controller as gospel truth;—and if he had gone along with us in having public hearings that are public hearings,—in making department heads explain every item in this Budget;—if we were permitted to use outside sources to point out the discrepancies in this budget, I am sure that we would never have been here for the nine months that we were here. Three months are all that would be required to have a Certified Public Accountant make a careful check of this budget to find out that it is loaded with fat, and that the figures were picked out of a hat. Look at the budget, and you will find nearly all round figures in it. A budget that shows economy would not be in round figures. I don't think anyone knows how this budget was computed. It would be worth the services of a Certified Public Accountant to check even the additions, because there is bound to be mistakes in computing a budget of a billion dollars or over, and I have never found, in my seventeen years in this General Assembly, that if any mistakes do occur, they are always in favor of the Administration.

No. Mr. President, I believe that the reason why the Governor does not want any outside interest to go over

his budget, including the Economy League and the Chamber of Commerce, is the fact that he is afraid that the Budget Controller's figures will be exposed.

Mr. President, the Governor asked us to point out where he can save money when he said he did not know where to cut it. I am showing him where he can cut \$40,418,000, which is a substantial sum. I intend to send him a copy of this speech just as soon as I am through, for him to study it. I am willing to debate it or discuss it with him in public or in private. This State must make a start in cutting down excessive spending. Let's not put it off until next session, but start this session. What's the difference of a few more months? As Legislators, let's demand proof for every dime that is spent. If we do that, we'll contribute much to the welfare of the Commonwealth of Pennsylvania and the future greatness of this great, great State.

Mr. HALUSKA. Mr. President, we have heard so much in the last nine months pertaining to the tax program. In fact, we have heard more outside the Chamber than within the Chamber. We always pick up a paper and find where so many Democrats have changed their minds with regard to the income tax program. So many men have been accused of making deals on both sides of the Chamber, which I think is very unfair. I think innocent people are being convicted before trial.

Mr. President, there is one solution to the problem. We all realize that we have a problem confronting us, and that is to pass a tax program. Why not bring it out on the floor, bring out the income tax as you bring out any other bill? No one knows how we are going to vote until we have the opportunity. If the bill is defeated, then bring out the package bill. I realize that I have responsibilities as one man in this Chamber, because I voted for appropriations for schools, for hospitals and down the line for State commitments. I stand ready to vote for taxation to meet those appropriations, but I cannot vote for it on hearsay. I cannot vote for the income tax, and as I said before, if forty-nine men vote for it, I will vote against it. That is my personal position. How my colleagues will vote, I do not know.

Mr. President, the rumor around this Chamber of certain men trying to deal, I think is very unfair and if they deal and if they vote accordingly, then you may draw your own conclusions, but I want to pay tribute, sincere tribute, to the eleven Republicans who have stood up and said, "We are against the income tax." They are men of courage. They will go down in history as men of courage, because throughout the years, under both Democratic and Republican administrations, we have found rubber stamps in this Chamber. Whenever the Governor would say "boo," everybody would jump. Today we have men with their own convictions, honest convictions, and despite the threats that come from the upper office that the ax will fall upon a patronage list when the Session is over, to the best of my knowledge these men have stood pat, and I think when the roll call comes on the income tax, they will stand pat. You must give credit, but let us do something.

Mr. President, month after month, week after week, and day after day we come in here and nothing comes before us. Let us bring the income tax out of committee, let us pass it or defeat it. If it is defeated, then you will know where the deals are. Then bring out the package



tax. We may pass all of it, we may pass part of it. If we pass part of it, then let us sit down together and think of another tax.

Mr. President, I am for the soft drink tax. I fought shoulder to shoulder with my colleague from Westmoreland County last Session, and, as near as I know, he is still against it. I voted for it, but realizing that I had commitments, I am ready to change my mind. I am ready to vote for it; not for one cent, for two cents. It will bring us in \$78,000,000 a biennium. That will take care of half of our program itself, and show me where you can buy a five-cent bottle of soft drink. Back in my town it was six cents, and now it is nine cents. The tax is off, it was taken off, but the pay roll is still intact. Some thirteen hundred or fifteen hundred people who were hired by the Governor to collect this tax, I am told, are still working. They may not be working, but collecting their pay.

Mr. President, I agree with my colleague from Allegheny, Mr. Holland, but he has only scratched the surface. The huge pay roll, if it were possible, and it may be, to pass a bill where anybody working for the State Government is not permitted to vote for any State official, you would find less patronage. They can vote for some other officers, but not for their bosses. Then the Governor or anybody else in power would have no hope of placing upon the pay roll thousands upon thousands of people.

Mr. President, I recall back in 1936, and many of my colleagues do, when Mason Owlett, then Senator from Tioga County, arose in place and yelled to the blue heaven about the twenty-five thousand people on the State pay rolls in Pennsylvania. The Democrats were in power then. We had thousands upon thousands of people on relief. We were compelled to initiate immediately the emergency offices. He knew that, but despite that knowledge he yelled about twenty-five thousand people on the pay rolls. Today we have prosperity like we never had before. Every able-bodied man is working. Not twenty-five thousand on the pay rolls today, but upward of fifty-five thousand. Why? Because they vote. If these people were not permitted to vote for the men who placed them in public office, there would be less men on the State pay rolls. So, along the lines of economy, as given by my colleague from Allegheny County, that could be added, but it is getting late in the year.

Mr. President, I would like to be home by Christmas. I doubt it the way we are going. So, let us bring out today or tomorrow the income tax first. That should have preference. That is the Governor's baby. If I were on that committee, I would vote to bring it out to give us here on the floor the opportunity to vote for it or against it, and then if that is defeated, Mr. President, let us bring out the package tax. Let us do something instead of dilly-dallying around here for nine months talking about it, accusing innocent people and getting nowhere.

Mr. WALKER. Mr. President, I just want to reply very briefly to the three speeches that have been made from the Minority Side under the heading of Petitions and Remonstrances. I very frankly want to say to my long standing friend and colleagues, Senator Barr, from Allegheny, I cannot answer in detail the gentleman's prepared speech until I have the opportunity to study it. I had a vague idea that the remarks were directed to me personally, because of his desire that I give him my un-

divided attention. I want to say to the gentleman from Allegheny, Senator Barr, that at no time have I ever heard anybody, directly or indirectly, suggesting that Senator Barr was ever a party to any deal for any legislation here on the Senate floor during the time he and I have been associated together. Now, Mr. President, I know, and I think that the vast majority of people in Allegheny County know, that as close friends as we might be personally, I have no illusions as to his political alliance, and I am not anticipating his undivided and unqualified support in November.

Now, Mr. President, when he suggests, and I say this as carefully as it could be said, that somebody is taking advantage of the innocent newspaper men here in Capitol Hill, I expected the roof to fall into this building. Nobody has ever taken advantage of them, and we are not going to raise the vice versa side of that question.

Now, Mr. President, with regard to Senator Haluska's comment, we appreciate his concern. We would like to go home for Christmas, too. When he speaks of prosperity, he is not taking an accounting over on this side of the aisle. We are not very prosperous over here. It has been a long time since we have had a chance to practice law back home, Mr. President, and, believe me, the cash register can show it.

Now, Mr. President, with Senator Holland's horseback appraisal of the budget, I sympathize with his intent. He is desirous of cutting down the cost of government. Mr. President, that operation he just performed was beautiful, but the patient died. It is easy to balance the budget by just tearing four or five pages right out of the book, and I would like to say to the gentleman from Allegheny, Senator Holland, that at no time would he find the majority unwilling to work on the question of economy step by step. The suggestions that he has made, it would take hours probably to analyze and debate them. I know Senator Holland is on the Appropriations Committee, and I feel confident, Mr. President, that he will be perfectly willing to attend the Appropriations Committee meetings and give that Committee the benefit of his recommendations and suggestions.

Now Mr. President, there is one thing I would like to correct for Senator Haluska's benefit. I had cause to check up on the number of employees that were attached to the Department of Revenue and specifically assigned to the collection of the soft-drink tax, and may I say to the gentleman from Cambria that I found, and I was pleasantly surprised and very happy to find, that when the tax expired with the expiration of the particular act involved, that about ninety per cent of the employees involved in that particular bureau were dropped from the pay roll, and I am sure if he would check that he will find that that is true.

Now, Mr. President, I see no need for us worrying about rumors on Capitol Hill. I have never spent a day on Capitol Hill that there was not at least one good fresh healthy rumor floating around, and I am sure at this late date none of us are going to be excited about rumors. There never was a bill passed that was the least bit controversial which did not carry with it some idea that a deal had been made, whether it was between friend or foe, Republican or Democrat.

Now, Mr. President, I am confident there was nothing personal in the remarks made by Senator Barr. Some of



the insinuations directed toward a group of Republicans who have not seen eye to eye with some of their colleagues on the flat income tax met with his disfavor. Now just to show you, Mr. President, how odd that can get, Senator Haluska praises them, Senator Barr dams them. That is just what you get for holding public office. I am sure Senator Barr's mail reflects praise and glory for the marvelous things he has done here on Capitol Hill, but at the same time he has received constructive criticism. I wish to assure the gentleman that anytime he is involved in a deal, it would not be in a back room but right out in the open. I appreciate the fact that he is not going to be with us in November, and I accept it on that basis, but let us continue the Allegheny County campaign back in Allegheny County and not bore the other sixty-six counties in the State with our local struggles.

Mr. HOLLAND. Mr. President, in answer to my dear colleagues, Senator Walker, I want to advise him that this was not a horseback audit of the budget, but was made by some men, very fine men, who knew a lot about the budget, and men who knew exactly what the State was doing. It was not my entire idea, but it was the entire idea of seven people. I would be very glad to have the Member from Allegheny County sit down with these seven people, and maybe they will convince him. I thought he was looking for economy, I thought he was looking for ways and means to cut the budget. These suggestions come from some people he talked to, too, and who spent hours in the three weeks of the recess on the budget. These are their recommendations, and we are willing to meet with anyone, including that wizard, Logan, at any time to show him he knows very little about the economy of Pennsylvania, whether it is the financial condition of the companies today, in their corporate net income tax, capital stock tax and all other taxes. They are very much underestimated, and I think his records show it. Back and forth from the days of Pinchot he was a wizard with a pencil, and I always have to repeat this, that figures never lie, but liars sometimes figure.

Mr. DENT. Mr. President and Members of the Senate, I am reminded at this time of the statement by Cordell Hull when he said that a lie will get halfway around the world before the truth gets its pants on.

#### SENATE CONCURRENT RESOLUTIONS

##### TIME OF NEXT MEETING

Mr. WOLFE, offered the following resolution, which was twice read, considered and agreed to:

In the Senate, September 24, 1951.

Resolved (if the House of Representatives concur) That when the Senate adjourns this week it reconvene on Monday, October 1, 1951, at three o'clock, p. m., E.S.T.; and when the House of Representatives adjourns this week it reconvene on Monday, October 1, 1951, at four-thirty, o'clock, p. m., E.S.T.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

#### RECALLING SENATE BILL No. 739 FROM THE GOVERNOR

Mr. WALKER offered the following resolution which was twice read, considered and agreed to:

In the Senate, September 24, 1951.

Resolved (if the House of Representatives concur), that Senate Bill No. 739, Printer's No. 546, entitled "An act providing for the construction by the General State Authority of an addition of a medical and surgical hospital building to the Philadelphia State Hospital on a site heretofore conveyed to it by the Mercy-Douglass Hospital and authorizing the Department of Property and Supplies to sublease said land and building to the Mercy-Douglass Hospital," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present same to the House of Representatives for concurrence.

#### RETURNING SENATE BILL No. 406 TO THE GOVERNOR WITHOUT AMENDMENT

Mr. WALKER offered the following resolution which was twice read, considered and agreed to:

In the Senate, September 24, 1951.

Resolved, (if the House of Representatives concurs) That Senate Bill No. 406, Printer's No. 137, entitled "An act to further amend Section 305 of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2017), entitled 'An act creating in each county (except of the first class) as a separate corporation, and in each city of the first and second class as a part of the government an institution district for the care and maintenance of certain indigent persons and children; prescribing the powers and duties of county commissioners, county treasurers, city departments of public welfare, the State Department of Welfare and the State Department of Public Assistance in respect thereto; abolishing certain poor districts and terminating the terms of directors, overseers, guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them; providing for the transfer, vesting, sale and disposition of the property of poor districts and the payment of their obligations; imposing certain existing obligations on institution districts and on the Commonwealth; regulating the affairs of poor districts until abolished; revising, amending changing and consolidating the law relating to the care of the poor and repealing existing laws,' by requiring the approval of the court of quarter sessions for the erection and alteration of institutions, and further prescribing the powers of the Department of Welfare," which was recalled from the Governor for the purpose of amendment on June 28, 1951, be returned to the Governor without amendment.

Ordered, That the Clerk present same to the House of Representatives for concurrence.

#### PERMISSION TO ADDRESS SENATE

Mr. RUTH asked and obtained unanimous consent to address the Senate.

Mr. RUTH. Mr. President, I would like to make a short statement in presenting a resolution.

When the smoke and prejudice of this era have died away and history will correctly evaluate the events of our time, I feel confident that the outstanding event of this period was the re-establishment of the Nation of Israel directly through a promise of God to the people of the world. At the present time and in the next few years, Israel is going to have a re-forestation program to plant millions of trees on the deserts around Jerusalem.

Mr. President, just recently the United States Government and the Nation of Israel signed the Friendship Pact. I believe it would be a fine gesture for the State of Pennsylvania, which is known as the "Forest State," with fifty-two per cent of its surface covered with woodland, in



presenting seedlings and seeds of our native Pennsylvania tree, the Hemlock, and, therefore, with the cooperation of my colleagues, Senator Walker, Senator Dent and Senator Chapman, I present the following resolution and move its immediate adoption.

#### SENATE RESOLUTION

#### JOINT STATE GOVERNMENT COMMISSION TO MAKE A STUDY OF WAYS AND MEANS FOR THE IM- PLEMENTATION OF THE AID OF THE DE- PARTMENT OF FORESTS AND WATERS TO THE PENN-ISRAEL AMITY WOOD- LAND PROJECT

Messrs. RUTH, WALKER, DENT and CHAPMAN offered the following resolution which was twice read, considered and agreed to:

In the Senate, September 24, 1951.

Whereas, the emergence of the State of Israel is the harbinger of a new area in the heretofore desolate lands of the Fertile Crescent of the fringe of the Arabian Desert and along the Mediterranean Sea, and

Whereas, the establishment of the State of Israel represents the realization of millennial dreams of the Jewish People for the in-gathering in a state of their own of exiles scattered in the lands of the Diaspora, and

Whereas, the pioneering spirit of the inhabitants of the State of Israel in vanquishing the desert and restoring to this ancient land its pristine fertility and bloom offers a definite affinity to the pioneering era in the history of our Nation, and

Whereas, the plough of the Jewish pioneer is rapidly restoring to the fields of Israel their ancient fertility that made that Land renowned in antiquity as one of the granaries of the Ancient World, and

Whereas, the hills of Judea and Galilee once densely wooded with mighty cedars became despoiled and denuded as a result of millennial neglect on the part of the backward rulers, adversely affecting thereby the water-level and the climate of the land, and

Whereas, the government of Israel has initiated an intensive program for the afforestation of the Land of Israel, and

Whereas, a segment of Pennsylvania's citizenry is planning now to initiate the planting of half a million trees suitable for the rocky hills of Judaea, preferably of the mighty hemlock, the official tree of the State of Pennsylvania, and

Whereas, the forestry-experts of Israel are conducting now experiments to ascertain the adaptability of the hemlock to the rocky soil of the Judean hills and to the climate of the land, and

Whereas, the area that will be covered by the projected half a million trees will embrace the hills surrounding the Holy City of Jerusalem and will symbolize the amity of the People of Pennsylvania and the fledgling State of Israel and is to be known as the Penn-Israel Amity Woodland, and

Whereas, as a bastion of Democracy on the fringe of chaos the State of Israel is of great service to the United States and to the United Nations as a bridgehead of order and civilization, and

Whereas, the help and succor extended by the American People to this fledgling state in its formative days and trying pangs of birth forged everlasting links of solidarity and mutual understanding, and

Whereas, the People of Pennsylvania follow with great admiration the rapid and unprecedented political, cultural and economic progress of the New State and the absorption therein of hundreds of thousands of refugees saved from annihilation in the vales of Death of Eastern Europe and the degrading casbahs of Arab Lands, and

Whereas, fully realizing and admiring the magnitude of the afforestation project to be known as the Penn-

Israel Amity Woodland, the citizenry of Pennsylvania is desirous to contribute its share to this commendable project, and

Whereas, the nurseries of the Department of Forests and Waters of the Commonwealth of Pennsylvania can be of an immeasurable help to the planting of the trees in the Penn-Israel Amity Woodland by supplying seeds and seedlings of the hemlock tree or other trees suitable to planting on the hills of Judaea

Now therefore be it resolved, that in order to express the solidarity of the People of Pennsylvania with the fledgling State of Israel and contribute towards the success of the Penn-Israel Amity Woodland in the hills of Jerusalem, the Senate of the General Assembly of Pennsylvania does hereby direct the Joint State Government Commission to undertake the study of ways and means for the implementation of the aid of the Department of Forests and Waters to the Penn-Israel Amity Woodland project and prepare suitable legislation for submission to the General Assembly of Pennsylvania in January, 1953.

#### REPORTS FROM COMMITTEES

Mr. CROWE. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CROWE, from the Committee on Mines and Mining, reported as committed, Senate Bill No. 863, entitled:

An Act to amend the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 912), entitled "An act to regulate the drilling, and abandoning of oil and gas wells, and providing a penalty for violation of the provisions of this act," by requiring the approval of the Department of Mines, authorizing injunctions and changing the disposition of fines.

Mr. BLASS. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BLASS, from the Committee on Judiciary General, reported as committed, Senate Bill No. 851, entitled:

An Act to amend Section 16 of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1237), entitled "An act affecting marital relations; prescribing grounds and regulating proceedings for divorce and the annulment of bigamous marriages; and amending, revising, and consolidating the law relating thereto," by further defining residence of the libellant.

Mr. WOOD. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WOOD, from the Committee on Finance, re-reported as amended, House Bill No. 840, entitled:

An Act imposing an income tax on residents of Pennsylvania as herein defined including trust and estates and on income of nonresidents derived from property business or other sources in Pennsylvania defining taxable income and requiring filing of returns thereof providing for the assessment collection and lien of said tax providing for administration and enforcement of the act by the Department of Revenue conferring powers and imposing duties on certain persons fiduciaries partnerships associations corporations political subdivisions State officers employees and department savings certain local taxes and authorizing amendments, extensions and supplements to the ordinances and resolutions relating thereto and imposing penalties and restricting the use of the moneys derived from said tax.



He also, from the Committee on Finance reported as committed, House Bill No. 1416, entitled:

An Act to amend the act approved the eighteenth day of April one thousand nine hundred forty-nine (P. L. 512) entitled "An act relating to the administration and distribution of decedents' estates trust estates minors' estates and absentees' estates both as to real and personal property and the procedure relating thereto including the disposition of such estates or portions thereof and the determination of title thereto without the appointment of a fiduciary in certain cases the appointment bond removal and discharge of fiduciaries of such estates their powers duties and liabilities the rights of persons dealing with such fiduciaries and the rights of persons claiming an interest in such estates or in property distributed therefrom whether as claimants or distributees and containing provisions concerning guardians of the person of minors the powers duties and liabilities of sureties and of foreign fiduciaries the abatement survival and control of actions and rights of action and the presumption of death and also generally dealing with the jurisdiction powers and procedure of the orphans' court and of the register of wills in all matters relating to fiduciaries" by providing for the examination of safe deposit boxes rented in the names of decedents by an appraiser appointed by the Secretary of Revenue.

He also, from the Committee on Finance reported as committed, House Bill No. 1699, entitled:

An Act to further amend the title and the act approved the twentieth day of June one thousand nine hundred nineteen (P. L. 521) entitled as amended "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death defining and taxing transfers made in contemplation of death defining as a transfer and taxing the right of survivorship in property as to which such right exists and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal" by imposing duties on surviving parties and banks or other institutions or depositories of joint accounts or accounts in trust and by adding a new section pertaining to the opening and examining of safe deposit boxes of decedents and providing penalties.

He also, from the Committee on Finance reported as committed, House Bill No. 1698, entitled:

An Act to provide revenue by imposing a State tax upon certain documents prescribing and regulating the method and manner of evidencing the payment of such tax conferring powers and imposing duties upon certain persons partnerships associations and corporations recorders of deeds and the Department of Revenue saving certain local taxes and authorizing amendments extensions and supplements to the ordinances and resolutions relating thereto and providing penalties.

#### PERMISSION TO ADDRESS SENATE

Mr. WOLFE asked and obtained unanimous consent to address the Senate.

Mr. WOLFE. Mr. President, I desire at this time to read a letter of commendation from the North Central Division, Pennsylvania Federation of Sportsmen's Clubs, comprising the Counties of Cameron, Clearfield, Elk Jefferson, McKean and Potter, addressed to the Honorable

Arthur C Blass, Chairman of Senate Committee on Forests and Waters, Fish and Game. The letter reads as follows:

"Dear Blass":

"The officers and members of the North Central Division of the Pennsylvania Federation of Sportsmen's Clubs was to express to you, the members of your committee and to all the members of the State Senate, their thanks and appreciation for your efforts in having the laws that were approved by the State Federation enacted into law.

"At our meeting of August 5, 1951, a resolution was adopted that the thanks of the sportsmen of our division be sent to you and your committee for your efforts in our behalf. Below is a copy of the resolution that was adopted for your further information.

"RESOLVED: That the officers and members of the North Central Division of the Pennsylvania Federation of Sportsmen's Clubs express their thanks and appreciation to the Hon. Arthur C Blass, Chairman, Senate Committee on Game and Fish, and to the Hon. George A Goodling, Chairman, Game and Forestry Committee of the House of Representatives, and the members of their committees, and to all the members of the State Legislature for their efforts in having the laws that were approved by the Pennsylvania Federation of Sportsmen's Clubs enacted into law.

"APPROVED: August 5, 1951

"NORTH CENTRAL DIVISION

"PENNSYLVANIA FEDERATION OF SPORTSMEN'S CLUBS

"H. E. DuBroux, Division Secretary"

Mr. President, I would like this communication to be made a part of the record of the Senate. It is so seldom that we have commendation for our efforts, and this is the first that I have received in my ten years as a Senator.

The PRESIDENT. The communication will be spread upon the Journal.

#### CALENDAR

BILL ON CONCURRENCE IN HOUSE AMENDMENTS  
RECALLED FROM THE GOVERNOR

Agreeably to order,

The Senate resumed the consideration of House Bill No 548, as follows:

An Act to amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by providing penalties for removal or



transfer of certificates of inspection from vehicles and official inspection stations

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1 That act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" is hereby amended by adding after Section 823 thereof a new section to read as follows

\* \* \* \* \*

Section 823.1 Transfer or removal of certificates of inspection it shall be unlawful for any person to remove an official certificate of inspection from the vehicle for which it is issued except for the purpose of replacing it with a currently valid certificate of inspection issued in conformity with the provisions of the act or to transfer a certificate of inspection from the vehicle for which it was issued to another vehicle or to take or remove any official certificate of inspection from any official inspection station to which issued for any other purpose than of affixing the same to a vehicle inspected by the official inspection station to which issued in conformity with the provisions of this act or returning the same to the Department of Revenue provided that a peace officer may summarily remove an unlawfully issued official certificate of inspection from any vehicle

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of not less than fifty dollars (\$50) nor more than one hundred dollars (\$100) and cost of prosecution and in default of the payment thereof undergo imprisonment for thirty (30) days

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO HOUSE BILL No. 548 RECALLED FROM THE GOVERNOR

Mr. WALKER, Mr. President, I move that the Senate do concur in the amendments made by the House to House Bill No. 548, recalled from the Governor.

Mr. KEPHART, Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane, Haluska, McMenamin, Stevenson,

Barr,  
Barrett,  
Berger,  
Blass,  
Byrne,  
Chapman,  
Crowe,  
Dent,  
Diehm,  
DiSilvestro,  
Fleming,  
Freed,

Hare,  
Holland,  
Kephart,  
Kessler,  
Lane,  
Leader,  
Letzler,  
Mahany,  
Mallery,  
McCreesh,  
McGinnis,

Meade,  
Neff,  
Pechan,  
Peelor,  
Propert,  
Robinson,  
Rosenfeld,  
Ruth,  
Scarlett,  
Silvert,  
Snowden,

Stiefel,  
Taylor,  
Toole,  
Wade,  
Wagner,  
Walker,  
Watkins,  
Watson,  
Wolfe,  
Wood,  
Yosko,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS RECALLED FROM THE GOVERNOR

Agreeably to order,

The Senate resumed the consideration of House Bill No. 815, as follows:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within Section 2 Section 503 of said act as amended by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by providing that the Department of Revenue shall furnish one registration plate for every registered vehicle

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1 Subsection (a) of Section 501 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amen-



ded by the act approved the sixth day of May one thousand nine hundred forty-three (P. L. 172) is hereby further amended to read as follows

#### Section 501 Registration Plates to be Furnished by Department

(a) The department shall furnish [to every owner whose motor vehicle is registered and for each registration applied for by a manufacturer jobber or dealer in motor vehicles trailers or semi-trailers two registration plates and] one registration plate to every owner of a registered motor vehicle trailer semi-trailer motorcycle or bicycle with motor attached and for each registration applied for by a manufacturer jobber or dealer in motor vehicles trailers semi-trailers motorcycles or bicycles with motor attached [one registration plate]

Section 2 Section 503 of said act as amended by the act approved the twenty-seventh day of June one thousand nine hundred thirty-nine (P. L. 1135) is hereby further amended to read as follows

#### Section 503 How Registration Plates Carried on Motor Vehicles

[Every] The registration plate shall at all times be securely fastened to the rear of the vehicle to which it is assigned or on which its use is authorized [one on the front the other on the rear except that for motorcycles bicycles with motor attached trailers and semi-trailers the single plate shall be on the rear]

No plate shall be attached at a height less than twelve (12) inches from the ground measuring from the bottom of such plate nor shall any plate be obscured

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of ten (\$10) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

Section 3 Subsection (a) of Section 505 of said act is hereby amended to read as follows

#### Section 505 Lost Defaced or Substituted Registration Plates

(a) In the event of the loss of [one or both] A registration [plates] plate or if a plate[or plates become] become so defaced that the numerals or letters thereon are illegible it shall be the duty of the owner of the motor vehicle trailer or semi-trailer for which the same [were] was issued to apply to the department for a new [plates] plate within forty-eight (48) hours of his discovery of the loss or defacement of such plate [or plates]

Section 4 Section one of this act shall become effective immediately upon final enactment but shall not apply to the current registration year section two of this act shall become effective on the fifteenth day of the month preceding the registration year commencing in one thousand nine hundred fifty-two section three of this act shall become effective the first day of the registration year commencing in one thousand nine hundred fifty-two

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

#### SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO HOUSE BILL No. 815, RECALLED FROM THE GOVERNOR

Mr. WALKER, Mr. President, I move that the Senate do concur in the amendments made by the House to House Bill No. 815, recalled from the Governor.

Mr. WOLFE, Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Stevenson,
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peelor,	Wade,
Byrne,	Lane,	Propert,	Wagner,
Chapman,	Leader,	Robinson,	Walker,
Crowe,	Letzler,	Rosenfeld,	Watkins,
Dent,	Mahanay,	Ruth,	Watson,
Diehm,	Mallery,	Scarlett,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko.
Freed,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### BILLS ON CONCURRENCE IN HOUSE AMENDMENTS RECALLED FROM THE GOVERNOR

Agreeably to order,

The Senate resumed the consideration of House Bill No. 1348, as follows:

An Act to amend Section 1 of the act approved the eighth day of May one thousand nine hundred one (P. L. 150) entitled "An act providing for the raising of revenue for State purposes by imposing upon certain foreign corporations limited partnership and joint-stock associations a bonus of one-third of one per centum upon the capital actually employed in Pennsylvania and requiring the filing of certain reports in the office of the Auditor General" by exempting from the provisions thereof foreign nonprofit corporations. The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1 Section 1 of the act approved the eighth day of May one thousand nine hundred one (P. L. 150) entitled "An act providing for the raising of revenue for State purposes by imposing upon certain foreign corporations limited partnership and joint-stock associations a bonus of one-third of one per centum upon the capital actually employed in Pennsylvania and requiring the filing of certain reports in the office of the Auditor General" is hereby amended to read as follows

Section 1 Be it enacted &c That from and after the passage of this act all corporations limited partnerships or joint stock associations except foreign insurance companies and foreign nonprofit corporations which do not have any capital stock and which shall have been issued a certificate of authority to do business from the Department of State chartered or created by or under the laws of any other State or of the United States or of any foreign country whose principal office or chief place of business is located in this Commonwealth or which have any part of their capital actually employed wholly within this State in addition to complying with the laws now in force as to such corporations limited partnership or joint-stock associations shall pay to the State Treasurer for the use of the Commonwealth a bonus of one-third of one per centum upon the amount of their capital actually employed or to be employed wholly within the State of Pennsylvania and a like bonus upon each subsequent increase of capital so employed

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

#### SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO HOUSE BILL No. 1348, RECALLED FROM THE GOVERNOR



Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to House Bill No. 1348, recalled from the Governor.

Mr. LETZLER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Bane,	Haluska,	McMenamin,	Stevenson,
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peelot,	Wade,
Byrne,	Lane,	Propert,	Wagner,
Chapman,	Leader,	Robinson,	Walker,
Crowe,	Letzler,	Rosenfeld,	Watkins,
Dent,	Mahany,	Ruth,	Watson,
Diehm,	Mallery,	Scarlett,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,			

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### BILL ON CONCURRENCE IN HOUSE AMENDMENTS

#### BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 615, on concurrence in House amendments, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by increasing annual registration fees for certain commercial motor vehicles truck tractors trailers and semi-trailers prescribing additional equipment requirements for certain vehicles increasing the maximum gross weights and axle loads allowed for certain vehicles changing the requirements for weighing vehicles removal of excess loads and prescribing and changing penalties providing that certain penalties shall be enforced by liens upon vehicles and the sale of such vehicles free of all liens and encumbrances and imposing duties upon operators owners magistrates and sheriffs

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

#### REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 757

The Senate proceeded to the consideration of the report of Committee on Conference on House Bill No. 757, as follows:

#### REPORT OF THE COMMITTEE OF CONFERENCE ON HOUSE BILL No. 757

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 757, entitled: "An act to add Article XVI-A to the act, approved the seventh day of March, one thousand nine hundred one (P. L. 20) entitled 'An act for the government of cities of the second class,' by providing for the establishment of a municipal traffic court in cities of the second class."

Respectfully submit the following bill as our report:

ROBERT D. FLEMING,  
JOHN M. WALKER,  
JOSEPH M. BARR,  
(Committee on the part of the Senate.)

JOSEPH P. RIGBY,  
DANIEL A. VERONA,  
GEORGE W. COOPER,

(Committee on the part of the House of Representatives.)

An Act to add Article XVI-A to the act approved the seventh day of March one thousand nine hundred one (P. L. 20) entitled "An act for the government of cities of the second class" by providing for the establishment of a municipal traffic court in cities of the second class

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1 The act approved the seventh day of March one thousand nine hundred one (P. L. 20) entitled "An act for the government of cities of the second class" is hereby amended by adding after Article XVI thereof a new article to read as follows

#### Article XVI-A

#### Municipal Traffic Court

Section 1 Traffic Courts Established in Cities of the Second Class Jurisdiction In each city of the second class there is hereby established a court not of record to be called the "Municipal Traffic Court of the City of \_\_\_\_\_"

The court hereby created notwithstanding any provision of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) known as the vehicle code or of any other law to the contrary shall have jurisdiction in all prosecutions for summary offenses and the preliminary proceedings in prosecutions for indictable offenses arising under the vehicle code or any municipal ordinance of such city enacted pursuant thereto committed within the corporate limits of such city

Section 2 Composition of Municipal Traffic Court The municipal traffic court shall be held by such police magistrates as shall be assigned thereto from time to time by the mayor of such city one of whom shall be designated by the mayor as presiding magistrate of traffic court The presiding magistrate shall preside over and supervise the work of the municipal traffic court

Section 3 Powers of the Magistrates of the Municipal Traffic Court All magistrates of the municipal traffic court in each city of the second class shall have full and complete jurisdiction power and authority to receive and take criminal informations on oath or affirmation of and subscribe to by the affiant accusing any person or persons



of the commission of any summary offense or felony or misdemeanor arising under the vehicle code or any ordinance enacted pursuant thereto committed within the corporate limits of the city in which the said municipal traffic court has jurisdiction and to administer oaths issue summonses subpoenas and warrants for the arrest of the accused and hear and decide all such summary offenses impose fines and costs of prosecution and to commit to jail in default of the payment thereof and hold preliminary hearings and prosecutions for indictable offenses under the vehicle code and any local ordinance enacted pursuant thereto and commit to jail or bind over for trial at the next term of the proper court of the county or discharge such accused person or persons as the evidence produced at such preliminary hearing or hearings may warrant

Section 4 Necessary Facilities and Supplies to be Furnished by City It shall be the duty of each second class city to supply and pay for whatever may be necessary for the transaction of the business of the said municipal traffic court and to supply all proper court rooms chambers and accommodations including waiting rooms lavatories conference rooms dockets blanks books legal blanks stationery furniture and equipment and such law books as may be certified by the traffic court magistrates to be necessary for the use of the municipal traffic court and to pay all salaries compensations expenses and disbursements that are herein or are otherwise authorized by law and it shall be the duty of the council of the city to appropriate annually a sum sufficient to pay such salaries compensations expenses and disbursements The court rooms chambers waiting rooms lavatories conference rooms accommodations furniture and equipment to be supplied shall be of such character and be kept in such condition of repair cleanliness and useful service at the expense of the city as the traffic court magistrates shall determine to be necessary or desirable

Section 5 Clerk of Municipal Traffic Court Assistants compensation a clerk of the municipal traffic court hereby created by whatsoever title he may be designated and all necessary assistants shall be appointed and their compensation and duties fixed in the manner provided by law which compensation shall be paid out of the treasury of such city in the same manner as other expenses are paid by law The clerk shall have custody of the seal as well as the docket of the court and all papers pertaining to the business of the court

Section 6 Seal of Municipal Traffic Court Custody The municipal traffic court shall have a seal for the use of said court which shall contain the name of the court and the word "Seal" which seal shall be affixed to all processes summonses informations warrants transcripts and other official certificates issued by or under the order of said court

Section 7 Business Hours of Municipal Traffic Court The municipal traffic court shall be open for the transaction of business at such time as shall be designated by ordinance and shall be under the supervision of the presiding magistrate In the absence of the presiding magistrate the magistrate then presiding shall have such supervision

Section 8 City Solicitor to Assign Prosecuting Attorney Upon Request of Presiding Magistrate The city solicitor shall upon request of the presiding magistrate assign a member of his staff to prosecute any proceeding jurisdiction of which is conferred upon the municipal traffic court hereby created

Section 9 Costs Magistrates' Fees Disposition Costs taxable in proceedings before the municipal traffic court shall include magistrates' fees as allowed by law which fees shall be paid by the clerk into the city treasury daily and other costs as allowed by law but shall not include witness fees for police officers

Section 10 Rules of Practice Within sixty (60) days after this act takes effect it shall be the duty of the magistrates of the municipal traffic court to prepare and submit to the judges of the county court or if there be no county court in the county in which the municipal traffic court is situate then the judges of the court of quarter sessions thereof rules and regulations for the practice and

procedure in and the conduct of the business of the municipal traffic court which shall become valid and binding as such when the same are approved by a majority of the judges of the county court or the court of quarter sessions as the case may be If the magistrates of the municipal traffic court shall fail or neglect to prepare such rules and regulations and submit the same to the judges of the county court or the court of quarter sessions as the case may be it shall be the duty of said judges of their own motion to promulgate such rules and regulations which shall be the official rules and regulations of the municipal traffic court Said rules and regulations may be altered amended or repealed by the magistrates of the municipal traffic court or by the judges of the county court or if there be no county court then by the judges of the court of quarter sessions and such rules and regulations promulgated as they may deem necessary and proper

Section 11 Annual Report On or before the twentieth day of January of each year in addition to the reports and audits now or hereafter required by municipal officers by law or ordinance the presiding magistrate of the municipal traffic court shall make written report to the mayor of the city with respect to the business of the court during the preceding calendar year Copies of said report shall be furnished each member of council the city controller each judge of the county court or if there be no county court then of the court of quarter sessions and the Secretary of Revenue of the Commonwealth

Section 2 All acts and parts of acts are hereby repealed in so far as they are inconsistent with the provisions of this act

Section 3 The provisions of this act shall become effective immediately upon final enactment

On the question,

Will the Senate adopt the report of the Committee of Conference?

#### SENATE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 757

Mr. WALKER. Mr. President, I move that the Senate adopt the report of the Committee of Conference on House Bill No. 757.

Mr. MALLERY. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bane,	Haluska,	McMenamin,	Stevenson,
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peelor,	Wade,
Byrne,	Lane,	Propert,	Wagner,
Chapman,	Leader,	Robinson,	Walker,
Crowe,	Letzler,	Rosenfeld,	Watkins,
Lent,	Mahany,	Ruth,	Watson,
Diehm,	Mallery,	Scarlett,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### THIRD READING CALENDAR BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,



The Senate proceeded to the third reading and consideration of House Bill No. 28, as follows:

An Act to further amend section 703 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by changing the compensation paid to township commissioners

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 703 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" as reenacted and last amended by the act approved the twenty-seventh day of May one thousand nine hundred forty-nine (P. L. 1955) is hereby further amended to read as follows

Section 703 Compensation Each township commissioner shall receive a salary of not more than [two] four hundred dollars per year in townships having a population of less than four thousand not more than [three] six hundred dollars per year in townships having a population of four thousand and more but less than ten thousand and not more than [four] eight hundred dollars per year in townships having a population of ten thousand and more but less than fifteen thousand not more than [five hundred] one thousand dollars in townships having a population of fifteen thousand or more but less than twenty thousand and not more than [six] twelve hundred dollars in townships having a population of twenty thousand or more Such salaries shall be payable quarterly as full compensation for the duties imposed by the provisions of this act

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Bane,	Haluska,	McMenamin,	Stevenson,
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peelor,	Wade,
Byrne,	Lane,	Probert,	Wagner,
Chapman,	Leader,	Robinson,	Walker,
Crowe,	Letzler,	Rosenfeld,	Watkins,
Dent,	Mahany,	Ruth,	Watson,
Diehm,	Mallery,	Scarlett,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,			

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 274, as follows:

An Act to further amend Section 1001 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by increasing the compensation of the township auditors

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1001 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" as reenacted and amended by the act approved the twenty-seventh day of May one thousand nine hundred forty-nine (P. L. 1955) is hereby further amended to read as follows

Section 1001 Meetings General Duties Compensation The auditors of townships shall meet annually on the day following the day which is fixed by this act for the organization of the township commissioners and shall audit settle and adjust the accounts of the township commissioners township treasurer tax collector secretary and other officers and persons receiving and disbursing or authorizing the disbursement of the moneys of the township during the preceding fiscal year The auditors shall make an audit of the dockets transcripts and other official records of the offices of the justices of the peace of the township to determine the amounts of fines and costs paid or due to the township All justices of the peace shall open and make available to the auditors their dockets transcripts records and all other official books or papers for the purpose of the audit Provided That in any case where a justice of the peace charges a fine contrary to ordinances or to any act which makes such fine payable to the township the said auditors have the power to surcharge such justices of the peace in any amount or amounts undercharged as set forth in said ordinances or act Two auditors shall constitute a quorum Each auditor shall receive [six dollars (\$6)] ten dollars (\$10) per diem for each day necessarily employed in the duties of his office to be paid out of funds of the township A day shall consist of not less than five hours in the aggregate In completing their audit the auditors shall not be employed more than the following number of days In townships having a population of less than three thousand twenty days in townships have a population of three thousand and more but less than ten thousand thirty days and in townships having a population of ten thousand and more forty days

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Bane,	Haluska,	McMenamin,	Stevenson,
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peelor,	Wade,
Byrne,	Lane,	Probert,	Wagner,
Chapman,	Leader,	Robinson,	Walker,
Crowe,	Letzler,	Rosenfeld,	Watkins,
Dent,	Mahanay,	Ruth,	Watson,
Diehm,	Mallery,	Scarlett,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,			

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 652, as follows:

An Act to further amend the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school em-



ployes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by providing credit for retirement purposes for out-of-state service in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" is hereby amended by adding after Section 11 a new section to read as follows

Section 11.1 Any contributor who has had service in states territories or areas under the jurisdiction of the United States besides this Commonwealth as an employee in any public school or institution for a period of at least one year and who (i) submits proof satisfactory to the retirement board of all or part of such service (ii) files an affidavit in the form prescribed by the retirement board stating that he or she is not entitled to a deferred retirement allowance for such service and in the case of contributors becoming members after the effective date of this amending act that he or she has not forfeited any vested right to a deferred retirement allowance for such service and (iii) pays or agrees to pay as hereinafter provided into the School Employees Retirement Fund an amount equal to the contributions which would have been collected from such contributor for the period of such service had such service been rendered in this Commonwealth at his or her earnable salary for the school year in which application for credit for out-of-state service is made figured at the contributors current percentage of salary deduction together with an additional amount as the equivalent of the contributions of the school district and the Commonwealth on account of such service shall be credited with such years of service for retirement purposes Such credit shall not exceed ten years nor the number of years between the age of the contributor at the time he or she becomes a member and the age at retirement nor the number of years of credited service in this Commonwealth

Application in writing for such credit must be made to the retirement board within three years after the applicant becomes a member of the retirement system or in the case of applicants who are members on the effective date of this amending act within three years from that date

The contributions required to be paid for such service credit may be paid in a lump sum or by installments or by an increased rate of contributions agreed upon by the contributor and the retirement board Installment payments must begin within the period of five years from the effective date of this act or before the contributor has completed five years of service in this Commonwealth In the event that a contributor withdraws from the retirement system or retires on superannuation or disability retirement before such contributions are fully paid the employes' annuity and his state annuity shall be credited with the number of years of out of state service or fractional parts thereof for which he has purchased credit to the date of application for retirement Any contributor who has purchased an annuity under

the provisions of subsection six point one of section eight of this act may forfeit such annuity and direct that the money paid into the School Employees Retirement Fund therefor be applied to the contributions required by this section

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Bane,	Haluska,	McMenamin,	Stevenson,
Barr,	Hare,	Meade,	Stiefel,
Barratt,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peelor,	Wade,
Byrne,	Lane,	Probert,	Wagner,
Chapman,	Leader,	Robinson,	Walker,
Crowe,	Letzler,	Rosenfeld,	Watkins,
Dent,	Mahanay,	Ruth,	Watson,
Diehm,	Mallery,	Scarlett,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed			

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

### BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 726, on third reading, entitled:

An Act to amend the title and further amend Subsections A C and E of Section 1 of the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 1145) entitled "An act empowering cities of the second class cities of the second class A cities of the third class boroughs towns townships of the first class school districts of the second class school districts of the third class and school districts of the fourth class to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes and permitting penalties to be imposed and enforced providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court" by extending the provisions thereof to include townships of the second class as to certain taxes

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

### BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 831, as follows:

An Act to further amend the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement



board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by further extending the time for present employees to elect to be covered by the retirement system and granting retirement rights to certain additional persons who have withdrawn from and returned to school service

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause 1 of Section 3 and subsection 2 of Section 12 of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as last amended by the act approved the ninth day of May one thousand nine hundred forty-nine (P. L. 966) are hereby further amended to read as follows

#### Employees' Retirement Association

Section 3 A school employees' retirement association is hereby organized the membership of which shall consist of the following

1 All present employees—including employees in the Pennsylvania Institution for the Instruction of the Blind Overbrook Philadelphia Pennsylvania the Western Pennsylvania Institution for the Blind Pittsburgh Pennsylvania the Pennsylvania Institution for the Deaf and Dumb Mount Airy Philadelphia Pennsylvania and the Western Pennsylvania Institution for the Instruction of the Deaf and Dumb Wilkensburg Pennsylvania—except those specifically excluded by paragraph three of this section who by written application to the Superintendent of Public Instruction shall elect before the first day of July nineteen hundred and [fifty-one] fifty-three to be covered by the retirement system Provided That such employee shall at the time of making such application pay into the School Employees' Retirement Fund to the credit of the employees' annuity savings account as provided for in paragraph number six of section eight of this act an amount equal to what would have been at that date the contributions from the salary of such employee had the election to be covered by the retirement system been made prior to the first day of July nineteen hundred and nineteen

#### Withdrawal

Section 12 \* \* \* \* \*

2 Should an employee so separated from the school service return within five years and restore to the School Employees' Retirement Fund to the credit of the annuity savings account his or her accumulated deductions as they were at the time of his or her separation the annuity rights forfeited by him or her at that time shall be restored

Each employee who separated from school service at any time and shall have returned or shall return to school service prior to July first one thousand nine hundred and [fifty-one] fifty-three shall at retirement for superannuation be entitled to have full credit for each year of service in the public schools of Pennsylvania Provided

(a) He or she shall have rendered not less than fifteen years of service in the public schools of Pennsylvania prior to the retirement and

(b) He or she shall have restored to the School Employees'

Retirement Fund to the credit of the annuity savings account before the first day of July one thousand nine hundred [fifty-one] fifty-three his or her accumulated deductions as they were at the time of his or her separation

Each employee who separates from school service after the first day of July one thousand nine hundred and thirty-eight and who returns to school service after a longer absence than five years shall have his or her annuity rights restored in accordance with the provisions of this paragraph provided he or she fulfills the conditions named in paragraph (a) of this clause and provided he or she shall have restored to the School Employees' Retirement Fund to the credit of the annuity savings account within two years after such return to service his or her accumulated deductions as they were at the time of his or her separation and in addition thereto shall have left with the retirement board at least twenty per centum of his or her accumulated deductions at the time of his or her separation and shall return to service prior to the age of sixty years

Notwithstanding any other provisions of this act any employee who shall have rendered service in the public schools of Pennsylvania prior to the first day of July one thousand nine hundred nineteen and has not been given credit for such service shall at retirement for superannuation be given full credit for each year of such prior service and shall receive for such prior service a further State annuity to be computed in the same manner as is herein provided for present employees

In no case shall an employee who has separated from school service and who later returned to school service after five or more years of absence be eligible to retirement on account of disability until he or she shall have rendered at least three years of service subsequent to such return

In any case the restoration of the accumulated deductions provided herein may be made by the payment of a lump sum or any actuarial equivalent approved by the retirement board

Subject to such rules and regulations as the retirement board may adopt the provisions of this act shall be applicable beginning July first one thousand nine hundred and twenty-five to all who are on the retired list of Pennsylvania public school employees at the time this bill becomes a law

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Bane,	Haluska,	McMenamin,	Stevenson.
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peelor,	Wade,
Byrne,	Lane,	Probert,	Wagner,
Chapman,	Leader,	Robinson,	Walker,
Crowe,	Letzler,	Rosenfeld,	Watkins,
Dent,	Mahanay,	Ruth,	Watson,
Diehm,	Mallery,	Scarlett,	Wolf,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,			

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.



Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 840, as follows:

An Act to amend the title and Section 1 of the act approved the tenth day of August one thousand nine hundred fifty-one (P. L. Act No. 265) entitled "An act regulating the appointment promotion suspension reduction removal and reinstatement of employes (except superintendents assistant superintendents inspectors and chief clerks) in bureaus of police in cities of the second class and defining the powers and duties of civil service commission in such cities for such purposes" by excepting therefrom certain women police and school guards

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title and Section 1 of the act approved the tenth day of August one thousand nine hundred fifty-one (P. L. Act No. 265) entitled "An act regulating the appointment promotion suspension reduction removal and reinstatement of employes (except superintendents assistant superintendents inspectors and chief clerks) in bureaus of police in cities of the second class and defining the powers and duties of civil service commissions in such cities for such purposes" are hereby amended to read as follows

#### An Act

Regulating the appointment promotion suspension reduction removal and reinstatement of employes [(except superintendents assistant superintendents inspectors and chief clerks)] with certain exceptions in bureaus of police in cities of the second class and defining the powers and duties of civil service commissions in such cities for such purposes

Section 1 All positions in the bureau of police except as hereinafter provided in cities of the second class shall be in the competitive class of the civil service of such cities This act shall not apply to or include superintendents of police under the direction of the department of public safety by whatever title [his] their position may be designated nor [his ranking assistant superintendent] assistant superintendents by whatever title [his] their position may be designated nor to women police captains women police lieutenants women police and school guards nor to the inspectors or chief clerk in bureaus of police in such cities

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Bane,	Haluska,	McMenamin,	Stevenson,
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peelor,	Wade,
Byrne,	Lane,	Propert,	Wagner,
Chapman,	Leader,	Robinson,	Walker,
Crowe,	Letzler,	Rosenfeld,	Watkins,
Dent,	Mahanay,	Ruth,	Watson,
Diehm,	Mallery,	Scarlett,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,			

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 842, as follows:

An Act to amend Section 1673 of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" by further regulating publication of notice of land subdivision ordinances

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1673 of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" as added by the act approved the nineteenth day of July one thousand nine hundred fifty-one (Act No. 217) is hereby amended to read as follows

Section 1673 Public Hearing Publication No such regulations shall be adopted until after a public hearing shall have been held by council in relation thereto at which parties in interest and citizens shall have an opportunity to be heard Notice of the time and place of such hearing shall be published once a week for two successive weeks in one newspaper in the county The provisions of the ordinance need not be advertised as in other cases A brief summary setting forth the principal provisions of the proposed ordinance and a reference to the place or places within the borough where copies of the proposed ordinance may be examined shall be incorporated in the notice of the hearing

Section 2 The provisions of thisw act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Bane,	Haluska,	McMenamin,	Stevenson,
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peelor,	Wade,
Byrne,	Lane,	Propert,	Wagner,
Chapman,	Leader,	Robinson,	Walker,
Crowe,	Letzler,	Rosenfeld,	Watkins,
Dent,	Mahanay,	Ruth,	Watson,
Diehm,	Mallery,	Scarlett,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,			

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 845, as follows:

An Act to further amend Rule 12 and to amend Rule 14 of Article XII of the act approved the second day of June one thousand eight hundred ninety-one (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" by authorizing the use of roof bolts and other practical devices in working places

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows



Section 1 Rule 12 of Article XII of the act approved the second day of June one thousand eight hundred ninety-one (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anhracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" as last amended by the act approved the twenty-first day of June one thousand nine hundred forty-seven (P. L. 792) is hereby further amended to read as follows

#### Article XII

##### General Rules

The following general rules shall be observed in every mine to which this act applies

\* \* \* \* \*

Rule 12 The mine foreman or his assistant shall visit and examine every working place in the mine every working day while the men of such place are or should be at work and shall direct that each and every working place is properly secured by props or timber roof bolts or such other practical devices as may serve to secure the safety of the workmen and that safety in all respects is assured by directing that all loose coal or rock shall be pulled down or secured and that no person shall be permitted to work in an unsafe place unless it be for the purpose of making it secure and a report of said examination shall be recorded in a book without delay kept at the colliery for that purpose and signed by the person making the same and countersigned within a period of one week by the mine foreman All such reports shall be made and signed at the end of each shift Providing however If the mine is idle forty-eight (48) hours or more the mine foreman or his assistant shall examine every working place the day before operations are resumed and all such entries shall be made and signed in ink in a manner similar to that heretofore described

Section 2 Rule 14 of Article XII of said act is hereby amended to read as follows

#### Article XII

##### General Rules

The following general rules shall be observed in every mine in which this act applies

\* \* \* \* \*

Rule 14 Any person having charge of a working place in any mine shall keep the roof and sides thereof properly secured by timber roof bolts or otherwise so as to prevent such roof and sides from falling and he shall not do any work or permit any work to be done under loose or dangerous material except for the purpose of securing the same.

Section 3 All acts and parts of acts are hereby repealed in so far as they are inconsistent with the provisions of this act

Section 4 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time. and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Bane,	Haluska,	McMenamin,	Stevenson,
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peelor,	Wade,
Byrne,	Lane,	Propert,	Wagner,
Chapman,	Leader,	Robinson,	Walker,
Crowe,	Letzler,	Rosenfeld,	Watkins,
Dent,	Mahany,	Ruth,	Watson,
Diehm,	Mallory,	Scarlett,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Frad,			

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 850, as follows:

An Act to amend the act approved the twelfth day of April one thousand nine hundred fifty-one (P. L. 90) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" by authorizing catering licenses for clubs licensed to sell malt and brewed beverages and fixing the license fees therefore The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 432 of the act approved the twelfth day of April one thousand nine hundred fifty-one (P. L. 90) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" is hereby amended by adding at the end thereof a new subsection to read as follows

Section 432 Malt and Brewed Beverages Retail Licenses

\* \* \* \* \*

(f) The board may issue to any club which caters to groups of nonmembers either privately or for functions a catering license and the board shall by its rules and regulations define what constitutes catering under this subsection

Section 2 Clauses (d) and (e) of Section 439 and subsection (a) of Section 442 of said act are hereby amended to read as follows

Section 439 Malt or Brewed Beverages License Fees No public service license and no license to any manufacturer distributor importing distributor or retail dispenser shall be issued under the provisions of this subdivision (b) until the licensee shall have first paid an annual license fee as follows

\* \* \* \* \*

(d) In the case of a retail dispenser except clubs not holding catering licenses the license fee shall be graduated according to the population of the municipality in which the place of business is located and shall be paid to the board as follows

(1) Less than 10,000 .....	\$100
(2) 10,000 and more but less than 50,000 .....	\$150
(3) 50,000 and more but less than 100,000 .....	\$200
(4) 100,000 and more but less than 150,000 .....	\$250



(5) 150,000 and more ..... \$300

(e) In the case of a club the fee shall be twenty-five dollars [in all cases] except a club to which a catering license is issued in which case the license fee shall be the same as for a retail dispenser other than a club located in the same municipality and shall be paid to the board

Section 442 Retail Dispensers' Restrictions on Purchases and Sales (a) No retail dispenser shall purchase or receive any malt or brewed beverages except in original containers as prepared for the market by the manufacturer at the place of manufacture The retail dispenser may thereafter break the bulk upon the licensed premises and sell or dispense the same for consumption on or off the premises so licensed Provided however That no retail dispenser may sell malt or brewed beverages for consumption off the premises in quantities in excess of one hundred forty-four fluid ounces Provided further That no club licensee may sell any malt or brewed beverages for consumption off the premises where sold or unless such club licensee holds a catering license to persons not members of the club

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Bane,	Haluska,	McMenamin,	Stevenson,
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peelor,	Wade,
Byrne,	Lane,	Probert,	Wagner,
Chapman,	Leader,	Robinson,	Walker,
Crowe,	Letzler,	Rosenfeld,	Watkins,
Dent,	Mahany,	Ruth,	Watson,
Diehm,	Mallery,	Scarlett,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,			

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

#### BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 967, on third reading, entitled:

An Act to further amend the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" providing for disability leave with salary and hospital and medical expenses for employes of jails and workhouses in counties of the second class temporarily incapacitated in the performance of duties

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1228, on third reading, entitled:

As Act establishing The Pennsylvania State School for the Deaf; providing for its operation and maintenance by the Department of Public Instruction and for the admission of pupils thereto and the expense of maintaining pupils therein; authorizing the acquisition of a site by the The General State Authority or the use of land now

owned by the Commonwealth; the conveying of Commonwealth owned land to The General State Authority and the erection or construction and the furnishing and equipping of buildings and structures by The General State Authority, and the leasing thereof by the Commonwealth; conferring powers and imposing duties on district and county superintendents of schools.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

#### BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1283, as follows:

An Act authorizing the Orphans' Courts of the several counties upon application therefor to place documents defined as historical documents in the temporary custody of certain associations maintaining facilities for public display of historical writings conferring powers and imposing duties on registers of wills

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 As used in this act the term "historical document" means any document relating to the property or the disposition of the property of a decedent who has been deceased for more than fifty (50) years and which is in the custody of a register of wills

Section 2 Any non-profit public quasi-public or private association incorporated or unincorporated situated within the county where the historical documents are filed which maintains a museum building or facilities used for the exhibit of historical writings and which shall have adequate facilities for the display and preservation of such documents may petition the Orphans' Court of the county wherein such document or documents are filed for the transfer of the custody of such documents for the purpose of their public display Upon the filing of any petition the court shall fix a time for a hearing and prescribe such notice to be given as shall acquaint similar organizations with the filing of the petition

Section 3 After the filing of such petition any other association meeting the requirements set forth in section two may intervene as a party petitioner with the same effect as if it had been the original petitioner and the court after hearing may award custody of any historical document or documents to any such associations for such term and upon such conditions as the court shall prescribe

Section 4 Upon the granting of a petition transferring custody of any historical documents the register of wills shall substitute in his files a certified photostatic copy of such document which shall be of the same force and effect as the original document

Section 5 The Register of Wills may at any time without cause petition the Orphans' Court for the return of any historical document the custody of which had been previously transferred to any association

Section 6 The Orphans' Court of any county after having taken jurisdiction of the transfer of any historical document may without cause and upon its own motion order the association having such temporary custody to return such document to the Register of Wills of the county wherein it had been originally filed

This act shall become effective on January 15 1952

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:



## YEAS—49

Bane,	Haluska,	McMenamin,	Stevenson.
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Leader,	Peelor,	Wade,
Byrne,	Kessler,	Propert,	Wagner,
Chapman,	Lane,	Robinson,	Walker,
Crowe,	Letzler,	Rosenfeld,	Watkins,
Dent,	Mahany,	Ruth,	Watson,
Diehm,	Mallery,	Scarlett,	Wolfe,
DiSilvestro,	McCreesh,	Silver,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed			

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

## BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1312, on third reading, entitled:

An Act to provide for the better protection of life and health of the citizens of this Commonwealth by requiring and regulating the examination licensure and registration of persons and registration of corporations engaging in the care preparation and disposition of the bodies of deceased persons and providing penalties providing for a State Board of Funeral Directors in the Department of Health and repealing other laws

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

## BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1326, as follows:

An Act to further amend the act approved the nineteenth day of March one thousand nine hundred nine (P. L. 46) entitled "An act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing of osteopaths in this State and to provide penalties for the violation of this act" by providing for the licensing without examination of persons licensed by the provinces of the Dominion of Canada in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 7 of the act approved the nineteenth day of March one thousand nine hundred nine (P. L. 46) entitled "An act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing of osteopaths in this State and to provide penalties for the violation of this act" is hereby amended to read as follows

Section 7 [Any person who is engaged in the practice of osteopathy in this State at the time of the approval of this act may deliver to the Secretary of the Board of Osteopathic Examiners within ninety days after the approval of this act a written application for license to practice osteopathy together with satisfactory proof that the

applicant is not less than twenty-one years of age is of good moral character and has obtained a diploma from some legally incorporated reputable osteopathic college requiring a course of study of at least four terms of five months each for graduation and upon the payment by the applicant of a fee of ten dollars the Secretary of the said Board of Osteopathic Examiners shall issue to such applicant a license to practice osteopathy in this State which license shall be subscribed by every member of the Board of Osteopathic Examiners and shall have a like effect for all purposes as a license issued after examination by the Board of Examiners as hereinafter provided]

Every license to practice osteopathy issued under the provisions of this act shall be signed by each member of the Board of Examiners and shall have affixed to it by the person authorized to affix the same the seal of the State Board of Osteopathic Examiners Before said license shall be issued it shall be recorded in a book to be kept by the Secretary of the Board of Examiners and the number of the books and the page therein containing such recorded copy shall be noted upon the face of said license Said records shall under proper restrictions for their safe-keeping be open to public inspection Provided further That anyone who has been in continuous practice of osteopathy for ten years in some other State or province of the Dominion of Canada and who graduated from a legally incorporated and reputable college of osteopathy as provided for in this act may be granted a license without further examination after complying with all the other conditions provided for in the licensing of osteopaths in practice in this State at the time of the approval of this act

Section 2 Section 10 of said act as last amended by the act approved the fifth day of June one thousand nine hundred thirty-seven (P. L. 1649) is hereby further amended to read as follows

Section 10 Applicants examined and licensed by the [State] Board of Osteopathic Examiners of other States or provinces of the Dominion of Canada on the payment of a fee of fifty dollars to the State Board of Osteopathic Examiners and filing in the office of the State Board of Osteopathic Examiners a copy of said license certified by the affidavit of the president or secretary of such board showing also that the standard of requirements adopted by said board of examiners is substantially the same as is provided by section eight of this act shall without further examination receive a license conferring on the holder thereof all the rights and privileges provided by section eleven of this act

After the first day of July one thousand nine hundred and twenty-eight applicants for licensure under the provisions of this act shall furnish prior to any examination by the State Board of Osteopathic Examiners satisfactory proof that he or she has had a general education of not less than a standard four years' high school course or its equivalent and not less than one year of college credits in chemistry biology and physics all of which have been received before admission to osteopathic study After the first day of July one thousand nine hundred and forty-one such applicants shall have had not less than two years of college credits including one year in each of the subjects chemistry biology and physics all of which have been received before admission to osteopathic study

Section 3 The provisions of this act shall become effective immediately upon final enactment and in so far as it pertains to persons licensed by provinces of the Dominion of Canada and who have practiced osteopathy therein shall remain in effect for a period of sixty days thereafter

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:



## YEAS—48

Bane,	Haluska,	McMenamin,	Stevenson,
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peelor,	Wade,
Byrne,	Lane,	Propert,	Wagner,
Crowe,	Leader,	Robinson,	Walker,
Dent,	Letzler,	Rosenfeld,	Watkins,
Diehm,	Mahany,	Ruth,	Watson,
DiSilvestro,	Mallery,	Scarlett,	Wolfe,
Fleming,	McCreesh,	Silvert,	Wood,
Freed,	McGinnis,	Snowden,	Yosko,

## NAYS—1

Chapman,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1335, as follows:

An Act to further amend Section 11 of the act approved the twentieth day of May one thousand nine hundred fifteen (P. L. 566) entitled "An act requiring cities of the first class to establish a pension fund for employes of said cities and all county or other public employes if any paid by appropriation of the city councils thereof and out of the treasury of said cities and regulating the administration and the payment of such pensions" by providing for credit for service with a school district of the first class for members of a first class city pension fund in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 11 of the act approved the twentieth day of May one thousand nine hundred fifteen (P. L. 566) entitled "An act requiring cities of the first class to establish a pension fund for employes of said cities and all county or other public employes if any paid by appropriation of the city councils thereof and out of the treasury of said cities and regulating the administration and the payment of such pensions" as last amended by the act approved the second day of May one thousand nine hundred forty-nine (P. L. 845) is hereby further amended to read as follows

Section 11 The time of service herein specified namely twenty years or in case of the lesser pension fifteen years or more but less than twenty years shall be computed from the time of the first or original employment said employment to consist of service either to such cities or to the county or other public service paid out of the city treasury or both as aforesaid and need not be continuous Provided That in no case shall a period of more than eighteen years be credited to the service record of any person or persons who shall be employed after the passage of this act and who shall have been employed by the said cities prior to the passage of this act No pensions shall be paid under the provisions of this act however until after January first one thousand nine hundred and seventeen

The time of service shall include service with a school district of the first class coterminous with the city or county of the first class if the person claiming such credit shall within one year after joining the pension fund pay into the fund the contributions he or she would have paid had he or she been employed during the same years by the city or county at the same salary received from the school district

For the purpose of determining the total number of years or months of service or contribution under this act any period of fifteen days or more but less than a month

beyond the total number of full months shall be considered a "month of service"

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bane,	Haluska,	McMenamin,	Stevenson,
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peelor,	Wade,
Byrne,	Lane,	Propert,	Wagner,
Chapman,	Leader,	Robinson,	Walker,
Crowe,	Letzler,	Rosenfeld,	Watkins,
Dent,	Mahany,	Ruth,	Watson,
Diehm,	Mallery,	Scarlett,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,			

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1599, as follows:

An Act providing for an expense allowance for members of the board of inspectors of the Berks County Prison  
The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The inspectors provided for in the act approved the eighth day of April one thousand eight hundred forty-eight (P. L. 399) entitled "An act relative to Berks County Prison and to discharged convicts" shall each receive the sum of five hundred dollars per annum to defray the expenses of their necessary attendance on the duties of their office

Section 2 The act approved the nineteenth day of June one thousand nine hundred eleven (P. L. 1070) entitled "A further supplement to an act entitled 'An act relative to Berks County Prison and to discharged convicts' approved the eighth day of April Anno Domini one thousand eight hundred and forty-eight" is hereby repealed

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bane,	Haluska,	McMenamin,	Stevenson,
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peelor,	Wade,
Byrne,	Lane,	Propert,	Wagner,
Chapman,	Leader,	Robinson,	Walker,
Crowe,	Letzler,	Rosenfeld,	Watkins,
Dent,	Mahany,	Ruth,	Watson,
Diehm,	Mallery,	Scarlett,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,			

## NAYS—0



A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

## SECOND READING CALENDAR

### BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 769, on second reading, entitled:

An Act to further amend clause (a) of section one thousand eight hundred three and clause (e) of section one thousand eight hundred six of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" by further regulating the leasing and sale of State forest and park lands by the Commonwealth and defining the powers and duties of the Department of Forests and Waters and the rights of lessees with respect to such leased lands

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 811, on second reading, entitled:

An Act to add section 1501.1 to the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by empowering township supervisors to compel connection with and use of sewer systems constructed by municipal authorities to impose penalties to enforce regulations and orders and to connect properties of owners failing or neglecting to make connection

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

### BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 864, entitled:

An Act to further amend the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1053) entitled "An act relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including

to a limited extent municipalities engaging in public utility business by prescribing defining and limiting their duties powers and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale method of regulating rates providing for the supervision of financial and contractual relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons association companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alteration relocation protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulation the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" By requiring the issuance of an order and in certain cases a preliminary hearing prior thereto by the commission before the effective date of certain voluntary rate increases making such order the basis of appeal and setting forth when such appeal may act as a supersedeas

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1441, on second reading, entitled:

An Act to further amend the act approved the second day of June one thousand nine hundred fifteen (P. L. 736) entitled as amended "An act defining the liability of an employer to pay damages for injuries received by an employee in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties" by increasing maximum and minimum rates and deleting the limitation of number of weeks and aggregate of compensation for total disability increasing the maximum amounts payable upon death and increasing the minimum and maximum wages upon which death compensation shall be paid and changing procedure

go over in its order.



The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1442, on second reading, entitled:

An Act to further amend the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 566) entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employee arising out of and in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder imposing duties on the Department of Labor and Industry the Workmen's Compensation Board Workmen's Compensation Referees and deans of medical schools creating a medical board to determine controverted medical issues establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases making an appropriation and prescribing penalties" by increasing maximum and minimum rates and total amounts and aggregate of compensation and changing time for mailing medical report

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1557, on second reading, entitled:

An Act to amend clause (h) of Section 9 of the act approved the twenty-fourth day of May one thousand nine hundred forty-five (P. L. 991) entitled "An act to promote elimination of blighted areas and supply sanitary housing in areas throughout the Commonwealth by declaring acquisition sound replanning and redevelopment of such areas to be for the promotion of health safety convenience and welfare creating public bodies corporate and politic to be known as Redevelopment Authorities authorizing them to engage in the elimination of blighted areas and to plan and contract with private corporate or governmental redevelopers for their redevelopment providing for the organization of such authorities defining and providing for the exercise of their powers and duties including the acquisition of property by purchase gift or eminent domain the leasing and selling of property including borrowing money issuing bonds and other obligations and giving security therefor restricting the interest of members and employees of authorities providing for notice and hearing supplying certain mandatory provisions to be inserted in contracts with redevelopers prescribing the remedies of obligees of redevelopment authorities conferring certain duties upon local planning commissions State officers boards and departments" by clarifying the the governing bodies of cities and counties and on certain provisions of said section with respect to the power of redevelopment Authorities to purchase real property

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1669, on second reading, entitled:

An Act to amend section one thousand three hundred ten point one of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of axes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth

and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" by providing for the sale of escheatable property by the Secretary of Revenue

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

#### SENATE BILL No. 667 CALLED UP FROM POSTPONED CALENDAR

Mr. WALKER. Mr. President, I call up from the Second Reading Postponed Calendar Senate Bill No. 667 for consideration at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 667, entitled:

An Act to amend subsection (c) of Section 2 of the act, approved the twenty-seventh day of June, one thousand nine hundred forty-seven (P. L. 1046), entitled "An act providing for equalization of assessed valuations of real property throughout the Commonwealth for use in determining the amount and allocation of Commonwealth subsidies to school districts; creating a State Tax Equalization Board; and prescribing its powers and duties; imposing duties on certain local officers, agents, boards, commissions and departments; and making an appropriation," by increasing the compensation of the members of board.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

#### REPORT FROM COMMITTEE

Mr. SNOWDEN. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SNOWDEN, from the Committee on Highways, reported as committed, House Bill No. 1118, entitled:

An Act making an appropriation from the Toll Bridge Fund to the Board of Finance and Revenue to meet interest and sinking fund requirements on Toll Bridge Bonds.

#### HOUSE MESSAGE

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 1057

The Clerk of the House of Representatives being intro-



duced presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, September 24, 1951.

Resolved, (if the Senate concur), that House Bill No. 1057, Printer's No. 1071, entitled:

An Act to add Section 6.1 to the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 1216), entitled "Real Estate Brokers License Act of 1929," by authorizing the issuance of limited real estate brokers' and salesmen's licenses within a limited field or branch of the real estate business and conferring powers and imposing duties upon the Department of Public Instruction and the State Real Estate Commission with respect to examination for and the issuance of such licenses.

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

### BILLS SIGNED

The PRESIDENT (Lieutenant Governor Lloyd H. Wood) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 589, entitled:

An Act to amend section one thousand one hundred forty-four of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "Public School Code of 1949," by further providing for additional increments for holders of college certificates or Masters' Degrees.

House Bill No. 590, entitled:

An Act to amend section one thousand one hundred forty-four of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "Public School Code of 1949," by further providing for increments for professional employes holding a Master's Degree or its equivalent.

House Bill No. 1027, entitled:

An Act to amend subsection (b) of Section 4 of the act, approved the twenty-third day of May, one thousand nine hundred forty-five (P. L. 903), entitled "An act authorizing cities of the third class to establish an optional retirement system for officers and employes independently of any pension system or systems existing in such cities," limiting rights to involuntary retirement.

House Bill No. 1554, entitled:

An Act to authorize the Secretary of Public Assistance of the Commonwealth of Pennsylvania to apply to the Secretary of Agriculture of the United States for the return of assets of the former Pennsylvania Rural Rehabilitation Corporation, to receive, deposit, and administer such assets for rural rehabilitation or other authorized purposes, and to enter into agreements with the Secretary of Agriculture of the United States with respect to the future administration of said assets.

House Bill No. 1590, entitled:

An Act to further amend the act, approved the twenty-first day of June, one thousand nine hundred thirty-nine (P. L. 566), entitled "A supplement to the act, approved the second day of June, one thousand nine hundred and

fifteen (P. L. 736) entitled, as amended, "Workmen's Compensation Act of 1915, as reenacted and amended, providing for the payment of compensation to volunteer firemen or their dependents," by amplifying the provisions thereof as to persons entitled to such benefits.

Whereupon,

The PRESIDENT (Lieutenant-Governor Lloyd H. Wood) in the presence of the Senate signed the same.

### BILLS ON FIRST READING

Mr. WALKER. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. LETZLER. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 851, entitled:

An Act to amend Section 16 of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1237), entitled "An act affecting marital relations;" prescribing grounds and regulating proceedings for divorce and the annulment of bigamous marriages; and amending, revising, and consolidating the law relating thereto," by further defining residence of the libellant.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 863, entitled:

An Act to amend the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 912), entitled "An act to regulate the drilling, and abandoning of oil and gas wells, and providing a penalty for violation of the provisions of this act," by requiring the approval of the Department of Mines, authorizing injunctions and changing the disposition of fines.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1118, entitled:

An Act making an appropriation from the Toll Bridge Fund to the Board of Finance and Revenue to meet interest and sinking fund requirements on Toll Bridge Bonds.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1247, entitled:

An Act to further amend section two of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 720) entitled "An act providing for the taking over by the Commonwealth under certain terms conditions and limitations of certain streets in cities of the second class second class A and third class as State highways and for the improvement reconstruction resurfacing and maintenance by the Commonwealth of certain defined widths of said streets imposing duties on such cities and on public utility companies using such streets providing that no assessment shall be made upon the Commonwealth in the elimina-



tion of any grade crossing thereon authorizing cities persons associations or corporations to enter into agreement with the Commonwealth to bear a portion of the cost of construction or maintenance providing for the assessment of certain portions of the cost of street improvements on abutting property owners regulating the replacement of certain facilities of public utility companies prohibiting the opening of said streets after improvement without a permit and providing penalty therefor regulating the maintenance of detours authorizing the increase of city indebtedness in certain cases and appropriating money in the Motor License Fund for the purpose of this act" by changing or deleting certain routes and adding certain new routes.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1248, entitled:

An Act to further amend the act approved the fifth day of May one thousand nine hundred twenty-seven (P. L. 787) entitled "An act establishing certain public roads as State Highways and providing for their construction and maintenance at the expense of the Commonwealth" by changing certain routes.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1249, entitled:

An Act to further amend the act approved the eighteenth day of May one thousand nine hundred forty-five (P. L. 809) entitled "An act removing certain roads or sections of road from the State highway system and providing for their future maintenance and construction" by removing additional roads from the State highway system.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1250, entitled:

An Act to further amend section two of the act approved the first day of June one thousand nine hundred thirty-three (P. L. 1172) entitled "An act establishing certain streets in boroughs and incorporated towns as State highways and providing for their construction and maintenance at the expense of the Commonwealth" by changing or deleting certain routes and adding certain new routes.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1251, entitled:

An Act to further amend the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 594) entitled "An act establishing certain township roads as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and mak-

ing an appropriation to carry out the provisions of said act" by changing or deleting certain routes and adding certain new routes.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1252, entitled:

An Act to establish certain roads or sections of road as State Highways.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1253, entitled:

An Act to amend the act approved the eighth day of April one thousand nine hundred twenty-five (P. L. 191) entitled "An act establishing certain public roads as State highways and providing for their construction and maintenance at the expense of the Commonwealth" by changing certain routes.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1416, entitled:

An Act to amend the act approved the eighteenth day of April one thousand nine hundred forty-nine (P. L. 512) entitled "An act relating to the administration and distribution of decedents' estates trust estates minors' estates and absentees' estates both as to real and personal property and the procedure relating thereto including the disposition of such estates or portions thereof and the determination of title thereto without the appointment of a fiduciary in certain cases the appointment bond removal and discharge of fiduciaries of such estates their powers duties and liabilities the rights of persons dealing with such fiduciaries and the rights of persons claiming an interest in such estates or in property distributed therefrom whether as claimants or distributees and containing provisions concerning guardians of the person of minors the powers duties and liabilities of sureties and of foreign fiduciaries the abatement survival and control of actions and rights of action and the presumption of death and also generally dealing with the jurisdiction powers and procedure of the orphans' court and of the register of wills in all matters relating to fiduciaries" by providing for the examination of safe deposit boxes rented in the names of decedents by an appraiser appointed by the Secretary of Revenue.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1518, entitled:

An Act to amend Section 2001 of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by changing the provisions relating to protests by property owners to the exercise of zoning powers.



And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1698, entitled:

An Act to provide revenue by imposing a State tax upon certain documents prescribing and regulating the method and manner of evidencing the payment of such tax conferring powers and imposing duties upon certain persons partnerships associations and corporations recorders of deeds and the Department of Revenue saving certain local taxes and authorizing amendments extensions and supplements to the ordinances and resolutions relating thereto and providing penalties.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1699, entitled:

An Act to further amend the title and the act approved the twentieth day of June one thousand nine hundred nineteen (P. L. 521) entitled as amended "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was nonresident of the Commonwealth at the time of his death defining and taxing transfers made in contemplation of death defining as a transfer and taxing the right of survivorship in property as to which such right exists and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain act for repeal" by imposing duties on surviving parties and banks or other institutions or depositories of joint accounts or accounts in trust and by adding a new section pertaining to the opening and examining of safe deposit boxes of decedents and providing penalties.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1715, entitled:

An Act making an appropriation to The Brandywine Battlefield Park Commission for the payment of necessary expenses.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

### ADJOURNMENT

Mr. WALKER. Mr. President, I move that the Senate do now adjourn until Tuesday, September 25, 1951, at 12:30 o'clock, p. m., Eastern Standard Time.

Mr. WOLFE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 4:40 o'clock, p. m., Eastern Standard Time, until Tuesday, September 25, 1951, at 12:30 o'clock, p. m., Eastern Standard Time.

## HOUSE OF REPRESENTATIVES

MONDAY, September 24, 1951

The House met at 3:30 p. m. EST.

The SPEAKER (Herbert P. Sorg) in the Chair.

### PRAYER

The Rev. Edward M. McKee, guest Chaplain and pastor of Tionesta Presbyterian Church, Tionesta, guest of the gentleman from Forest, Mr. Davis, offered the following prayer:

O God, Who art the Author of peace and Lover of concord, in knowledge of Whom standeth our eternal life, Whose service is perfect freedom, Who hast given us this good land for our heritage; we humbly beseech Thee that we may always prove ourselves a people mindful of Thy favor and glad to do Thy will. Bless our land with honorable industry, sound learning, and pure manners. Save us from violence, discord, and confusion; from pride and arrogance; and from every evil way. Defend our liberties, and fashion into one happy people the Members of this House brought hither from the Counties throughout our State. Endue with the spirit of wisdom those who deliberate on the problems of the hour, those to whom in Thy name we entrust the authority of government, that there may be equity and understanding, and that, through obedience to Thy law, we may show forth Thy praise among the nations of the earth. In the time of prosperity fill our hearts with thankfulness, and in the day of trouble suffer not our trust in Thee to fail. We do beseech Thee, O God, as for the people of this state in general, so especially for our Legislature here assembled; that Thou wouldst be pleased to direct and prosper all their consultations, to the advancement of Thy glory, the good of Thy Church, the safety, honor, and welfare of the people; that all things may be so ordered and settled by their endeavors, upon the best and surest foundations, that peace and happiness, truth and justice, virtue and piety, may be established among us. These and all other necessities, for them, and for Thy people, we humbly pray in the name of Jesus Christ, our most blessed Lord and Saviour. Amen.

### JOURNAL APPROVED

The SPEAKER. Are there any corrections to the Journal of Thursday, September 20, 1951? If not, and without objection, the Journal is approved.

### SENATE MESSAGE

#### SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 835.

An Act to amend the act approved the twelfth day of April one thousand nine hundred fifty-one (P. L. 90) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors and malt and brewed beverages and the persons engaged or employed therein defining the powers and



duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" by increasing license and filing fees.

Referred to the Committee on Liquor Control.

#### SENATE BILL No. 839.

An Act authorizing the Department of Property and Supplies to sell and convey a tract of land in Allegheny Township Blair County Pennsylvania with the approval of the Governor.

Referred to the Committee on State Government.

#### SENATE BILL No. 846.

An Act making certain marriages solemnized on United States Military Reservations located within the Commonwealth as valid as if solemnized elsewhere within the Commonwealth and validating such marriages heretofore consummated.

Referred to the Committee on Judiciary.

### COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

#### APPROVAL OF HOUSE BILL No. 1449

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, September 22, 1951.  
To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1449, Printer's No. 924, entitled "An Act to amend the act approved the twelfth day of June one thousand nine hundred fifty-one (Act No. 141) entitled 'An act relating to mental health including mental illness mental defect epilepsy and inebriety and amending revising consolidating and changing the laws relating thereto' by further defining 'qualified physician' and the rights of patients in institutions."

JOHN S. FINE.

### RESOLUTION

#### RECALLING HOUSE BILL No. 1057 FROM THE GOVERNOR

Mr. ROBERTSON offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, September 24, 1951.

Resolved (if the Senate concur), that House Bill No. 1057, Printer's No. 667, entitled "An act to add Section 6.1 to the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1216) entitled 'An act to define real estate brokers and real estate salesmen and providing for the licensing regulation and supervision of resident and nonresident real estate brokers and real estate salesmen and their business' by authorizing the issuance of limited real estate brokers' and salesmen's licenses exclusively within the a limited field or branch of the real estate business applying to cemetery lots plots and mausoleum spaces or openings and conferring powers and imposing duties upon the Department of Public Instruction and the State Real Estate Commission with respect to examination for and the issuance of such licenses," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

### BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

#### HOUSE BILL No. 589.

An Act to amend section one thousand one hundred forty-four of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further providing for additional increments for holders of college certificates or Master's Degrees.

#### HOUSE BILL No. 590.

An Act to amend section one thousand one hundred forty-four of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further providing for increments for professional employes holding a Master's Degree or its equivalent.

#### HOUSE BILL No. 1590.

An Act to further amend the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 566) entitled "A supplement to the act approved the second day of June one thousand nine hundred and fifteen (P. L. 736) entitled as amended 'An act defining the liability of an employer to pay damages for injuries received by an employee in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties' as reenacted and amended providing for the payment of compensation to volunteer firemen or their dependents" by amplifying the provisions thereof as to persons entitled to such benefits.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

### LEAVES OF ABSENCE

By consent of the House leave of absence was granted as follows:

Mr. BLOOM for himself for tomorrow's session to attend a funeral.

Mr. Thomas H. W. Jones for Mr. DUBOIS for the week.

### PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. BOORSE asked and obtained permission for the Committee on Municipal Corporations to meet during the session of the House.

### COMMUNICATION AND BILL TAKEN FROM TABLE

Mr. KELLER. Mr. Speaker, I move that House Bill No. 1404, Printer's No. 685, together with communication from the Senate be taken from the table.

The motion was agreed to.



## COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency, the Governor, which was read as follows:

APPROVAL OF HOUSE CONCURRENT RESOLUTION  
RECALLING HOUSE BILL No. 1404

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, August 24, 1951.  
To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 1404, Printer's No. 685, for the purpose of amendment and further consideration.

Accordingly, the original bill is herewith returned.

JOHN S. FINE.

## RECONSIDERATION OF VOTE

Mr. KELLER. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

Mr. YEAKEL. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Bucks Mr. Keller vote on the final passage of this bill?

Mr. KELLER. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Bucks Mr. Yeakel vote on the final passage of this bill?

Mr. YEAKEL. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. KELLER. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. KELLER. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Title, page 1, line 6 of Title, by striking out "providing for the addition to the tax duplicates of" and inserting in lieu thereof: "authorizing the reassessment of certain property in".

Amend Title, page 1, last two lines of Title, by striking out "of properties occupied during the fiscal year of the school district."

Amend Title, page 1, last line of Title, by inserting after the word "cases" the following: "and imposing liability for school taxes upon the owners thereof".

Amend Sec. 1 (Sec. 677.1), page 2, line 7, by inserting after the word "Additions" the following: "and Revisions".

Amend Sec. 1, (Sec. 677.1), page 2, lines 10 and 11, by striking out "the board of school districtors may notify."

Amend Sec. 1, (Sec. 677.1), page 2, lines 12 and 13, by striking out "of the boards desire to place such properties on the tax duplicate Such authority".

Amend Sec. 1, (Sec. 677.1), page 2, line 13, by inserting after the word "shall" the following: "upon the request of the board of school directors".

Amend Sec. 1, (Sec. 677.1), page 2, line 14, by striking out "assess" and inserting in lieu thereof: "reassess".

Amend Sec. 1, (Sec. 677.1), page 2, lines 16 and 17, by striking out "not included in the duplicate" and inserting in lieu thereof: "to which major improvements have been made after September first".

Amend Sec. 1, (Sec. 677.1), page 2, line 17, by striking out "assessments" and inserting in lieu thereof: "reassessments".

Amend Sec. 1, (Sec. 677.1), page 3, line 3, by inserting after the word "purposes" the following: "at the reassessed valuation".

Amend Sec. 1, (Sec. 677.1), page 3, lines 4 and 5, by striking out "during which the property was occupied Any occupancy" and inserting in lieu thereof: "remaining after the property was improved Any improvement made".

Amend Sec. 1, (Sec. 677.1), page 3, line 6, by striking out "though the property had been occupied" and inserting in lieu thereof: "having been made".

Amend Sec. 1, (Sec. 677.1), page 3, line 7, by inserting after the word "additions" the following: "or revisions".

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

## BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 506, entitled:

An Act to amend subsection (b) of section one and sections two and four of the act approved the seventh day of July one thousand nine hundred forty-seven (P. L. 1401) entitled "An act prohibiting discrimination in rate of pay because of sex conferring powers and imposing duties on the Department of Labor and Industry and prescribing penalties" by further defining employer providing for a penalty and deleting certain provisions relative to wage rates and collection of unpaid wages.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1398, entitled:

An Act to amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State normal School or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" by adding to the Department of Labor and Industry an Advisory Council on Affairs of the Handicapped and providing for its organization powers and duties.



And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

### BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 550, entitled:

An Act to further amend section 33 of the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" by changing the salaries of the tax collector in cities of the third class

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 992, entitled:

An Act making an appropriation to the Department of Forests and Waters for the purpose of study survey and examination of flood control conditions causes and effects in the Juniata Valley and for making designs plans and recommendations for controlling such flood conditions and saving life and property

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1051, entitled:

An Act creating a Bituminous Mine Law Study Commission for the purpose of making a study and investigation of all laws relating to bituminous coal mines and the preparation of a modern code relating thereto and making an appropriation

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1097, entitled:

An Act to further amend subsections (a) (b) and (c) of Section 1112 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the

Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by authorizing the designation of thru highways and stop intersections in second class townships

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1206, entitled:

An Act to further amend the act approved the fourth day of June one thousand nine hundred thirty-seven (P. L. 1625) entitled "An act providing for the creation maintenance and operation of a county employes retirement system in counties of the third class and imposing certain charges on counties" by further defining "final salary" authorizing the transfer from the one one-hundred-twentieth (1-120) to the one one-hundredth (1-100) class of members contributions at option of the board and adjusting the county annuity on superannuation retirement upon such transfers and providing for minimum retirement allowance in certain cases

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1215, entitled:

An Act fixing the fees or costs to be charged by aldermen magistrates and justices of the peace and imposing liability therefor upon the county in certain cases

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

### PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. GUTHRIE asked and obtained permission for the Committee on Counties to meet during the session of the House

### BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1397, entitled

An Act making an appropriation for the payment of expenses incurred by the State Council for Civil Defense

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1565, entitled

An Act to further amend Section 1012 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth pro-



viding for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by requiring the installation on all motor vehicles of mechanical or electrical directional signal equipment of a type approved by the Secretary of Revenue

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1646, entitled

An Act to add subsection (4) to section 2 of the act approved the twenty-fourth day of July one thousand nine hundred thirteen (P. L. 965) entitled "An act defining commodities regulating the sale thereof and providing penalties for violation hereof" by providing for the transportation sale and delivery of manure

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1651, entitled

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by creating the Vocational Technical Institute Board of Pennsylvania as an administrative board in the Department of Public Instruction and defining its powers and duties

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1652, entitled

An Act to further amend Section 13 of the act approved the seventh day of June one thousand nine hundred one (P. L. 493) entitled as amended "An act providing for the examination licensure and registration of persons firms or corporations engaged or engaging in the business or work of plumbing or house drainage and prescribing certain rules regulations and requirements for the construction of plumbing house drainage and cesspools in cities of the second class second class A and third class and imposing fines penalties and forfeiture for violation thereof" by permitting the use of certain concrete pipe as sewer pipe under certain conditions

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1690, entitled

An Act to add Section 12.2 to the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by providing for the furnishing of information and the transfer of certain moneys by the board to the State Employees' Retirement Board and Fund

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

### PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. McMILLEN asked and obtained permission for the Committee on Military Affairs to meet during the session of the House.

### BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1707, entitled

An Act to further amend section seven of the act approved the fourteenth day of May one thousand nine hundred fifteen (P. L. 524) entitled "An act creating a fund for the purpose of rebuilding restoring and replacing buildings structures equipment or other property of the Commonwealth of Pennsylvania damaged or destroyed by fire or other casualty and regulating the placing of insurance thereon and providing penalties for any violation of the provisions of this act" by authorizing the Department of Property and Supplies to purchase insurance on property owned by the Commonwealth against loss or damage by fire or other casualty exceeding five hundred thousand dollars (\$500,000) and resulting from a single occurrence

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1708, entitled



An Act to amend Section 312 and to repeal Section 313 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing representation of each component district on the board of directors of union and merged school districts

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1724, entitled

An Act to add subsection (h) to section 802.4 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by authorizing the use of additional red reflectors

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1733, entitled

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by further providing for the transfer

of registration plates from one motor vehicle trailer or semi-trailer to another

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

#### BILLS PASSED OVER

There being no objection

Senate Bill No. 27, Printer's No. 562 and

Senate Bill No. 188, Printer's No. 534

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 644, entitled

An Act to further amend Section 402 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds or moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" by further providing for distribution of copies of audits made by the Department of Auditor General.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

#### BILLS PASSED OVER

There being no objection

Senate Bill No. 788, Printer's No. 468 and

Senate Bill No. 816, Printer's No. 556

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 818, entitled

An Act to further amend Section 3062 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by further regulating publication of notice of land subdivision ordinances

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.



# BILL ON FINAL PASSAGE RECALLED FROM GOVERNOR

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 900, as follows:

An Act to further amend section one thousand and twenty-seven of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by changing the requirements that certain vehicles stop at railway grade crossings

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one thousand and twenty-seven of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing refunds" as last amended by the act approved the sixteenth day of July one thousand nine hundred and thirty-five (P. L. 1056) is hereby further amended to read as follows

Section 1027 Certain Vehicles to Stop at Railway Grade Crossings All motor buses and motor omnibuses engaged in the transportation of passengers for compensation and all [motor vehicles] school buses used in the transportation of school children [either on contract with the school district authorities or owned by school districts] and vehicles transporting explosives or [flammable liquids] dangerous articles as defined in section one thousand one hundred fifteen of this act as a cargo or part of a cargo shall come to a complete stop immediately before crossing a railway grade crossing except where there is no official railroad advance warning sign facing approaching traffic and the rails on both sides of the crossing have been disconnected or physical barriers preventing the

movement of railway traffic over the crossing from either direction have been erected

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of twenty-five (\$25) dollars and costs or prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—206

Amarando,	Graybill,	Maxwell,	Royer,
Andrews,	Greenwood,	Mazza,	Rubin,
Banker,	Greer,	McConnell,	Sarraaf,
Barkdoll,	Guarnieri,	McCormack,	Sax,
Baumunk,	Gutendorf,	McCullough,	Scanlon,
Bear,	Guthrie,	McDermitt,	Schmidt,
Beaver,	Hagerty,	McGee,	Schuster,
Beech,	Hall,	McInroy,	Scott,
Berkstresser,	Hamilton, R. K.,	McKinney,	Seyler,
Blair,	Hamilton, W. H.,	McMillen,	Shoemaker,
Bloom,	Harney,	McNally,	Shotwell,
Boles,	Haudenshield,	Metz,	Smith,
Bolton,	Headlee,	Mihm,	Snider,
Bomberger,	Helm,	Mikula,	Sollenberger,
Boorse,	Hersch,	Miller, H. G.,	Spencer,
Bower,	Hewitt,	Miller, J. C.,	Stank,
Breisch,	Hocker,	Mills,	Stimmel,
Breth,	Hoggard,	Mintess,	Stoner,
Brown,	Hunter,	Monroe,	Swartz,
Bucchin,	Jenkins,	Moore, C. E.,	Swope,
Byrne,	Johnson,	Moore, H. A.,	Tahl,
Cella,	Jones, G. F.,	Moran,	Taylor,
Clapper,	Jones, J. M.,	Muldowney,	Thompson, E. F.,
Clendenning,	Jones, P. F.,	Munley,	Thompson, R. L.,
Cochran,	Jones, T. H. W.,	Murray,	Toil,
Conway,	Jump,	Musto,	Tompkins,
Cooper,	Kamyk,	Najaka,	Toomey,
Corr,	Keller,	Naugle,	VanSant,
Costa,	Kent,	Needham,	Varallo,
Coyle,	Kline,	Olsen,	Varner,
Dalrymple,	Kohl,	Penglase,	Verona,
Davis,	Kolankiewicz,	Peta,	Wachhaus,
Dennison,	Kornick,	Petrosky,	Wargo,
Dougherty,	Kratz,	Pettigrew,	Waterhouse,
Dowling,	Kubacki,	Pfaff,	Watkins,
Duffy,	Lafore,	Pichney,	Weidner,
Dunn,	Lederer,	Pitzer,	Welsh,
Erb,	Leisey,	Polaski,	Wescott,
Ewing,	Leonard, L.,	Polen,	Westrick,
Fenrich,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley,
Fenster,	Leven,	Price, R. A.,	Wheeler,
Fillip,	Light,	Readinger,	White,
Fillo,	Limper,	Reagan,	Williams,
Firmstone,	Loftus,	Reese,	Wilt,
Flack,	Lopresti,	Reidenbach,	Wood,
Frost,	Lovett,	Reilly, J. M.,	Yeakel,
Gaffney,	Lutty,	Rigby,	Yester,
Geer,	Lyons,	Riley, R. L.,	Yetzer,
Gibson,	Madden,	Robertson,	Young,
Gleason,	Madigan,	Rose,	Ziegler,
Good,	Markley,	Rosen,	Sorg,
Goodling,		Rovansek,	Speaker

## NAYS—0

## NOT VOTING—1

DuBois.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 984, as follows:



An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further providing for exceptions to compulsory attendance

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clauses (3) and (4) of Section 1330 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" are hereby amended to read as follows

Section 1330 Exceptions to Compulsory Attendance The provisions of this act requiring attendance shall not apply to any child who

\* \* \* \* \*

(3) Has attained the age of fifteen (15) years and is engaged in farm work on a farm owned or operated by his parents or domestic service in [a private] the home of his parents on a permit issued by the school board or the designated school official of the school district of the child's residence [in accordance with regulations which the Superintendent of Public Instruction is hereby authorized by prescribe]

(4) Has attained the age of fourteen (14) years and is engaged in farm work on a farm owned or operated by his parents or domestic service in [a private] the home of his parents on a permit issued as provided in clause (3) of this section and who has satisfactorily completed either in public or private schools the equivalent of the highest grade of the elementary school organization prevailing in the public schools of the district in which he resides [if the issuance of such a permit has first been recommended by the county or district superintendent of schools having supervision of the schools of the district where such child resides or by the principal of the private school where such child is enrolled and the reason therefor has been approved by the Superintendent of Public Instruction]

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—184

Amarando,	Graybill,	McConnell,
Banker,	Greenwood,	McCormack,
Barkdoll,	Greer,	McCullough,
Baumunk,	Guarnieri,	McDermitt,
Bear,	Gutendorf,	McGee,
Beaver,	Guthrie,	McInroy,
Beech,	Hagerty,	McKinney,
Berkstresser,	Hall,	McMillen,
Blair,	Hamilton, R. K.,	Metz,
Bloom,	Hamilton, W. H.,	Mihm,
Boles,	Harney,	Mikula,
Bolton,	Haudenshield,	Miller, H. G.,
Bomberger,	Headlee,	Miller, J. C.,
Boorse,	Helm,	Mills,
Bower,	Hersch,	Mintess,
Breisch,	Hewitt,	Monroe,
Breth,	Hocker,	Moore, C. E.,
Brown,	Hoggard,	Moore, H. A.,
Byrne,	Hunter,	Moran,
Cella,	Jenkins,	Muldowney,
Clapper,	Johnson,	Munley,
Clendenning,	Jones, G. E.,	Murray,
Cochran,	Jones, J. M.,	Musto,
Conway,	Jones, P. F.,	Najaka,
Cooper,	Jones, T. H. W.,	Naugle,
Costa,	Keller,	Needham,
Coyle,	Kent,	Penglease,
Dalrymple,	Kline,	Peta,
Davis,	Kohl,	Pettigrew,
Dennison,	Kolankiewicz,	Pfaff,
Dowling,	Kratz,	Pichney,
Duffy,	Kubacki,	Pitzer,
Dunn,	Lafore,	Polaski,

Ewing,	Lederer,	Polen,	Whalley,
Penrich,	Lelsey,	Price, H. W. Jr.,	Wheeler,
Ferster,	Leonard, W. C.,	Price, R. A.,	White,
Filip,	Leven,	Readinger,	Williams,
Filo,	Light,	Reagan,	Wilt,
Firmstone,	Limper,	Reese,	Wood,
Flack,	Loftus,	Reidenbach,	Yeakel,
Frost,	Lovett,	Reilly, J. M.,	Yester,
Gaffney,	Lyons,	Rigby,	Yetzer,
Geer,	Madden,	Robertson,	Young,
Gibson,	Madigan,	Rose,	Ziegler,
Good,	Markley,	Royer,	Sorg,
Goodling,	Mazza,	Rubin,	Speaker.
Jump,			

#### NAYS—22

Andrews,	Kamyk,	McNally,	Rovansek,
Bucchin,	Kornick,	Olsen,	Sollenberger,
Corr,	Leonard, L.,	Petrosky,	Stank,
Dougherty,	Lopresti,	Riley, R. L.,	VanSant,
Erb,	Lutty,	Rosen,	Welsh,
Gleason,	Maxwell,		

#### NOT VOTING—1

DuBois,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

#### BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1679, as follows:

An Act to further amend the last paragraph of Section 507 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by authorizing departments boards and commissions to contract for utility services furnished by political subdivisions and authorities

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The last paragraph of Section 507 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal School or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the



Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" as amended by the act approved the fifth day of July one thousand nine hundred forty-seven (P. L. 1349) is hereby further amended to read as follows

#### Section 507 Purchases

\* \* \* \* \*

Notwithstanding any of the foregoing provisions of this section any department board or commission may

(1) Purchase repairs or repair parts of its equipment from the manufacturer of such equipment or from the manufacturer's authorized dealer

(2) [Contract for services of the public utility companies] Contract for utility services furnished by public utility companies political subdivisions and authorities

(3) Rent machinery and other equipment and devices

(4) Employ professional or skilled labor on a temporary basis in instances where the Department of Property and Supplies does not have an applicable contract but all such employment shall be approved by the Governor except in the case of a State institution when it shall be approved by the head of the department having supervision over the institution

(5) Subscribe to periodicals magazines or newspapers or purchase books or take memberships in independent organizations or societies having related functions but all such memberships shall be approved by the Governor

Section 2 The provisions of this act shall become effective immediately upon final enactment

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—206

Amarando,	Graybill,	Maxwell,	Royer,
Andrews,	Greenwood,	Mazza,	Rubin,
Banker,	Greer,	McConnell,	Sarraf,
Barkdoll,	Guarnieri,	McCormack,	Sax,
Baumunk,	Gutendorf,	McCullough,	Scanlon,
Bear,	Guthrie,	McDermitt,	Schmidt,
Beaver,	Hagerty,	McGee,	Schuster,
Beech,	Hall,	McInroy,	Scott,
Berkstresser,	Hamilton, R. K.,	McKinney,	Seyler,
Blair,	Hamilton, W. H.,	McMillen,	Shoemaker,
Bloom,	Harney,	McNally,	Shotwell,
Boles,	Haudenschild,	Metz,	Smith,
Bolton,	Headlee,	Mihm,	Snider,
Bomberger,	Helm,	Mikula,	Sollenberger,
Boorse,	Hersch,	Miller, H. G.,	Spencer,
Bower,	Hewitt,	Miller, J. C.,	Stank,
Brelsich,	Hocker,	Mills,	Stimmel,
Breth,	Hoggard,	Mintess,	Stoner,
Brown,	Hunter,	Monroe,	Swartz,
Bucchin,	Jenkins,	Moore, C. E.,	Swope,
Byrne,	Johnson,	Moore, H. A.,	Tahl,
Cella,	Jones, G. E.,	Moran,	Taylor,
Clapper,	Jones, J. M.,	Muldowney,	Thompson, E. F.,
Clendening,	Jones, P. F.,	Munley,	Thompson, R. L.,
Cochran,	Jones, T. H. W.,	Murray,	Toll,
Conway,	Jump,	Musto,	Tompkins,
Cooper,	Kamyk,	Najaka,	Toomey,
Corr,	Keller,	Naugle,	VanSant,
Costa,	Kent,	Needham,	Varallo,
Coyle,	Kline,	Olson,	Varnier,
Dalrymple,	Kohl,	Penglase,	Verona,
Davis,	Kolankiewicz,	Peta,	Wachhaus,
Dennison,	Kornick,	Petrosky,	Wargo,
Dougherty,	Kratz,	Pettigrew,	Waterhouse,
Dowling,	Kubacki,	Pfaff,	Watkins,
Duffy,	Lafore,	Pitchney,	Weidner,
Dunn,	Lederer,	Pitzer,	Welsh,
Erb,	Leisey,	Polaski,	Wescott,
Ewing,	Leonard, L.,	Polen,	Westrick,
Fenrich,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley,

Ferster,  
Filip,  
Filo,  
Firmstone,  
Flack,  
Frost,  
Gaffney,  
Geer,  
Gibson,  
Gleason,  
Good,  
Goodling,

Leven,  
Light,  
Limper,  
Loftus,  
Lopresti,  
Lovett,  
Lutty,  
Lyons,  
Madden,  
Madigan,  
Markley,

Price, R. A.,  
Readinger,  
Reagan,  
Reese,  
Reidenbach,  
Reilly, J. M.,  
Rigby,  
Riley, R. L.,  
Robertson,  
Rose,  
Rosen,  
Rovansek.

Wheeler,  
White,  
Williams,  
Wilt,  
Wood,  
Yeakel,  
Yetzer,  
Yester,  
Young,  
Ziegler,  
Sorg,  
Speaker

#### NAYS—0

#### NOT VOTING—1

DuBois,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

#### BILLS PASSED OVER

There being no objection

Senate Bill No. 41, Printer's No. 570 and

Senate Bill No. 104, Printer's No. 571

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the consideration on final passage Senate Bill No. 653, as follows:

An Act to further amend the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 571) entitled "An act relating to assessment for taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects property and persons subject to and exempt from taxation for county borough town township school except in cities and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for the assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of ward borough town and township assessors abolishing the office of assistant triennial assessor in townships of the first class providing for the appointment of a chief assessor assistant assessors and other employees providing for their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the recorder of deeds and eliminating the triennial assessment" by providing for a uniform permanent record system in the boards for the assessment and revision of taxes providing for a committee to prepare such system and conferring powers and imposing duties upon the boards for the assessment and revision of taxes the chairman of the Local Government Commission and chief assessors

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 302 of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 571) entitled "An act relating to assessment for taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects property and persons subject to and exempt from taxation for county borough town township school except in cities and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for the assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of ward borough town and township assessors abolishing the office of assistant triennial assessor in townships of the first class providing



for the appointment of a chief assessor assistant assessors and other employes providing for their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the recorder of deeds and eliminating the triennial assessment" as amended by the act approved the third day of July one thousand nine hundred forty-seven (P. L. 1229) is hereby further amended to read as follows

Section 302 Powers and Duties of the Board The board shall have the power and it shall be its duty to

(1) Appoint as hereinafter provided a chief county assessor and such assistant assessors clerks and other employes as may be deemed necessary

(2) Adopt rules and regulations not inconsistent with this act which shall govern the chief assessor his assistants and local elected assessors in the making of the assessment

[Such rules may include but not by way of limitation the use of tax maps land value maps other maps and materials assessors' manuals property record cards indicating the nature of improvements and the application of unit values to the information shown in such maps and records]

(3) Hear and determine appeals as hereinafter provided from the valuations fixed by the assessor or revised by the board as the case may be

(4) Establish within the limits of this act the form of the assessment roll and the order of listing of persons and property in such assessment roll and in the tax duplicates prepared from such roll

(5) Prepare annually and submit to the county commissioners an estimate of the expense to be incurred incidental to the carrying out of the provisions of this act

(6) Examine and revise the assessments and valuations as hereinafter provided

(7) Establish a permanent system of records consisting of tax maps property record cards and property owners index as hereinafter provided and such additional maps materials and manuals as it shall deem necessary

Section 2 Article III of said act is hereby amended by adding after Section 305 two new sections to read as follows

Section 306 Permanent Records System (a) It shall be the duty of the board within five years to establish through its chief assessor and staff a permanent records system and thereafter to keep it current consisting of

(1) Tax maps of the entire county drawn to scale or aerial maps which maps shall indicate all property and lot lines set forth dimensions or areas indicate whether the land is improved and identify the respective parcels or lots by a system of numbers or symbols and numbers whereby the ownership of such parcels and lots can be ascertained by reference to the property record cards and property owner's index

(2) Property record cards arranged geographically according to the location of property on the tax maps which cards shall set forth the location and description thereof the acreage or dimensions description of improvements if any the owner's name address and date of acquisition the purchase price if any set forth in the deed of acquisition the assessed valuation and the identifying number or symbol and number shown on the tax map

(3) Property owner's index consisting of an alphabetical listing of all property owners setting forth brief descriptions of each parcel or lot owned and cross-indexed with the property record cards and the tax map

(b) The board is hereby authorized and empowered to enter into such contracts as may be necessary to establish the permanent records system herein provided for or may through its chief assessor and staff or any other county employes prepare and complete such system

Section 307 Uniformity of Permanent Records System (a) For the purpose of achieving uniformity throughout the Commonwealth of the uniform permanent records system hereinbefore provided for the form of the tax maps property record cards and property owners index and the manner in which the information required to be set forth thereon shall be prepared or approved by a committee consisting of ten members five of whom shall be members of the Pennsylvania State Association of

County Commissioners to be appointed as hereinafter provided and four of whom shall be members of the General Assembly two to be appointed by the Speaker of the House of Representatives and two to be appointed by the President pro tempore of the Senate and one of whom shall be the chairman of the local government committee

(b) The members of the committee representing the Pennsylvania State Association of County Commissioners shall be appointed by the president thereof from each class of county subject to the provisions of this act The President of the State Association of County Commissioners shall make such appointments promptly and shall notify the chairman of the local government commission of the names and addresses of such appointees The members of the committee performing the duties set forth in this section shall serve without compensation The committee shall meet at the call of the chairman of the local government commission or his agent who shall serve as chairman thereof The chairman may call a meeting at any time but shall call a meeting within thirty days after receiving a request to do so signed by all the members of the committee other than the chairman

(c) It shall be the duty of the chairman of the local government commission or his agent in cooperation with said committee to prepare forms of the tax maps property record cards and property owner's index for use of the counties in establishing a uniform permanent records system as hereinbefore provided and to issue sample forms and instructions to the counties as needed Should the committee for any reason fail to meet and furnish the necessary cooperation in the preparation of such forms the chairman of the local government commission shall complete the preparation thereof

Section 3 Subsection two of Section 403 of said act is hereby amended to read as follows

Section 403 Duties of Chief Assessor It shall be the duty of the chief assessor to

\* \* \* \* \*

(2) Prepare or cause to be prepared [when directed by the board land value maps tax maps permanent record cards] the uniform permanent records system and such other maps plans surveys and records as may be deemed necessary to secure a proper and equitable assessment

On the question,

Shall the bill pass finally?

Mr. LIGHT. Mr. Speaker, Senate Bill No. 653 which is now before this House should have the serious consideration of every Member, especially those Members from the 4th, 5th, 6th 7th, and 8th class counties.

In these days we are apt to pass legislation quickly, but this must not happen to four bills on today's calendar, 653, 654, 655 and 656. It should be remembered that the passage of these bills will not affect the following:

Philadelphia, now administered by the Board of Revision of Taxes and which Board appoints the assessors; Allegheny County in which assessments are administered by the Board of Property Assessments, Appeals and Reviews and the Board appoints the assessors there.

Third Class Counties where assessments are administered by the Boards of Assessment and Revision of Taxes and the Board appoints the assessors.

Third Class Cities in which City Councils appoint the City Assessors for a four year term. However, Council may by ordinance elect to come under the county system.

This bill affects the counties—fourth to eighth class—where County Commissioners serve as the Board of Assessment and Revision of Taxes, and the Board appoints the chief assessor and local assessors are elected from each local unit of government for four year terms.

Senate Bill 653 aims to amend the laws affecting these



classes of counties by amending Act No. 254 of the 1943 session of the General Assembly; by providing for a uniform permanent record system in the boards for the assessment and revision of taxes; providing for a committee to prepare such system and conferring powers and imposing duties upon the boards for the assessment and revision of taxes, the Chairman of local government commission and chief assessors. Also it would amend Act No. 1229 of the 1947 session by defining the powers and duties of the Board to be

1. To appoint a chief county assessor and such assistant assessors, clerks and other employes as may be needed.

2. To adopt rules and regulations which shall govern the chief assessor, his assistant and local elected assessors in the making of the assessments.

3. To hear and determine appeal from the valuations fixed by the assessor or revised by the Board, as the case may be.

4. To establish within the limits of the act the form of the assessment roll and the order of listing of persons and property in such assessment roll and in the tax duplicates prepared from such roll.

5. To prepare annually and submit to the County Commissioners an estimate of the expense to be incurred incidental to carrying out the provisions of this act.

6. To examine and revise the assessments and valuation.

7. To establish a permanent system of records consisting of tax maps, property record cards and property owners index and such additional maps, materials and manuals as shall be deemed necessary.

Further, it shall be the duty of the board within five years to establish through its chief assessor and staff a permanent record system and thereafter to keep it current, consisting of

1. Tax maps of the entire county drawn to scale or aerial maps which maps shall indicate all property and lot lines, set forth dimensions or areas, indicate whether the land is improved, and identify the respective parcels or lots by a system of numbers or symbols and numbers whereby the ownership of such parcels and lots can be ascertained by reference to the property record cards and property owners index.

2. Property records cards shall be arranged geographically according to the location of property on the tax maps, which cards shall set forth the location and description thereof, the acreage or dimensions, the owners name, address, and date of acquisition, the purchase price—if any—set forth in the deed of acquisition, the assessed valuation and the identifying number or symbol and number shown on the tax map, together with the property owner's index, consisting of an alphabetical listing of all property owners, setting forth brief descriptions of each parcel or lot.

4. The Board is hereby authorized and empowered to enter into such contracts as may be necessary to establish the permanent record system, or may, through its chief assessor and staff or any other county employes, prepare and complete such system.

For the purpose of uniformity throughout the Commonwealth the form of the tax maps, property record cards and the property owners index and the manner in which the information required to be set forth thereon

shall be prepared or approved by a committee consisting of ten members—five to be appointed by the Pennsylvania State Association of County Commissioners; two to be appointed by the Speaker of the House of Representatives; two to be appointed by the President pro tempore of the Senate; and the Chairman of the Local Government Committee.

Several counties in Pennsylvania are operating under the terms of the 1947 Act, of which the County of Lebanon is one. I am informed that a school for assessors was conducted during the last year, covering two hours for each of ten weeks. Interest in this program by the Tax Equalization Board and the Institute of Local and State government is reported as having been helpful to the study.

For the information of the Member of the House, I wish to insert here that the Institute of Local and State Government was established July 1, 1937 at the University of Pennsylvania through a generous grant by the Samuel S. Fels Fund, the founder of which has long been interested in the improvement of municipalities and state government.

That Institute engages in training, assistance, counseling and research. The municipal assistance service aids local governments in a variety of ways, which service is free. The research activities of the Institute are usually connected with its training and service programs, but occasionally long range studies are made. The guide book of the Institute was used by Lebanon assessors in their studies.

If I am reliably informed, Lebanon County stands third in proficiency in this effort; and it should be noticed that with all the effort toward uniformity, the tax rate has risen in a number of districts and the total assessed valuation on real estate has changed from \$65,963,522 on January 1, 1947 to \$79,651,920 on January 1, 1951.

In Pennsylvania value for assessment is actual value of a property—the price for which a property would separately sell at a bona fide sale. Selling price is considered, of course, but it is not the controlling factor. However, the Assessors' Handbook Guide by the Institute of Local and State Government gives the following basic value factors to determine assessments of rural land values:

1. Soil
2. Crop Yields
3. Topography and elevation
4. Timber
5. Available markets
6. Roads and utilities

The Assessor's Handbook Guide also states that rural assessment aids are tax maps, property record cards, soil maps and geological survey maps.

Meritorious as some of these aids may seem it remains that Pennsylvania law marks value as the determining factor.

To organize and operate the plan of Senate Bill 653 would require a multitude of public appointees and it would mean a heavy outlay of tax money to carry out the intent of the act.

Real estate has always borne more than its share of the tax load and this innovation of a new plan of assessment will add to the real estate tax burden. Though



not listed as a property tax, many taxpayers find their taxes constantly increasing by taxes authorized under Act 481 of 1947, which taxes anything. Many taxing authorities have taken advantage of Act 481 of 1947 and unofficial estimates put the total annual revenue now produced by this law at approximately 30 million dollars. This 1947 tax measure was approved by the Legislature in line with recommendations by the Governor that local communities be given a chance to increase their financial self dependence to slow down the trend toward increasing subsidies and accompanying controls from the government.

I should like to have you notice this: many districts in thirteen counties during this year 1951 have placed new taxes under the 1947 Act, covering amusement taxes, per capita for schools, roads, deed taxes, and others, thereby adding constantly to the tax load of the citizens of this Commonwealth.

Aside from increasing taxes and costs of operation of the assessment of properties, Senate Bill 653 would take away from municipalities their powers of self government and rest that power in the hands of a few executives. In all lands there is that tendency to take away from the people that right. Our own country is not free from it, but here in the Keystone State we should oppose this trend to centralize authority and concentrate power which always follows. The centralization of assessments has always been opposed by rural organizations and there is no doubt that the passage of Senate Bill No. 653 will pave the way for the centralization of collection of taxes.

Instead of the passage of this piece of legislation, we should call a halt to the ever increasing tendency of governmental agencies to centralize the powers of government. The ideas of centralization is advanced with the though that such centralization would bring increased efficiency and economy. Experience has shown that instead of increased efficiency and economy, it has increased the burden of taxation by duplication of work with the resultant increase of governmental expenditures.

Most of the governments of the world have been the result of accidents. Ours is the result of forethought and design. It was founded by men who have grown wise through the experience of years of tyranny and war and whose only aim was to secure to the people their largest measure of liberty and happiness.

Defeat Senate Bill 653 as well as 654, 655 and 656 and it will be evidence that this Legislature aims to hold to and to retain to the people of Pennsylvania their rights of local self-government.

In this connection I would quote the words of a great scholar and a former President of the United States when he said, and I quote:

"The history of liberty is a history of the limitation of governmental power. When we resist the concentration of power we are resisting the processes of death, because concentration of power is what always precedes the destruction of human liberties."

I would ask the House to vote against 653 and other bills of the same nature.

Mr. ROBERTSON. Mr. Speaker, the package which we are discussing at the present time, as stated by the gentleman from Lebanon, is Bills 653, 654, 655 and 656. I presume from the fact that Mr. Light discussed these as an

entirety it is the Chair's desire that we discuss this as a package.

The SPEAKER. The Chair will permit such latitude.

Mr. ROBERTSON. Mr. Speaker, one thing I would like to call the attention to the House is the fact that 653, 654, 655 and 656 are amendments to the act of 1943 which is your county assessment law of the fourth through the eighth class counties. It does not change in the least bit the general overall county assessment practices in a situation where all taxes levied on real estate in a particular area are uniform.

The changes in Senate Bill 653, as brought out by the gentleman from Lebanon, requires the board to make a uniform system of tax maps and tax figures. Many of us realize that this may be an expense, but at the same time it sets up uniformity and will prevent a situation from arising where one particular person may be assessed at a certain figure and a similar house located on a similar street becomes of some inequitable reason may be assessed at a much lower or much higher figure.

The uniformity set-up is presently existing in counties of the third class. The uniformity is prescribed due to the fact that the particular set-up shall be controlled by a committee of ten members, five of whom shall be nominated by the County Commissioner's Association of the Commonwealth, two by the Speaker of the House, two by the President pro tempore of the Senate, and one being the chairman of the Local Government Commission.

Now it is admitted by the Local Government Commission that initially the work on these tax facts and tax records will definitely be an expense. But I submit, that by this method it takes uncertainty out of taxes and places the certainty therein that all real estate, whether it be farm land, a city dwelling, forest land or just plain wasteland will carry its worth of the governmental expenses of the county at local levels.

Now then, there is no question that for years the Commonwealth of Pennsylvania has been rather bothered by the fact that you have inequitable systems of valuation of real estate. You can have contiguous counties where in one county the valuation for tax purposes of the real estate is exceptionally low as compared to the others. An attempt was made to correct this condition by this Legislature in setting up the tax Equalization Board, but the tax inequity still continued. This plan, this package of bills, attempts to straighten out these inequities, and the answer to the county commissioners who insist on accepting the new value as placed under these laws and still continue the taxation at the present value is to relieve the county commissioners of their job next election. That seems to me to be the point blank answer.

As far as raising the expenses and adding various and sundry commissions and members and assessors, this series of acts does not change the present law under which the board, the chief assessor and the local assessors are appointed by the board. They still have the same responsibility and they still have the same pay as fixed by the county salary board.

In addition thereto, in any local municipal subdivision which issues building permits, it requires a copy of that permit to be sent to the county commissioners or the board for listing on the tax assessment record.



This is an attempt to equalize the valuation of all real estate in this Commonwealth. I will admit, as the gentleman from Lebanon said that the real estate owned in this Commonwealth is carrying a terrific load for the payment of the various governmental expenses and I submit that it will continue to do so unless some entirely different method of collecting taxes is created by this particular Legislation. That fact is with us but that is as much as the requirement of accepting the proposition that all taxes levied on real estate should be collected, and all real estate parcels should be levied upon.

Many of you may have read recently in some of the larger cities where taxes have been missed because particular properties had not been on the assessment list. This I submit will protect from that situation, you will not have any further situations of that type arise, and all property owners will pay their respective taxes toward the running of the municipal government.

I submit, that this is a proper series of bills, it has a proper point behind it and I request that the House support these bills.

Mr. REAGAN. Mr. Speaker, I would like to interrogate the gentleman from Delaware, Mr. Robertson, who has just spoken.

Mr. SPEAKER. Will the gentleman from Delaware, Mr. Robertson, permit himself to be interrogated?

Mr. ROBERTSON. I shall, Mr. Speaker.

Mr. REAGAN. Mr. Speaker, I would like to ask if there is any limitation as to term of service or the number who will comprise this chief assessor and his assistant assessors?

Mr. ROBERTSON. Mr. Speaker, as far as the chief assessor and his assistants are concerned, they are appointed today the same way as they would be appointed under this bill, and that is by the board. Senate bill 656 on the other hand requires the chief assessor to take an examination and to devote most of his time to assessment work. That is the deviation as far as the assessors are concerned.

Mr. REAGAN. I would like to inquire how many the gentleman thinks will comprise the chief assessor's office in order to accomplish all that is supposed to be accomplished by these bills?

Mr. ROBERTSON. Mr. Speaker, in answer to the gentleman, the only answer I could make is that the number in the chief assessor's office will be that number deemed advisable by the board or the County Commissioners in order to do the job.

Mr. REGAN. The gentleman would expect that County Commissioners to act as the board of taxation and tax revision?

Mr. ROBERTSON. Mr. Speaker, in answer to the gentleman's question I could say that they may; it is entirely up to them whether they act or whether they appoint other people to act as the board.

Mr. REAGAN. With all this work of an entire county assessment thrown into the Court House, does the gentleman imagine that the County Assessors along with their other work will act as boards of tax revision?

Mr. ROBERTSON. Mr. Speaker, the only answer I can give the gentleman is that if the County Commissioners personally act as a board of revision and con-

trol through the chief assessor at the present time they probably will continue under this act.

Mr. REAGAN. Does not the gentleman think that with all the work of assessing for a whole county, they will appoint another board? Will they find it necessary to do that?

Mr. ROBERTSON. Mr. Speaker, under this law and under the law as presently existing the board whether this act passes or not, the board or the County Commissioners, if they are the same persons still has the responsibility of making the county assessments. There is no change in that.

Mr. REGAN. I thank the gentleman.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken.

A verification of the roll was requested by Messrs. Erb, Regan and Wilbur H. Hamilton.

The roll was verified and was as follows:

#### YEAS—90

Andrews.	Flack,	Lyons,	Readerer,
Banker,	Gibson,	Madden,	Rally, J. M.,
Blair,	Gleason,	Madigan,	Rose,
Bloom,	Good,	Maxwell,	Royer,
Bomberger,	Hall,	Mazza,	Rubin,
Boorse,	Harney,	McConnell,	Sarraf,
Bower,	Hunter,	McGee,	Schmidt,
Brelsich,	Jenkins,	McNally,	Schuster,
Breth,	Jones, G. E.,	Metz,	Scott,
Brown,	Jones, P. F.,	Mihm,	Smith,
Byrne,	Jones, T. H. W.,	Mikula,	Snider,
Cella,	Kamyk,	Monroe,	Sollenberger,
Clendening,	Keller,	Moran,	Swope,
Corr,	Kent,	Muldowney,	Toomey,
Coyle,	Kline,	Murray,	Varner,
Davis,	Kornick,	Najaka,	Wachhaus,
Dennison,	Kratz,	Olsen,	Wood,
Duffy,	Lederer,	Peta,	Yeakel,
Dunn,	Leonard, L.,	Petrosky,	Yester,
Ewing,	Leonard, W. C.,	Pichney,	Yetzer,
Fenrich,	Loftus,	Pitzer,	Young,
Filo,	Lovett,	Polen,	Sorg,
Firmstone,	Lutty,	Price, R. A.,	Speaker

#### NAYS—70

Barkdoll,	Greenwood,	McInroy,	Swartz,
Baumunk,	Greer,	McMillen,	Taylor,
Bear,	Guthrie,	Miller, H. G.,	Thompson, E. F.,
Beaver,	Hamilton, R. K.,	Miller, J. C.,	Thompson, R. L.,
Berkstreser,	Hamilton, W. H.,	Mintess,	Toll,
Bucchin,	Headlee,	Moore, H. A.,	Tompkins,
Clapper,	Helm,	Naugle,	VanSant,
Conway,	Hewitt,	Polaski,	Wargo,
Dalrymple,	Hocker,	Price, H. W. Jr.,	Waterhouse,
Dowling,	Johnson,	Reagan,	Weldner,
Erb,	Kolankiewicz,	Riley, R. L.,	Welsh,
Ferster,	Kubacki,	Robertson,	Wescott,
Fillip,	Lelsey,	Rovansek,	Westrick,
Frost,	Light,	Seyler,	Whalley,
Gaffney,	Marklev,	Shotwell,	White,
Geer,	McCormack,	Stank,	Wilt,
Goodling,	McCullough,	Stoner,	Ziegler,
Graybill,			

#### NOT VOTING—47

Amarando,	Haudenshield,	Mills,	Rosen,
Beech,	Hersch,	Moore, C. E.,	Sax,
Boles,	Hoggard,	Munley,	Scanlon,
Bolton,	Jones, J. M.,	Musto,	Shoemaker,
Cochran,	Jump,	Needham,	Spencer,
Cooper,	Kohl,	Penglase,	Stimmel,
Costa,	Lafore,	Pettigrew,	Tahl,
Dougherty,	Leven,	Pfaff,	Varallo,
DuBois,	Limper,	Reese,	Verona,
Guarnieri,	Lopresti,	Reidenbach,	Watkins,
Gutendorf,	McDermitt,	Rigby,	Wheeler,
Hagerty,	McKinney,		Williams,



Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

### BILLS PASSED OVER

There being no objection,

Senate Bill No. 654, Printer's No. 551 and

Senate Bill No. 655, Printer's No. 552,

were passed over at the request of the SPEAKER.

### BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 177, as follows:

An Act to amend subdivision (e) of article five of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by authorizing counties of the fourth class to make annual appropriations to volunteer fire companies for the purpose of purchasing maintaining and operating radio equipment

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subdivision (e) of article five of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" is hereby amended by adding at the end thereof a new section to read as follows

Section 452 Appropriations by Counties of Fourth Class to Volunteer Fire Companies for Radio Equipment The board of county commissioners of any county of the fourth class may make annual appropriations to volunteer fire companies located within the county for the purpose of purchasing maintaining and operating radio equipment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

### YEAS—206

Amarando,	Graybill,	Maxwell,	Royer,
Andrews,	Greenwood,	Mazza,	Rubin,
Banker,	Greer,	McConnell,	Sarraff,
Barkdoll,	Guarnieri,	McCormack,	Sax,
Baumunk,	Gutendorf,	McCullough,	Scanlon,
Bear,	Guthrie,	McDermitt,	Schmidt,
Beaver,	Hagerty,	McGee,	Schuster,
Beech,	Hall,	McInroy,	Scott,
Berkstresser,	Hamilton, R. K.,	McKinney,	Seyler,
Blair,	Hamilton, W. H.,	McMillen,	Shoemaker,
Bloom,	Harney,	McNally,	Shotwell,
Boles,	Haudenschild,	Metz,	Smith,
Bolton,	Headlee,	Mihm,	Snider,
Bomberger,	Helm,	Mikula,	Sollenberger,
Boorse,	Hersch,	Miller, H. G.,	Spencer,
Bower,	Hewitt,	Miller, J. C.,	Stank,
Breisch,	Hocker,	Mills,	Stimmel,
Breth,	Hoggard,	Mintess,	Stoner,
Bucchin,	Hunter,	Monroe,	Swartz,
Byrne,	Jenkins,	Moore, C. E.,	Swope,
Brown,	Johnson,	Moore, H. A.,	Tahl,
Cella,	Jones, G. E.,	Moran,	Taylor,
Clapper,	Jones, J. M.,	Muldowney,	Thompson, E. F.,
Clendenning,	Jones, P. F.,	Munley,	Thompson, R. L.,
Cochran,	Jones, T. H. W.,	Murray,	Toll,
Conway,	Jump,	Musto,	Tompkins,
Cooper,	Kamy,	Najaka,	Toomey,
Corr,	Keller,	Naugle,	VanSant,

Costa,	Kent,	Needham,	Varallo,
Coyle,	Kline,	Olsen,	Varner,
Dalrymple,	Kohl,	Penglase,	Verona,
Davis,	Kolankiewicz,	Peta,	Wachhaus,
Dennison,	Kornick,	Petrosky,	Wargo,
Dougherty,	Kratz,	Pettigrew,	Waterhouse,
Dowling,	Kubacki,	Pfaff,	Watkins,
Duffy,	Lafore,	Pichney,	Weidner,
Dunn,	Lederer,	Pitzer,	Welsh,
Erb,	Letsey,	Polaski,	Wescott,
Ewing,	Leonard, L.,	Polen,	Westrick,
Fenrich,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley,
Ferster,	Leven,	Price, R. A.,	Wheeler,
Filip,	Light,	Readinger,	White,
Filo,	Limper,	Reagan,	Williams,
Firmstone,	Loftus,	Reese,	Wilt,
Flack,	Lopresti,	Reidenbach,	Wood,
Frost,	Lovett,	Reilly, J. M.,	Yeakel,
Gaffney,	Lutty,	Rigby,	Yester,
Geer,	Lyons,	Riley, R. L.,	Yetzer,
Gibson,	Madden,	Robertson,	Young,
Gleason,	Madigan,	Rose,	Ziegler,
Good,	Markley,	Rosen,	Sorg,
Goodling,		Rovansek,	Speaker

### NAYS—0

### NOT VOTING—1

DuBols,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 470, as follows:

An Act to further amend clause (c) of section 9 of the act approved the twenty-fourth day of June one thousand thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designed and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Boards Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" by increasing pensions for the blind and providing pensions for blind persons heretofore ineligible for pensions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (c) of section 9 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Board of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assist-



ance and the State Emergency Relief Board" as last amended by the act approved the eighth day of July one thousand nine hundred forty-seven (P. L. 1448) is hereby further amended to read as follows

Section 9 Eligibility for Assistance Except as hereinafter specifically otherwise provided in the case of pensions for the blind all persons of the following classes except those who hereafter advocate and actively participate by an overt act or acts in a movement proposing a change in the form of government of the United States by means not provided for in the Constitution of the United States shall be eligible to receive assistance in accordance with rules regulations and standards established by the Department of Public Assistance with the approval of the State Board of Assistance as to eligibility for assistance and as to its nature and extent

\* \* \* \* \*

(c) Blind Persons A blind person is defined as one who (1) is twenty-one years of age or more (2) has three-sixtieth or ten-two hundredths or less normal vision (3) has resided in the Commonwealth for at least five years during the nine years immediately preceding his application for a pension and has resided therein continuously for one year immediately preceding the application (4) is not receiving assistance as an aged person during the period for which he is receiving assistance as a blind person (5) is not at the date of making application an inmate of any prison jail insane asylum or any other public reform or correctional institution [The] except as hereinafter provided the pension of a blind person shall be [forty dollars (\$40)] fifty dollars (\$50) per month Provided That any blind person with an actual income of one thousand five hundred ninety-six dollars (\$1596) or upwards and any blind person having real property with an assessed valuation of over five thousand dollars (\$5000) or having personal property with an actual value of five thousand dollars (\$5000) or upwards is not entitled to such pension the interest of a blind person in any property owned by the Entireties shall be deemed to be a one-half interest And provided further That where a blind person has an income of less than one thousand five hundred ninety-six dollars (\$1596) per year the pension shall be fixed in such amount so that the combined income and pension shall not exceed one thousand five hundred ninety-six dollars (\$1596) a year in computing the amount of income of a blind person twenty per centum of his net annual earned income shall be disregarded a blind person is obligated fully to disclose to the Department of Public Assistance information respecting the property resources and income owned possessed or received by him No person shall be denied a pension because of the fact that he or she is not a citizen of the United States In the event that any act of Congress providing Federal aid toward pension for the blind requires the recipients to be citizens no such Federal aid moneys shall be expended in the payment of pensions to non-citizens but such persons shall receive pensions out of moneys appropriated by this Commonwealth

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—206

Amarando,	Graybill,	Maxwell,	Royer,
Andrews,	Greenwood,	Mazza,	Rubin,
Banker,	Greer,	McConnell,	Sarra,
Barkdoll,	Guarnieri,	McCormack,	Sax,
Baumunk,	Gutendorf,	McCullough,	Scanlon,
Bear,	Guthrie,	McDermitt,	Schmidt,
Beaver,	Hagerty,	McGee,	Schuster,
Beech,	Hall,	McInroy,	Scott,
Berkstresser,	Hamilton, R. K.,	McKinney,	Seyler,
Blair,	Hamilton, W. H.,	McMillen,	Shoemaker,

Bloom,	Harney,	McNally,	Shotwell,
Boles,	Haudenschild,	Metz,	Smith,
Bolton,	Headlee,	Mihm,	Snider,
Bomberger,	Helm,	Mikula,	Sollenberger,
Boorse,	Hersch,	Miller, H. G.,	Spencer,
Bower,	Hewitt,	Miller, J. C.,	Stank,
Breisch,	Hocker,	Mills,	Stimmel,
Breth,	Hoggard,	Mintess,	Stoner,
Brown,	Hunter,	Monroe,	Swartz,
Bucchin,	Jenkins,	Moore, H. A.,	Swope,
Byrne,	Johnson,	Moore, C. E.,	Tahl,
Cella,	Jones, G. E.,	Moran,	Taylor,
Clapper,	Jones, J. M.,	Muldowney,	Thompson, E. F.,
Clendening,	Jones, P. F.,	Munley,	Thompson, R. L.,
Cochran,	Jones, T. H. W.,	Murray,	Toll,
Conway,	Jump,	Musto,	Tompkins,
Cooper,	Kamyk,	Najaka,	Toomey,
Corr,	Keller,	Naugle,	VanSant,
Costa,	Kent,	Needham,	Varallo,
Coyle,	Kline,	Olsen,	Varnar,
Dalrymple,	Kohl,	Penglase,	Verona,
Davis,	Kolankiewicz,	Peta,	Wachhaus,
Dennison,	Kornick,	Petrosky,	Wargo,
Dougherty,	Kratz,	Pettigrew,	Waterhouse,
Dowling,	Kubacki,	Pfaff,	Watkins,
Duffy,	Lafore,	Pichney,	Weidner,
Dunn,	Lederer,	Pitzer,	Welsh,
Erb,	Leisey,	Polaski,	Wescott,
Ewing,	Leonard, L.,	Poten,	Westrick,
Fenrich,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley,
Fenster,	Leven,	Price, R. A.,	Wheeler,
Filip,	Light,	Readinger,	White,
Filo,	Limper,	Reagan,	Williams,
Firmstone,	Loftus,	Reese,	Wilt,
Flack,	Lopresti,	Reidenbach,	Wood,
Frost,	Lovett,	Reilly, J. M.,	Yeakel,
Gaffney,	Lutty,	Rigby,	Yester,
Geer,	Lyons,	Riley, R. L.,	Yetzer,
Gibson,	Madden,	Robertson,	Young,
Gleason,	Madigan,	Rose,	Ziegler,
Good,	Markley,	Rosen,	Sorg,
Goodling,		Rovansek,	Speaker

#### NAYS—0

#### NOT VOTING—1

DuBois,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 488, as follows:

An Act to impose a temporary tax on real estate for public school purposes in school districts of the first class A for current expenses

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Board of Public Education in school districts of the first class A shall levy annually on or after the second Monday of November and before the first Monday of December next following a tax of one and one-half mills (.0015) on each dollar of the total assessment of all real property assessed and certified for taxation in said district

Section 2 The taxes and penalties collected under the provisions of this act shall be used by such school district for general public school purposes

Section 3 The tax authorized to be levied under the provisions of this act shall be in addition to any other taxes any school district of the first class A is empowered to levy and collect under any existing law

Section 4 The taxes which are levied under the provisions of this act shall be collected at the same time in the same manner with like authority and subject to the same discounts and penalties as other real estate taxes for school purposes are collected



Section 5 The provisions of this act shall apply only to school districts of the first class A

Section 6 This act shall become effective immediately upon final enactment and shall expire on the thirty-first day of December one thousand nine hundred fifty-three

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—196

Amarando,	Graybill,	McConnell,	Sarraff,
Andrews,	Greenwood,	McCormack,	Sax,
Banker,	Greer,	McCullough,	Scanlon,
Barkdoll,	Guarnieri,	McDermitt,	Schmidt,
Baumunk,	Gutendorf,	McGee,	Schuster,
Bear,	Guthrie,	McInroy,	Scott,
Beaver,	Hagerty,	McKinney,	Seyler,
Beech,	Hall,	McMillen,	Shoemaker,
Berkstresser,	Hamilton, R. K.,	McNally,	Shotwell,
Blair,	Hamilton, W. H.,	Metz,	Smith,
Bloom,	Harney,	Mihm,	Snider,
Boles,	Haudenschild,	Mikula,	Sollenberger,
Bolton,	Headlee,	Miller, H. G.,	Spencer,
Bomberger,	Helm,	Miller, J. C.,	Stank,
Boorse,	Hersch,	Mills,	Stimmel,
Bower,	Hewitt,	Mintess,	Stoner,
Breisch,	Hocker,	Monroe,	Swartz,
Breth,	Hoggard,	Moore, C. E.,	Swope,
Brown,	Hunter,	Moore, H. A.,	Tahl,
Bucchin,	Jenkins,	Moran,	Taylor,
Byrne,	Johnson,	Muldowney,	Thompson, E. F.,
Cella,	Jones, G. E.,	Munley,	Thompson, R. L.,
Clapper,	Jones, J. M.,	Murray,	Toll,
Clendening,	Jones, P. F.,	Musto,	Tompkins,
Cochran,	Jones, T. H. W.,	Najaka,	Toomey,
Conway,	Jump,	Naugle,	VanSant,
Costa,	Kamyk,	Needham,	Varallo,
Coyle,	Keller,	Penglase,	Verner,
Dalrymple,	Kent,	Peta,	Verona,
Davis,	Kline,	Pettigrew,	Wachhaus,
Dennison,	Kohl,	Pfaff,	Wargo,
Dougherty,	Kolankiewicz,	Pichney,	Waterhouse,
Dowling,	Kratz,	Pitzer,	Watkins,
Duffy,	Kubacki,	Polaski,	Weldner,
Dunn,	Lafore,	Polen,	Welsh,
Ewing,	Lederer,	Price, H. W. Jr.,	Wescott,
Fenrich,	Leisey,	Price, R. A.,	Westrick,
Ferster,	Leonard, W. O.,	Readinger,	Whalley,
Filip,	Leven,	Reagan,	Wheeler,
Filo,	Light,	Reese,	White,
Firmstone,	Limper,	Reidenbach,	Williams,
Flack,	Loftus,	Reilly, J. M.,	Wilt,
Frost,	Lopresti,	Rigby,	Wood,
Gaffney,	Lyons,	Robertson,	Yeakel,
Geer,	Madden,	Rose,	Yester,
Gibson,	Madigan,	Rosen,	Yetzer,
Gleason,	Markley,	Rovanssek,	Young,
Good,	Maxwell,	Royer,	Ziegler,
Goodling,	Mazza,	Rubin,	Sorg,

Speaker

## NAYS—9

Cooper,	Kornick,	Lovett,	Olsen,
Corr,	Leonard, L.,	Lutty,	Petrosky,
Erb,			

## NOT VOTING—2

DuBois,	Riley, R. L.,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1047, as follows:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1216) entitled "An act to define real estate brokers and real estate salesmen and providing for the licensing regulation and supervision of resident and non-resident real estate brokers and real estate salesmen and their business" by further defining "real estate brokers" and "real estate salesmen" authorizing the issuance of limited real estate brokers' and salesmen's licenses within a limited field or branch of the real estate business and prescribing the powers and duties of the department and commission with respect thereto further regulating licensing and the suspension and revocation of such licenses prohibiting the use of names of real estate salesmen in the corporate or partnership names of corporations or partnerships engaged in the real estate business and further regulating the payment of commissions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (a) (b) and (c) of Section 2 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1216) entitled "An act to define real estate brokers and real estate salesmen and providing for the licensing regulation and supervision of resident and nonresident real estate brokers and real estate salesmen and their business subsection (a) of which was last amended by the act approved the twenty-first day of June one thousand nine hundred forty-seven (P. L. 767) subsection (b) of which was last amended by the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1023) and subsection (c) of which was last amended by the act approved the ninth day of May one thousand nine hundred forty-nine (P. L. 1016) are hereby further amended to read as follows

Section 2 (a) The term "real estate broker" shall include all persons copartnerships associations and corporations foreign and domestic who for another and for a fee commission or other valuable consideration shall sell exchange purchase or rent or shall negotiate the sale exchange purchase or rental or shall offer or attempt to negotiate the sale exchange purchase or rental or shall hold himself or themselves out as engaged in the business of selling exchanging purchasing or renting of any real estate interest in real estate the property of another whether the same shall be located within the State of Pennsylvania or elsewhere or shall collect or offer or attempt to collect rental for the use of real estate the property of another or shall negotiate or offer or attempt to negotiate a loan secured or to be secured by mortgage or other encumbrance upon or transfer of any such real estate It shall also include any person copartnership association or corporation employed by the owner or owners of lots or other parcels of real estate including cemetery lots at a stated salary or upon a commission or upon a salary and commission basis or otherwise to sell such real estate or any parts thereof in lots or other parcels and who shall sell or exchange or offer or attempt to negotiate the sale or exchange of any such lot or parcel of real estate One act in consideration of compensation by fee commission or otherwise of buying selling renting or exchanging any such real estate of or for another or attempting or offering so to do or negotiating a loan upon or leasing or renting or placing for rent any such real estate or collection of rent therefrom shall constitute prima facie evidence that the person copartnership association or corporation so acting or attempting to act is a real estate broker within the meaning of this act The term "real estate broker" shall also include [all real estate auctioneers and] real estate appraisers as well as all managers of office buildings apartment buildings and other buildings and persons employed by the owners of such buildings banking institutions and trust companies for the foregoing purposes

(b) The term "real estate salesman" shall mean and include any person employed by a licensed real estate broker to [perform any or all of the functions of a real estate broker] list for sale sell or offer for sale to buy



or offer to buy or to negotiate the purchase or sale or exchange of real estate or to negotiate a loan on real estate or to lease or rent or offer to lease rent or place for rent any real estate or collect or offer or attempt to collect rent for the use of real estate for or in behalf of such real estate broker. Provided however That stenographic or other clerical help employed solely in such capacity in the office of the broker shall not be required to be licensed as real estate salesmen

(c) Neither of the said terms "real estate broker" or "real estate salesman" shall be held to include within the meaning of this act any person firm association partnership or corporation who as owner shall perform any of the acts with reference to property owned by them nor any person who sells land by public auction for or on behalf of the owner or owners thereof nor any person holding in good faith a duly executed letter of attorney from the actual owner of any real estate authorizing the sale conveyance or leasing of such real estate for and in the name of such owner or the negotiating of any loan thereon where such letter of attorney is recorded in the office of the recorder of deeds nor shall they be held to include in any way attorneys at law and justices of the peace nor shall they be held to include any receiver trustee in bankruptcy administrator or executor or any other person or corporation acting under the appointment or order of any court or as trustee under the authority of a will or deed of trust where only the transactions pertaining thereto are involved or the duly elected executive officer of any banking institution or trust company operating under the banking laws of Pennsylvania where real estate of the banking institution or trust company only is involved nor shall they be held to include any officer or employe of a cemetery company who is incidental to his principal duties and without remuneration therefor shows lots in such company's cemetery to persons for their use as a family burial lot and who accepts deposits on such lots for the representatives of the cemetery company legally authorized to sell the same

Section 2 Section 6 of said act as last amended by the act approved the fifth day of May one thousand nine hundred forty-five (P. L. 424) and by the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1023) is hereby further amended to read as follows

Section 6 From and after January 1 1930 it shall be unlawful for any person copartnership association or corporation to engage in or carry on the business or act in the capacity of a real estate broker or a real estate salesman within this Commonwealth without first obtaining a license as a real estate broker or real estate salesman from the department

No person copartnership association or corporation may be licensed by the department as a real estate broker unless such person and all of the members of any such copartnership or association who are actively engaged in the real estate business and all of the officers of any such corporation who are actively engaged are of the age of twenty-one years and upwards are citizens of the United States and shall have served an apprenticeship in active practice as a duly licensed real estate salesman of not less than two years in the employ of a duly licensed real estate broker or brokers or upon application proof of experience equivalent thereto

Any person engaged in the real estate business for a period of two years or more prior to January 1 1930 may be admitted to an examination for a real estate broker's license Provided That he or she shall meet all of the prerequisites of applicants for such licenses except that he or she shall not be required to have served in the employ of a duly licensed real estate broker or brokers as a duly licensed real estate salesman for a period of two years [Provided however That any person partnership or unincorporated association who or which has been licensed as a private bank by the Department of Banking of the Commonwealth of Pennsylvania for a period of thirty (30) years or more prior to the first day of January one thousand nine hundred forty-five shall if application therefor

is made within ninety (90) days of the effective date of this act be entitled to apply for and to receive a real estate broker's license without examination]

Section 3 Said act is hereby amended by adding after Section 6 a new section to read as follows

Section 6.1 (a) The department is hereby authorized and empowered to issue limited real estate brokers' and salesmen's licenses to any person copartnership association or corporation desiring to engage in or carry on the business or act in the capacity of a real estate broker or a real estate salesman within the Commonwealth exclusively within a limited field or branch of such business and for such purpose the commission shall conduct such limited examinations as are in the judgment of the commission necessary to ascertain whether the applicant for limited licensure has a proper knowledge of the limited field or branch for which he seeks limited licensure For the purpose of preparing and conducting examinations for limited licensure the commission shall consult with an advisory group of at least three persons of established reputation and liability who are actively engaged in the particular field or branch under consideration and who shall be compensated for their services at the rate of not more than ten dollars (\$10.00) per day in addition to their expenses in attending the commission

(b) Applicants for limited licensure shall first submit to and pass an examination prepared by the commission in consultation with an advisory group as herein provided such examinations to be conducted at such times in such special fields or branches and subject to such conditions as the commission by rules and regulations shall prescribe

(c) Limited licenses issued by the department under the provisions of this section shall clearly state on the face thereof the field or branch to which such limited license is applicable and the holder of an such limited license shall not engage in or carry on the business or act in the capacity of a real estate broker or real estate salesman except in the limited field or branch for which he holds such limited license

(d) Except as herein otherwise provided all the provisions of this act shall apply to applicants for and persons holding limited licenses issued by the department under the provisions of this section

Section 4 Subsections (b) and (c) of Section 7 of said act as last amended by the act approved the twenty-first day of June one thousand nine hundred forty-seven (P. L. 767) are hereby further amended to read as follows

#### Section 7

\* \* \* \* \*

(b) Application for licenses as real estate broker shall be made in writing to the department upon a blank provided for the purpose by the department and shall contain such information as to the applicant or when the application is made by a copartnership association or a corporation as to its members or officers as the commission shall require The application shall be signed by the applicant shall set forth that the applicant has been actively engaged in the business for a period of two years together with a statement of such activity and shall be accompanied by the recommendation of at least two citizens not related to the applicant or in the case of a copartnership or corporation to any member or officer thereof who shall be owners of real estate within and residents of the county in which the applicant resides or has his their or its place of business certifying to the honesty truthfulness and good repute of the applicant or in the case of a copartnership or association or corporation its members or officers by name and recommending that a license be granted the applicant and by the recommendation of one licensed real estate broker or licensed member or officer of a copartnership association or corporation licensed as a real estate broker If the applicant or in the case of a copartnership or corporation any of its members or officers shall have resided or shall have engaged in business for less than one year in the county from which the application is made such application shall also be accompanied by the recommendation of at least two (2) real estate owners not related to the applicant of each of the counties where he or



each of such members or officers has formerly resided or engaged in business during the said period of one year prior to the filing of such application certifying to the honesty truthfulness and good repute of the applicant or its members or officers by name and recommending that the license be granted Each application shall be accompanied by two photographs of the applicant or in the case of a copartnership association or corporation of the applicant members or officers thereof Where the applicant for a real estate broker's license maintains more than one place of business within the Commonwealth he shall be required to apply for and procure a duplicate license for each branch office so maintained by him such duplicate license to be issued with an additional charge of two dollars and fifty cents (\$2.50) for each additional office or place of business Every such application shall state the name of the person copartnership association or corporation and the location of the place or places of business for which such license is desired and the license shall expire on the last day of February immediately following the date of issue unless sooner revoked or suspended by the commission or renewed annually as hereinafter described Provided That upon the filing of an application the commission may investigate the allegations therein contained and if upon investigation it finds such allegations untrue it may refuse to examine or license the applicant setting forth in writing its findings and the reasons for its refusal and furnishing a copy thereof to the applicant

(c) Application for license as real estate salesman shall be made in writing to the department signed by the applicant setting forth that he is at least eighteen years of age the period of time during which he has been engaged in the business stating the name of the last employer and the name and place of business of the person firm copartnership association or corporation then employing him or into whose employ he is then about to enter No person may be licensed by the department as a real estate salesman unless such person is a citizen of the United States All applications shall be made upon a blank provided for the purpose by the department and shall contain such information as to the applicant in addition to the above prescribed as the commission shall require The application shall be accompanied by the recommendation of his employer or prospective employer certifying that the applicant is honest truthful and of good repute and recommending that such license be granted All such licenses shall expire on the last day of February immediately following the date of issue unless sooner revoked or suspended by the commission or renewed annually as hereinafter described

No person may hereafter be licensed as a real estate salesman and no person copartnership association or corporation may hereafter be licensed as a real estate broker by the department unless such person and all of the members of any such copartnership or association and all of the officers of any such corporation intending to actually engage in or actually engaging in the real estate business as a real estate broker or salesman shall first submit to and pass an examination conducted by the commission and prepared by the commission The commission shall hold examinations on the second Saturdays in January April July and October in the cities of Philadelphia Pittsburgh Harrisburg Wilkes-Barre and Erie at such hours and under such rules and regulations as the commission shall prescribe Provided That the commission may make a special dispensation or exception because of religious scruples of applicants as to the days of the week upon which the examination shall be held Provided further That the commission may hold real estate salesmen's examinations in the city of Harrisburg on the second Saturday of any month The examination for a broker's license shall include questions on real estate practice real estate law the applicant's ability to read and write English his knowledge of mathematics and other common school branches The examination for salesman's license shall be limited to mathematics applicable to real estate business the Real Estate Brokers' License Act and ethical practices thereunder Provided however That in event the license of

any real estate broker or salesman shall be cancelled by the commission subsequent to the enactment of this act no new license shall be issued to such person unless he complies with the provisions of this act Provided further however That the commission may waive these requirements in the case of an application from a non-resident broker of those states having similar requirements under the laws of which similar recognition and courtesies are extended to licensed real estate brokers and real estate salesmen of this State

[An individual who fails to pass the examination may apply for and receive from the department a temporary permit to operate as a real estate salesman until the next regular examination] Any individual who fails to pass the examination at two successive examinations shall be ineligible for a similar examination until after the expiration of six months from the time such individual took the last examination

Section 5 Section 9 of said act as last amended by the act approved the twenty-fifth day of May one thousand nine hundred forty-five P. L. 1023) is hereby further amended by adding at the end thereof a new subsection to read as follows

#### Section 9

\* \* \* \* \*

(d) No corporation or copartnership engaged in the real estate business shall include in the corporate or partnership name the name of a licensed real estate salesman nor shall the name of a real estate salesman be registered as an owner or interested person under the provisions of the act approved the twenty-fourth day of May one thousand nine hundred forty-five (P. L. 967) known as the "Fictitious Names Act"

Section 6 Subsection (a) of Section 10 of said act as last amended by the act approved the twenty-first day of June one thousand nine hundred forty-seven (P. L. 767) is hereby further amended to read as follows

Section 10 (a) The commission may upon its own motion and shall promptly upon the verified complaint in writing of any person setting forth specifically the wrongful act or acts complained of investigate any action or business transaction of any licensed real estate broker or real estate salesman and shall have the power temporarily to suspend or permanently to revoke licenses theretofore issued by the department under the provisions of this act at any time when after due proceedings as hereinafter provided it shall find the holder thereof to have been guilty in the performance or attempt to perform any of the acts prohibited to others than licensed real estate brokers or real estate salesmen under the provisions of this act

(1) Of knowingly making any substantial misrepresentation or

(2) Of knowingly making any false promise of a character likely to influence persuade or induce or

(3) Of a continued or flagrant course of misrepresentation or making of false promises through agents or salesmen or

(4) When it shall be shown that the licensee within five years prior to the issuance of the license then in force has [been convicted] pleaded guilty entered a plea of nolo contendere or has been found guilty in a court of competent jurisdiction of this or any other state of forgery embezzlement obtaining money under false pretenses extortion conspiracy to defraud bribery or other like offense or offenses

(5) Of any failure to account for or to pay over moneys belonging to others which has come into his her or its possession arising out of a real estate transaction or

(6) Of any misleading or untruthful advertising or

(7) Of any act or conduct in connection with a real estate transaction which demonstrates incompetency bad faith or dishonesty

(8) Of displaying a "for rent" or "for sale" sign on any property without an exclusive agency therefor or without the owner's consent

(9) Of failing to furnish voluntarily a copy of the agreement of sale to the buyer and the seller

(10) Of buying a property listed through a straw party



with the intent of reselling to a buyer already secured thus making a profit in addition to the commission agreed upon with the owner listing the property

(11) Of failure to deposit in escrow or a trustee account all moneys belonging to others coming into the hands of the licensee

Section 7 Subsections (b) and (g) of Section 11 and subsection (a) of Section 15 of said act as last amended by the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1023) are hereby further amended to read as follows

Section 11 \* \* \* \* \*

(b) Where during the term of any license issued by the department the licensee shall [be convicted] have pleaded guilty or entered a plea of nolo contendere or has been found guilty in a court of competent jurisdiction in this or any other State of forgery embezzlement obtaining money under false pretenses extortion criminal conspiracy to defraud bribery or other like offense or offenses and a duly certified or exemplified copy of the record in such proceeding shall be filed with the commission the commission shall revoke forthwith the license by it theretofore issued to the licensee so convicted

\* \* \* \* \*

(g) No license shall be issued by the department to any person known by it to have been within five (5) years theretofore convicted of forgery embezzlement obtaining money under false pretenses extortion criminal conspiracy to defraud bribery or other like offense or offenses or to any copartnership of which such person is a member or to any association or corporation of which said person is an officer or employe or in which as a stockholder such person has or exercises a controlling interest either directly or indirectly

Section 15 (a) It shall be unlawful for any licensed real estate broker or real estate salesman to pay any compensation in money or other valuable thing to any person other than a [licensed] real estate broker or real estate salesman licensed under the provisions of this act or under the laws of another state having the same or similar provisions regarding payment of compensation for the rendering of any service or the doing of any of the acts by this act forbidden to be rendered or performed by other than licensees

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—206

Amarando,	Graybill,	Maxwell,
Andrews,	Greenwood,	Mazza,
Banker,	Greer,	McConnell,
Barkdoll,	Guarnieri,	McCormack,
Baumunk,	Gutendorf,	McCullough,
Bear,	Guthrie,	McDermitt,
Beaver,	Hagerty,	McGee,
Beech,	Hall,	McInroy,
Berkstresser,	Hamilton, R. K.,	McKinney,
Blair,	Hamilton, W. H.,	McMillen,
Bloom,	Harney,	McNally,
Boies,	Haudenshield,	Metz,
Bolton,	Headlee,	Mihm,
Bomberger,	Helm,	Mikula,
Boorse,	Hersch,	Miller, H. G.,
Bower,	Hewitt,	Miller, J. C.,
Breisch,	Hocker,	Mills,
Breth,	Hoggard,	Mintess,
Brown,	Hunter,	Monroe,
Bucchin,	Jenkins,	Moore, C. E.,
Byrne,	Johnson,	Moore, H. A.,
Cella,	Jones, G. E.,	Moran,
Clapper,	Jones, J. M.,	Muldowney,
Clendening,	Jones, P. F.,	Munley,
Cochran,	Jones, T. H. W.,	Murray,
Conway,	Jump,	Musto,
Cooper,	Kamyk,	Najaka,

Corr,	Keller,	Naugle,	VanSant,
Costa,	Kent,	Needham,	Varallo,
Coyle,	Kline,	Olsen,	Varner,
Dalrymple,	Kohl,	Penglase,	Verona,
Davis,	Kolankiewicz,	Peta,	Wachhaus,
Dennison,	Kornick,	Petrosky,	Wargo,
Dougherty,	Kratz,	Pettigrew,	Waterhouse,
Dowling,	Kubacki,	Pfaff,	Watkins,
Duffy,	Lafore,	Pichney,	Weldner,
Dunn,	Lederer,	Pitzer,	Welsh,
Erb,	Lelsey,	Polaski,	Wescott,
Ewing,	Leonard, L.,	Polen,	Westrick,
Fenrich,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley,
Ferster,	Leven,	Price, R. A.,	Wheeler,
Filip,	Light,	Readinger,	White,
Filo,	Limper,	Reagan,	Williams,
Firmstone,	Loftus,	Reese,	Wilt,
Flack,	Lopresti,	Reidenbach,	Wood,
Frost,	Lovett,	Reilly, J. M.,	Yeakel,
Gaffney,	Lutty,	Rigby,	Yester,
Geer,	Lyons,	Riley, R. L.,	Yetzer,
Gibson,	Madden,	Robertson,	Young,
Gleason,	Madigan,	Rose,	Ziegler,
Good,	Markley,	Rosen,	Sorg,
Goodling,		Rovansek,	Speaker

#### NAYS—0

#### NOT VOTING—1

DuBois,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1139, as follows:

An Act to further amend the first paragraph of section 13 of the act approved the nineteenth day of March one thousand nine hundred nine (P. L. 46) entitled "An act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing of osteopaths in this State and to provide penalties for the violation of this act" by changing the time and increasing the fee for annual registration of osteopaths The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The first paragraph of section 13 of the act approved the nineteenth day of March one thousand nine hundred nine (P. L. 46) entitled "An act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing of osteopaths in this State and to provide penalties for the violation of this act" as last amended by the act approved the sixth day of April one thousand nine hundred twenty-seven (P. L. 124) is hereby further amended to read as follows

Section 13 From and after the approval of this act no person shall enter upon or continue the practice of osteopathy in the State of Pennsylvania unless he or she has complied with the provisions of this act It shall be the duty of all persons now qualified and engaged in the practice of osteopathy or who shall hereafter be licensed by the State Board of Osteopathic Examiners to engage in such practice in this Commonwealth to register with the said State Board of Osteopathic Examiners as practitioners on or before the first day of January one thousand nine hundred and twenty-six and thereafter to register with said board in like manner annually on or before the [first day of January] thirty-first day of October of each succeeding year The for mand method of such registration shall be provided for by such board



in such manner as will enable it to carry into effect the purposes of this act The said State Board of Osteopathic Examiners shall be entitled to demand for such annual registration a fee of [three] five dollars or such other sum as shall be fixed by the Department of Public Instruction under authority of law The fee shall in all cases accompany the application for such registration All fees received hereunder shall unless otherwise provided by law be used by the said board in carrying out the provisions of this act

\* \* \* \* \*

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—206

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greer,	McConnell,	Sarra,
Barkdoll,	Greenwood,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenshield,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Brelsch,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendenning,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varnier,
Dalrymple,	Kline,	Penglase,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennisson,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
Duffy,	Kubacki,	Pichney,	Weidner,
Dunn,	Lafore,	Pitzer,	Welsh,
Erb,	Lederer,	Polaski,	Wescott,
Ewing,	Lelsey,	Polen,	Westrick,
Fenrich,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Ferster,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Filip,	Leven,	Readinger,	White,
Filo,	Light,	Reagan,	Williams,
Firmstone,	Limper,	Reese,	Wilt,
Flack,	Loftus,	Reidenbach,	Wood,
Frost,	Lopresti,	Reilly, J. M.,	Yeakel,
Gaffney,	Lovett,	Rigby,	Yester,
Geer,	Luty,	Riley, R. L.,	Yetzer,
Gibson,	Lyons,	Robertson,	Young,
Gleason,	Madden,	Rose,	Ziegler,
Good,	Madigan,	Rosen,	Sorg,
	Markley,	Rovansek,	Speaker

#### NAYS—0

#### NOT VOTING—1

DuBois,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1264, as follows:

An Act to further amend Section 1201 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by providing that in cities of the first class informations charging violations of any summary provisions of The Vehicle Code shall be brought before the traffic court in such cities

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1201 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the act approved the eighteenth day of May one thousand nine hundred forty-nine (P. L. 1412) is hereby further amended to read as follows

#### Section 1201 Limitations of Actions

(a) Informations charging violations of any of the summary provisions of this act where the violations occurred in cities of the first class shall be brought in the traffic court of such cities other such information shall be brought before the nearest available magistrate within the city (other than cities of the first class) borough incorporated town or township where the alleged violation occurred Provided however That where there is no substantial difference between the respective distances from the place where the alleged violation occurred to the offices of more than one magistrate any such prosecution may be brought before any one of such magistrates or if there is no person holding the office of magistrate in such city borough incorporated town or township then such information shall be brought before such nearest available magistrate in any adjoining city borough incorporated town or township within fifteen (15) days



after the commission of the alleged offense and not thereafter except that where an information is filed against a person prima facie guilty of a summary offense and it subsequently appears that a person other than the person named in the information was the offender an information may be filed against such other person within fifteen (15) days after his or her identity shall have been discovered and excepting further that informations charging violations of the provisions of sections 205 207 210 212 406.1 511 610.1 620 (j) and 813 of this act may be brought within fifteen (15) days after it is discovered that a violation of any of these sections has been committed

(b) Where the offense committed is designated a felony or misdemeanor information may be filed as now provided by law

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—206

Amarando,	Goodling	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarra,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hall,	McInroy,	Scott,
Berkstresser,	Hagerty,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenschild,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Breisch,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendenning,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toil,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Oorr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varner,
Coyle,	Kent,	Olsen,	Varallo,
Dairymple,	Kline,	Penglase,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
Duffy,	Kubacki,	Pichney,	Weidner,
Dunn,	Lafore,	Pitzer,	Welsh,
Erb,	Lederer,	Polaski,	Wescott,
Ewing,	Lelsey,	Polen,	Westrick,
Fenrich,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Fenster,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Filip,	Leven,	Readinger,	White,
Filo,	Light,	Reagan,	Williams,
Firmstone,	Limper,	Reese,	Wilt,
Flack,	Loftus,	Reidenbach,	Wood,
Frost,	Lopresti,	Reilly, J. M.,	Yeakel,
Gaffney,	Lovett,	Rigby,	Yester,
Geer,	Lutty,	Riley, R. L.,	Yetzer,
Gibson,	Lyons,	Robertson,	Young,
Gleason,	Madden,	Rose,	Ziegler,
Good,	Madigan,	Rosen,	Sorg,
	Markley,	Rovansek,	Speaker

#### NAYS—0

#### NOT VOTING—1

DuBois,

The majority required by the Constitution having voted

in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1468, as follows:

An Act to add section 10.1 to the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof in the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employees serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by providing for credit for years of service for certain former employees of the public school system

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the twenty-seventh day of July one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employees serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" is hereby amended by adding after section 10 thereof a new section to read as follows

#### Credit for School Service

Section 10.1 The board shall credit every State employee with a "year of service" for all the purposes of this act for each year for which he as an employee under the public school system of this Commonwealth including State Teachers' Colleges and the Pennsylvania State College made contributions and for which contributions were made by the State and school district to the public school employees' retirement fund and for which he has not heretofore been credited under this act when there is furnished to the board satisfactory proof of the contributions and when there is paid into the fund in installments or a lump sum an amount equalling such contributions made by him plus any accrued interest and when the Public School Employees' Retirement Board transfers to the fund an amount equalling the contributions made by the State and school district to his account during such school service

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—206

Amarando,	Graybill,	Maxwell,	Royer,
Andrews,	Greenwood,	Mazza,	Rubin,
Banker,	Greer,	McConnell,	Sarra,
Barkdoll,	Guarnieri,	McCormack,	Sax,
Baumunk,	Gutendorf,	McCullough,	Scanlon,
Bear,	Guthrie,	McDermitt,	Schmidt,
Beaver,	Hagerty,	McGee,	Schuster,



Beech,	Hall,	McInroy,	Scott,
Berkstresser,	Hamilton, R. K.,	McKinney,	Seyler,
Blair,	Hamilton, W. H.,	McMillen,	Shoemaker,
Bloom,	Harney,	McNally,	Shotwell,
Boles,	Haudenshield,	Metz,	Smith,
Bolton,	Headlee,	Mihm,	Snider,
Bomberger,	Helm,	Mikula,	Sollenberger,
Boorse,	Hersch,	Miller, H. G.,	Spencer,
Bower,	Hewitt,	Miller, J. C.,	Stank,
Breisch,	Hocker,	Mills,	Stimmel,
Breth,	Hoggard,	Mintess,	Stoner,
Brown,	Hunter,	Monroe,	Swartz,
Bucchin,	Jenkins,	Moore, C. E.,	Swope,
Byrne,	Johnson,	Moore, H. A.,	Tahl,
Cella,	Jones, G. E.,	Moran,	Taylor,
Clapper,	Jones, J. M.,	Muldowney,	Thompson, E. F.,
Clendenning,	Jones, P. F.,	Munley,	Thompson, R. L.,
Cochran,	Jones, T. H. W.,	Murray,	Toll,
Conway,	Jump,	Musto,	Tompkins,
Cooper,	Kamyk,	Najaka,	Toomey,
Corr,	Keller,	Naugle,	VanSant,
Costa,	Kent,	Needham,	Varallo,
Coyle,	Kline,	Olsen,	Varnier,
Dalrymple,	Kohl,	Penglase,	Verona,
Davis,	Kolankiewicz,	Peta,	Wachhaus,
Dennison,	Kornick,	Petrosky,	Wargo,
Dougherty,	Kratz,	Pettigrew,	Waterhouse,
Dowling,	Kubacki,	Pfaff,	Watkins,
Duffy,	Lafore,	Pichney,	Weldner,
Dunn,	Lederer,	Pitzer,	Welsh,
Erb,	Leisey,	Polaski,	Wescott,
Ewing,	Leonard, L.,	Polen,	Westrick,
Fenrich,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley,
Ferster,	Leven,	Price, R. A.,	Wheeler,
Filip,	Light,	Readinger,	White,
Filo,	Limper,	Reagan,	Williams,
Firmstone,	Loftus,	Reese,	Wilt,
Flack,	Lopresti,	Reidenbach,	Wood,
Frost,	Lovett,	Reilly, J. M.,	Yeakel,
Gaffney,	Lutty,	Rigby,	Yester,
Geer,	Lyons,	Riley, R. L.,	Yetzer,
Gibson,	Madden,	Robertson,	Young,
Gleason,	Madigan,	Rose,	Ziegler,
Good,	Markley,	Rosen,	Sorg,
Goodling,		Rovansek,	Speaker

## NAYS—0

## NOT VOTING—1

DuBois,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1469, as follows:

An Act to add section 12.2 to the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by providing for the furnishing of information and the transfer of certain moneys by the board to the State Employees' Retirement Board and Fund

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the admin-

istration thereof establishing certain funds from contributions by the Commonwealth and contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" is hereby amended by adding after section 12.1 thereof which was added by the act approved the seventh day of July one thousand nine hundred forty-seven (P. L. 1365) a new section to read as follows.

Information and payments on Account of Certain Former Employees

Section 12.2 (a) On the written application of any person who is a former employe under the public school system of this Commonwealth including State Teachers' Colleges and the Pennsylvania State College and who is a member of the State Employees' Retirement System but has no credit for his years of such school service under the State Employees' Retirement System the board shall promptly furnish the State Employees' Retirement Board with a statement showing the number of years for which he made contributions and for which contributions were made by the State and school district to the fund and the total amount of such contributions plus accrued interest at the time of his withdrawal

(b) Whenever the board has proof of such contributions the board shall furnish the State employees' Retirement Board with proof thereof and shall transfer to the State Employees' Retirement Fund from the fund an amount equalling the contributions made by the State and school district to his account during such year of service and the amount if any of accumulated deductions plus accrued interest left by such person in the fund

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—206

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarra,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenshield,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Breisch,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendenning,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varnier,
Dalrymple,	Kline,	Penglase,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
Duffy,	Kubacki,	Pichney,	Weldner,
Dunn,	Lafore,	Pitzer,	Welsh,
Erb,	Lederer,	Polaski,	Wescott,



Ewing,	Lelsey,	Polen,	Westrick,
Fenrich,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Ferster,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Fillp,	Leven,	Readinger,	White,
Filo,	Light,	Reagan,	Williams,
Firmstone,	Limper,	Reese,	Wilt,
Flack,	Loftus,	Reidenbach,	Wood,
Frost,	Lopresti,	Reilly, J. M.,	Yeakel,
Gaffney,	Lovett,	Rigby,	Yester,
Geer,	Lutty,	Riley, R. L.,	Yetzer,
Gibson,	Lyons,	Robertson,	Young,
Gleason,	Madden,	Rose,	Ziegler,
Good,	Madigan,	Rosen,	Sorg,
	Markley,	Rovansek,	Speaker

NAYS—0

NOT VOTING—1

DuBois,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

#### PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. HELM asked and obtained permission for the Committee on Labor Relations to meet during the session of the House.

#### BILLS ON THIRD READING

##### BILL PASSED OVER

There being no objection,

House Bill No. 1495, Printer's No. 956, was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1503, as follows:

An Act to amend the title and to further amend sections two four five seven and fifteen of the act approved the twenty-seventh day of April one thousand nine hundred twenty-seven (P. L. 465) entitled "An act to provide for the safety of persons employed housed or assembled in certain buildings and structures not in cities of the first class second class and second class A by requiring certain construction and ways of egress equipment and maintenance providing for the licensing of projectionists requiring the submission of plans for examination and approval providing for the promulgation of rules and regulations for the enforcement of this act by the Department of Labor and Industry and in certain cases by the chiefs of fire departments in cities of the third class providing penalties for violations of the provisions of this act and repealing certain acts" by excluding cities of the first class and second class and including cities of the second class A for the licensing of projectionists covering in Class I buildings not formerly covered and authorizing the increase of ways of egress

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title of the act approved the twenty-seventh day of April one thousand nine hundred twenty-seven (P. L. 465) entitled "An act to provide for the safety of persons employed housed or assembled in certain buildings and structures not in cities of the first class second class and second class A by requiring certain construction and ways of egress equipment and maintenance providing for the licensing of projectionists requiring the submission of plans for examination and approval providing for the promulgation of rules and regulations for the enforcement of this act providing for the enforce-

ment of this act by the Department of Labor and Industry and in certain cases by the chiefs of fire departments in cities of the third class providing penalties for violations of the provisions of this act and repealing certain acts" is hereby amended to read as follows

#### An Act

To provide for the safety of persons employed housed or assembled in certain buildings and structures not in cities of the first class second class and second class A by requiring certain construction and ways of agress equipment and maintenance providing for the licensing of projectionists except in cities of the first class and second class requiring the submission of plans for examination and approval providing for the promulgation of rules and regulations for the enforcement of this act providing for the enforcement of this act by the Department of Labor and Industry and in certain cases by the chiefs of fire departments in cities of the third class providing penalties for violations of the provisions of this act and repealing certain acts

Section 2 Section two of said act as last amended by the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1016) is hereby further amended to read as follows

Section 2 Classes of Buildings The following are the classes of buildings and structures which it is intended that this act shall cover

Class I Buildings Factories power plants mercantile buildings hotels office buildings hospitals asylums public and private institutions convalescent and nursing homes schools colleges school and college auditoriums and gymnasiums when used for public assemblages airports airport buildings airplane hangars dormitories warehouses garages farm buildings where they are used on a commercial basis and all other buildings specified by the department not enumerated in Classes II III IV and V wherein persons are employed housed or assembled

Class II Theatres and motion picture theatres

Class III Buildings Public halls dance halls banquet halls lodge halls churches skating rinks armory halls or any other auditorium in which the public assembles not used for any of the other purposes mentioned in this act

Class IV Buildings Tenement houses apartment houses apartment hotels club houses lodging houses and rooming houses

Class V Buildings Grandstands stadiums and amphitheaters and summer theatres

Section 3 Section four of said act as last amended by the act approved the fifth day of July one thousand nine hundred forty-seven (P. L. 1356) is hereby further amended to read as follows

Section 4 Ways of Egress From every floor of buildings enumerated in section two of this act there shall be proper and sufficient ways of egress and means of escape from fire and panic Provided That in all buildings hereafter erected or adapted for any of the purposes enumerated in section two of this act there shall be not less than two (2) ways of egress as remote from each other as possible except that the requirement for two means of egress shall not be applicable to buildings two stories or less in height with an occupancy of not more than three persons above the ground floor when it is determined by the department that adequate means of egress are available to all occupants and except that there may be one means of egress of fire-resistive construction in the case of tenement houses apartment houses and apartment hotels not over three stories in height with not more than a gross area of three thousand (3000) square feet on each floor between exterior and fire walls comprising a maximum of six (6) apartments under regulations which may be promulgated by the Department of Labor and Industry and further provided that in every building the department may require additional means of agress where in its judgment the means of egress are not sufficient

In buildings of more than one story except in special purpose buildings as defined by the department all means of egress shall be located inside the building at least one of [which] the two required interior stairs shall be an



enclosed stair tower of fire-resistive construction and in addition thereto there may be used as a fire escape a mechanically operated device suitable for use as a means of escaping from windows and which shall consist of a steel cable lifeline and mechanical brake which is automatically put into action by the presence of weight at the end of the cable. Where the department finds after proper investigation that in buildings erected prior to the passage of this act the internal ways of egress hereinafter provided for cannot be installed it may direct that such means of egress be provided as will in its judgment to better advantage carry out the intent and purpose of this section. The Department of Labor and Industry may order fire walls [or] smoke barriers [or both] additional fireproofing or the enclosure of vertical openings to be built in buildings already erected or which may hereafter be erected where in its judgment the erection of such fire walls [or] smoke barriers additional fireproofing or the enclosure of vertical openings is necessary to the reasonable safe protection of the occupants. The ways of egress shall be free from obstruction lighted and ready for instant use at all times. Fire escapes now in use or hereafter erected shall be painted at least once a year and be kept in safe condition and up to such standard requirements as may be specified by the Department of Labor and Industry. The means of egress for special purpose buildings shall be approved by the Department of Labor and Industry.

Section 4 Section five of said act as amended by the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1523) is hereby further amended to read as follows:

Section 5 Theatres Motion Picture Theatres and Places of Public Assembly In every theatre motion picture theatre and place of public assembly the construction of the building the exits from the stage dressing rooms and auditorium the type and location of exit lights and signs the width and location of aisles and the arrangement of seats the construction and use of projection rooms and the equipment contained therein the height of ceilings and the ventilation of the auditorium the construction and type of proscenium walls arches and curtains drop curtains and sky borders and the amount type and location of fire preventing and extinguishing equipment for the stage dressing room projection rooms or other parts of the building shall be such as to provide reasonable and adequate protection for all persons who may assemble therein. Neither on or about the stage auditorium balconies or galleries nor in any other part of the buildings covered by this section shall any inflammable or explosive oil or material be used or stored except when special permission is granted by the Department of Labor and Industry and in accordance with specifications set forth by the said department. There shall be no smoking in any auditorium balcony or gallery of any theatre or motion picture theatre. All electrical wiring and appliances in such buildings shall be installed in a safe manner and so maintained.

In all buildings except schoolhouses normal schools academies and colleges hereafter erected or adapted for any of the purposes designated in this section the auditorium or gymnasium when used for public assembly shall not be located above or below the ground level. Provided That the Department of Labor and Industry shall have the power to permit the auditorium to be located above or below the ground level when in its judgment the number width and arrangement of exits the seating capacity and the extent of use for such purposes render such auditorium or gymnasium free from additional hazard.

The auditoriums or gymnasiums of schoolhouses normal schools academies and colleges hereafter erected and when used for public assembly shall not be placed above the first floor level nor below the grade level.

Section 5 Section seven of said act as amended by the act approved the twenty-fourth day of May one thousand nine hundred thirty-three (P. L. 996) is hereby further amended to read as follows:

Section 7 Licensing of Projectionists Except in Cities of the First Class and Second Class No person shall be permitted to project any motion picture either theatrical or non-theatrical until he has obtained a license from the Department of Labor and Industry after passing an examination prescribed by the said department for which fees shall be charged as hereinafter provided and no person shall be permitted in any projection room during any performance except licensed projectionists apprentice projectionists the manager or owner of the theatre or authorized officials of the Department of Labor and Industry. Any license may be suspended or revoked for due cause but no license shall be revoked until the projectionists or apprentice projectionists has been granted a hearing before the Secretary of Labor and Industry. The amendment providing for the licensing of projectionists in cities of the second class A to become effective as of the first day of January one thousand nine hundred fifty-two.

Every application for examination as a projectionist shall be accompanied by a fee of two dollars (\$2.00). If the applicant is successful a certificate of competency and a license shall be issued upon payment of an additional fee of five dollars (\$5.00) for projectionists of theatrical or commercial motion pictures or a fee of two dollars (\$2.00) for projectionists of non-theatrical motion pictures. There shall be no examination fee required from apprentice projectionists but there shall be a license fee of three dollars (\$3.00) required the same to accompany application from the apprentice projectionist. For the annual renewal of license for a theatrical or commercial projectionist there shall be a fee of five dollars (\$5.00) charged the same to accompany the application for renewal of license and for non-theatrical projectionists the renewal fee shall be two dollars (\$2.00). The renewal fee for apprentice license shall be one dollar (\$1.00). All fees shall be paid to the Department of Labor and Industry and by the said department paid to the State Treasurer through the Department of Revenue for the use of the Commonwealth.

Section 6 Section fifteen of said act as last amended by the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1016) is hereby further amended to read as follows:

Section 15 Enforcement The provisions of this act shall apply to every building enumerated in this act including buildings owned in whole or in part by the Commonwealth or any political subdivision thereof and shall be enforced by the Secretary of Labor and Industry by and through his authorized representatives. Provided That nothing in this act shall be construed as affecting buildings in cities of the first class second class and second class A or the licensing of projectionists in cities of the first class and second class and that duly appointed chiefs of fire departments shall be equally responsible with the Secretary of Labor and Industry for the enforcement of the provisions of this act and the regulations of the Department of Labor and Industry pertaining to the removal of obstructions to and maintenance of exits aisles passageways and stairways leading to or from exits in all buildings covered by this act and the inspection and maintenance of emergency lighting systems fire alarms and fire extinguishing apparatus.

For the purpose of enforcing the provisions of this act all the officers charged with its enforcement shall have the power to enter any of the buildings or structures enumerated in section two of this act and no person shall hinder or delay or interfere with any of the said officers in the performance of his duty nor refuse information necessary to determine whether the provisions of this act and the rules and regulations herein provided for are or will be complied with.

Section 7 This act shall become effective immediately upon final enactment.

And said bill having been read at length the third time, considered and agreed to.



On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—204

Amarando,	Greer,	Mazza,	Royer,
Banker,	Greenwood,	McConnell,	Rubin,
Barkdoll,	Guarnieri,	McCormack,	Sarraf,
Baumunk,	Gutendorf,	McCullough,	Sax,
Bear,	Guthrie,	McDermitt,	Scanlon,
Beaver,	Hagerty,	McGee,	Schmidt,
Beech,	Hall,	McInroy,	Schuster,
Berkstresser,	Hamilton, R. K.,	McKinney,	Scott,
Blair,	Hamilton, W. H.,	McMillen,	Seyler,
Bloom,	Harney,	McNally,	Shoemaker,
Boles,	Haudenshield,	Metz,	Shotwell,
Bolton,	Headlee,	Mihm,	Smith,
Bomberger,	Helm,	Mikula,	Snider,
Boorse,	Hersch,	Miller, H. G.,	Sollenberger,
Bower,	Hewitt,	Miller, J. C.,	Spencer,
Breisch,	Hocker,	Mills,	Stank,
Breth,	Hoggard,	Mintess,	Stimmel,
Brown,	Hunter,	Monroe,	Stoner,
Bucchin,	Jenkins,	Moore, C. E.,	Swartz,
Byrne,	Johnson,	Moore, H. A.,	Swope,
Cella,	Jones, G. E.,	Moran,	Tahl,
Clapper,	Jones, J. M.,	Muldowney,	Taylor,
Clendenning,	Jones, P. F.,	Munley,	Thompson, E. F.,
Cochran,	Jones, T. H. W.,	Murray,	Thompson, R. L.,
Conway,	Jump,	Musto,	Toll,
Cooper,	Kamyk,	Najaka,	Tompkins,
Corr,	Keller,	Naugle,	Toomey,
Costa,	Kent,	Needham,	VanSant,
Coyne,	Kline,	Olsen,	Varallo,
Dalrymple,	Kohl,	Penglase,	Varnier,
Davis,	Kolankiewicz,	Peta,	Verona,
Dennison,	Kornick,	Petrofsky,	Wachhaus,
Dougherty,	Kratz,	Pettigrew,	Wargo,
Dowling,	Kubacki,	Pfaff,	Waterhouse,
Duffy,	Lafore,	Pichney,	Watkins,
Dunn,	Lederer,	Pitzer,	Weidner,
Erb,	Leisey,	Polaski,	Welsh,
Ewing,	Leonard, L.,	Polen,	Wescott,
Fenrich,	Leonard, W. C.,	Price, H. W. Jr.,	Westrick,
Ferster,	Leven,	Price, R. A.,	Whalley,
Filip,	Light,	Readinger,	Wheeler,
Firmstone,	Limper,	Reagan,	White,
Flack,	Loftus,	Reese,	Williams,
Frost,	Lopresti,	Reidenbach,	Wilt,
Gaffney,	Lovett,	Reilly, J. M.,	Wood,
Geer,	Lutty,	Rigby,	Yeakel,
Gibson,	Lyons,	Riley, R. L.,	Yester,
Gleason,	Madden,	Robertson,	Yetzer,
Good,	Madigan,	Rose,	Young,
Goodling,	Markley,	Rosen,	Ziegler,
Graybill,	Maxwell,	Rovansek,	Sorg,

Speaker

## NAYS—2

Andrews, Filo,

## NOT VOTING—1

DuBois,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1579, as follows:

An Act making an appropriation to the Department of Public Instruction for the purpose of providing temporary emergency aid under certain conditions to school districts of the third and fourth classes in which housing projects are erected

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of three hundred thousand dollars (\$300,000) or so much thereof as may be necessary is

hereby specifically appropriated to the Department of Public Instruction for the fiscal biennium beginning June first one thousand nine hundred fifty-one for the purpose of paying to any school district of the third or fourth class so much money as may be necessary to pay for the salaries of additional teachers and non-certified personnel as may be necessary to enable such school district to remain open for a term of one hundred eighty (180) days when as a result of one hundred or more new family units or housing units being erected in such a school district within eight months after the budget of any such school district has been adopted the employment of additional teachers and non-certified personnel is made necessary without budgeting provisions having been made for the employment of the same

To be entitled to any such payments such school district shall have first exhausted all available funds including funds available from its borrowing power for current expenses and shall have expended all State-aid funds that it might have been paid in advance

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—206

Amarando,	Graybill,	Maxwell,	Royer,
Andrews,	Greenwood,	Mazza,	Rubin,
Banker,	Greer,	McConnell,	Sarraf,
Barkdoll,	Guarnieri,	McCormack,	Sax,
Baumunk,	Gutendorf,	McCullough,	Scanlon,
Bear,	Guthrie,	McDermitt,	Schmidt,
Beaver,	Hagerty,	McGee,	Schuster,
Beech,	Hall,	McInroy,	Scott,
Berkstresser,	Hamilton, R. K.,	McKinney,	Seyler,
Blair,	Hamilton, W. H.,	McMillen,	Shoemaker,
Bloom,	Harney,	McNally,	Shotwell,
Boles,	Haudenshield,	Metz,	Smith,
Bolton,	Headlee,	Mihm,	Snider,
Bomberger,	Helm,	Mikula,	Sollenberger,
Boorse,	Hersch,	Miller, H. G.,	Spencer,
Bower,	Hewitt,	Miller, J. C.,	Stank,
Breisch,	Hocker,	Mills,	Stimmel,
Breth,	Hoggard,	Mintess,	Stoner,
Brown,	Hunter,	Monroe,	Swartz,
Bucchin,	Jenkins,	Moore, C. E.,	Swope,
Byrne,	Johnson,	Moore, H. A.,	Tahl,
Cella,	Jones, G. E.,	Moran,	Taylor,
Clapper,	Jones, J. M.,	Muldowney,	Thompson, E. F.,
Clendenning,	Jones, P. F.,	Munley,	Thompson, R. L.,
Cochran,	Jones, T. H. W.,	Murray,	Toll,
Conway,	Jump,	Musto,	Tompkins,
Cooper,	Kamyk,	Najaka,	Toomey,
Corr,	Keller,	Naugle,	VanSant,
Costa,	Kent,	Needham,	Varallo,
Coyne,	Kline,	Olsen,	Varnier,
Dalrymple,	Kohl,	Penglase,	Verona,
Davis,	Kolankiewicz,	Peta,	Wachhaus,
Dennison,	Kornick,	Petrofsky,	Wargo,
Dougherty,	Kratz,	Pettigrew,	Waterhouse,
Dowling,	Kubacki,	Pfaff,	Watkins,
Duffy,	Lafore,	Pichney,	Weidner,
Dunn,	Lederer,	Pitzer,	Welsh,
Erb,	Leisey,	Polaski,	Wescott,
Ewing,	Leonard, L.,	Polen,	Westrick,
Fenrich,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley,
Ferster,	Leven,	Price, R. A.,	Wheeler,
Filip,	Light,	Readinger,	White,
Filo,	Limper,	Reagan,	Williams,
Firmstone,	Loftus,	Reese,	Wilt,
Flack,	Lopresti,	Reidenbach,	Wood,
Frost,	Lovett,	Reilly, J. M.,	Yeakel,
Gaffney,	Lutty,	Rigby,	Yester,
Geer,	Lyons,	Riley, R. L.,	Yetzer,
Gibson,	Madden,	Robertson,	Young,
Gleason,	Madigan,	Rose,	Ziegler,
Good,	Markley,	Rosen,	Sorg,
Goodling,		Rovansek,	Speaker

## NAYS—0



## NOT VOTING—1

DuBois,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

## BILLS PASSED OVER

There being no objection

House Bill No. 1580 Printer's No. 883 and

House Bill No. 1583 Printer's No. 1002

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1609, as follows:

An Act to amend Section 11 of the act approved the eighteenth day of May one thousand nine hundred forty-nine (P. L. 1440) entitled "An act concerning notaries public and amending revising consolidating and changing the law relating thereto" by requiring notaries public to register his signature and date of expiration of his commission in the prothonotary's office after each renewal of his commission and before he enters upon the duties of his office

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 11 of the act approved the eighteenth day of May one thousand nine hundred forty-nine (P. L. 1440) entitled "An act concerning notaries public and amending revising consolidating and changing the law relating thereto" is hereby amended to read as follows

Section 11 Registration of Notary's Signature Fee [The official signature of each notary public shall be registered] Every notary on his appointment or reappointment and before he enters upon the duties of the office of notary public shall register his official signature together with the date of the expiration of his commission in the "Notary Register" provided for such purpose in the prothonotary's office of the county wherein the place for which he is commissioned is located The fee to be charged by the prothonotary for recording a notary's signature shall be fifty (\$.50) cents

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—206

Amarando,	Graybill,	Maxwell,	Royer,
Andrews,	Greenwood,	Mazza,	Rubin,
Banker,	Greer,	McConnell,	Sarra,
Barkdoll,	Guarnieri,	McCullough,	Sax,
Baumunk,	Gutendorf,	McCormack,	Scanlon,
Bear,	Guthrie,	McDermitt,	Schmidt,
Beaver,	Hagerty,	McGee,	Schuster,
Beech,	Hall,	McInroy,	Scott,
Berkstresser,	Hamilton, R. K.,	McKinney,	Seyler,
Blair,	Hamilton, W. H.,	McMillen,	Shoemaker,
Bloom,	Harney,	McNally,	Shotwell,
Boies,	Haudenshield,	Metz,	Smith,
Bolton,	Headlee,	Mihm,	Snider,
Bomberger,	Helm,	Mikula,	Sollenberger,
Boorse,	Hersch,	Miller, H. G.,	Spencer,
Bower,	Hewitt,	Miller, J. C.,	Stank,
Brelsich,	Hocker,	Mills,	Stimmel,
Breth,	Hoggard,	Mintess,	Stoner,
Brown,	Hunter,	Monroe,	Swartz,
Bucchin,	Jenkins,	Moore, C. E.,	Swope,
Byrne,	Johnson,	Moore, H. A.,	Tahl,

Cella,	Jones, G. E.,	Moran,	Taylor,
Clapper,	Jones, J. M.,	Muldowney,	Thompson, E. F.
Clendenning,	Jones, P. F.,	Munley,	Thompson, R. L.,
Cochran,	Jones, T. H. W.,	Murray,	Toll,
Conway,	Jump,	Musto,	Tompkins,
Cooper,	Kamyk,	Najaka,	Toomey,
Corr,	Keller,	Naugle,	VanSant,
Costa,	Kent,	Needham,	Varallo,
Coyle,	Kline,	Olsen,	Varner,
Dalrymple,	Kohl,	Penglase,	Verona,
Davis,	Kolankiewicz,	Peta,	Wachhaus,
Dennison,	Kornick,	Petrosky,	Wargo,
Dougherty,	Kratz,	Pettigrew,	Waterhouse,
Dowling,	Kubacki,	Pfaff,	Watkins,
Duffy,	Lafore,	Pichney,	Weldner,
Dunn,	Lederer,	Pitzer,	Welsh,
Erb,	Lelsey,	Polaski,	Wescott,
Ewing,	Leonard, L.,	Polen,	Westrick,
Fenrich,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley,
Ferster,	Leven,	Price, R. A.,	Wheeler,
Fillip,	Light,	Readinger,	White,
Fillo,	Limper,	Reagan,	Williams,
Firmstone,	Loftus,	Reese,	Wilt,
Flack,	Lopresti,	Reidenbach,	Wood,
Frost,	Lovett,	Reilly, J. M.,	Yeakel,
Gaffney,	Lutty,	Rigby,	Yester,
Geer,	Lafore,	Riley, R. L.,	Yetzer,
Gibson,	Lyons,	Robertson,	Young,
Gleason,	Madden,	Rose,	Ziegler,
Good,	Madigan,	Rosen,	Sorg,
Goodling,	Markley,	Rovansek,	Speaker

## NAYS—0

## NOT VOTING—1

DuBois,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1638, as follows:

An Act to further amend section thirteen of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 955) entitled as amended "An act to promote public health safety morals and welfare by declaring the necessity of creating public bodies corporate and politic to be known as housing authorities to engage in slum clearance and to undertake projects to provide dwelling accommodations for persons of low income providing for the organization of such housing authorities defining their powers and duties providing for the exercise of such powers including the acquisition of property by purchase gift or eminent domain the renting and selling of property and including borrowing money issuing bonds and other obligations and giving security therefor prescribing the remedies of obligees of housing authorities authorizing housing authorities to enter into agreements including agreements with the United States the Commonwealth and political subdivisions and municipalities thereof defining the application of zoning sanitary and building laws regulations to projects built or maintained by such housing authorities exempting the property and securities of such housing authorities from taxation and imposing duties and conferring powers upon the State Planning Board and certain other State officers and departments" by providing that rentals to persons dependent upon veterans' benefits or public assistants or similar income payments from governmental agencies shall not be more than that charged to other families of comparable size and income

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section thirteen of the act approved the twenty-eighth day of May one thousand nine hundred



thirty-seven (P. L. 955) entitled as amended "An act to promote public health safety morals and welfare by declaring the necessity of creating public bodies corporate and politic to be known as housing authorities to engage in slum clearance and to undertake projects to provide dwelling accommodations for persons of low income providing for the organization of such housing authorities defining their powers and duties providing for the exercise of such powers including the acquisition of property by purchase gift or eminent domain the renting and selling of property and including borrowing money issuing bonds and other obligations and giving security therefor prescribing the remedies of obligees of housing authorities authorizing housing authorities to enter into agreements including agreements with the United States the Commonwealth and political subdivisions and municipalities thereof defining the application of zoning sanitary and building laws and regulations to projects built or maintained by such housing authorities exempting the property and securities of such housing authorities from taxation and imposing duties and conferring powers upon the State Planning Board and certain other State officers and departments" as amended by the act approved the twentieth day of May one thousand nine hundred forty-nine (P. L. 1614) is hereby further amended to read as follows

Section 13 Establishment of Rentals and Selection of Tenants An authority may rent or lease dwelling accommodations only to persons of low income and at rentals within their financial reach It may rent or lease to a tenant a dwelling consisting of the number of rooms (but no greater number) which it deems necessary to provide safe and sanitary accommodations to the proposed occupants thereof without overcrowding It shall not accept any person as a tenant in any housing project if the person or persons who would occupy the dwelling have an aggregate annual income in excess of six times the annual rental of the quarters to be furnished such person or persons In computing rental for the purpose of selecting tenants there shall be included in the rental the average annual cost as determined by the Authority to the occupants of heat water electricity gas cooking range and other necessary services or facilities whether or not the charge for such services and facilities is in fact included in the rental Every Authority shall file a schedule of its rental charges for dwelling accommodations with the State Planning Board

Rentals to persons dependent in whole or in part on veterans' benefits public assistance grants or other income payments from government agencies shall not be more than is charged other families of comparable size and income

Nothing contained in this or the preceding section shall be construed as limiting the power of an Authority to vest in an obligee the right in the event of a default by the Authority to take possession of a housing project or cause the appointment of a receiver thereof or acquire title thereto through foreclosure proceedings free from all the restrictions imposed by this or the preceding section

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—205

Amarando,	Graybill,	Mazza,	Royer,
Andrews,	Greenwood,	McConnell,	Rubin,
Banker,	Greer,	McCormack,	Sarraf,
Barkdoll,	Guarnieri,	McCullough,	Sax,
Baumunk,	Gutendorf,	McDermitt,	Scanlon,
Bear,	Guthrie,	McGee,	Schmidt,
Beaver,	Hagerty,	McInroy,	Schuster,
Beech,	Hall,	McKinney,	Scott,
Berkstresser,	Hamilton, R. K.,	McMillen,	Seyler,

Blair,	Hamilton, W. H.,	McNally,	Shoemaker,
Bloom,	Harney,	Metz,	Shotwell,
Boles,	Haudenshield,	Mihm,	Smith,
Bolton,	Headles,	Mikula,	Snider,
Bomberger,	Helm,	Miller, H. G.,	Sollenberger,
Boorse,	Hersch,	Miller, J. C.,	Spencer,
Bower,	Hewitt,	Mills,	Stank,
Breisch,	Hocker,	Mintess,	Stimmel,
Breth,	Hoggard,	Monroe,	Stoner,
Brown,	Hunter,	Moore, C. E.,	Swartz,
Buchin,	Jenkins,	Moore, H. A.,	Swope,
Byrne,	Johnson,	Moran,	Tahl,
Cella,	Jones, G. E.,	Muldowney,	Taylor,
Clapper,	Jones, J. M.,	Murray,	Thompson, E. F.,
Clendening,	Jones, P. F.,	Musto,	Thompson, R. L.,
Cochran,	Jones, T. H. W.,	Najaka,	Toll,
Conway,	Jump,	Naugle,	Tompkins,
Cooper,	Kamyk,	Needham,	Toomey,
Corr,	Keller,	Olsen,	VanSant,
Costa,	Kent,	Penglase,	Varallo,
Coyle,	Kline,	Peta,	Varner,
Dalrymple,	Kohl,	Petrosky,	Verona,
Davis,	Kolankiewicz,	Pettigrew,	Wachhaus,
Dennison,	Kornick,	Pfaff,	Wargo,
Dougherty,	Kratz,	Pichney,	Waterhouse,
Dowling,	Kubacki,	Pitzer,	Watkins,
Duffy,	Lafore,	Polaski,	Weidner,
Dunn,	Lederer,	Polen,	Welsh,
Erb,	Lelsey,	Price, H. W. Jr.,	Wescott,
Ewing,	Leonard, L.,	Price, R. A.,	Westrick,
Fenrich,	Leonard, W. C.,	Readinger,	Whalley,
Ferster,	Leven,	Reagan,	Wheeler,
Filip,	Light,	Reese,	White,
Filo,	Limper,	Reidenbach,	Williams,
Firmstone,	Loftus,	Reilly, J. M.,	Willt,
Flack,	Lopresti,	Rigby,	Wood,
Frost,	Lovett,	Riley, R. L.,	Yeakel,
Gaffney,	Lutty,	Robertson,	Yetzer,
Geer,	Lyons,	Rose,	Young,
Gibson,	Madden,	Rosen,	Ziegler,
Gleason,	Madigan,	Rovanssek,	Sorg,
Good,	Markley,		Speaker
Goodling,	Maxwell,		

#### NAYS—1

Yester.

#### NOT VOTING—1

DuBois.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1676, entitled:

An Act to further amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by empowering boards of school directors with the approval of the Superintendent of Public Instruction to alter the prescribed number hours and days of classes in certain emergencies for a limited period of time.

On the question,

Will the House agree to the bill on third reading?

Mr. KELLER. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Sec. 1 (Sec. 520.1), page 3, lines 10, 11 and 12, by striking out all of said lines.

Amend Sec. 1 (Sec. 520.1), page 3, line 13, by striking out the figure "(3)" and inserting in lieu thereof "(2)".



The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1678, as follows:

An Act to further amend the act approved the twenty-first day of January one thousand nine hundred forty-seven (P. L. 3) entitled "An act relating to officers and employes of the General Assembly fixing the number qualifications compensation mileage and duties of the officers and employes of the Senate and of the House of Representatives providing for their election or appointment term of office or of service removal and manner of filling vacancies and making appropriations to the Senate House of Representatives and Legislative Reference Bureau" by providing for compensation on a daily basis for certain employes of the General Assembly when a regular biennial session of the General Assembly remains in session beyond the fifteenth day of June making appropriations

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clauses (4) (5) (6) and (22) of Section 3 of the act approved the twenty-first day of January one thousand nine hundred forty-seven (P. L. 3) entitled "An act relating to officers and employes of the General Assembly fixing the number qualifications compensation mileage and duties of the officers and employes of the Senate and of the House of Representatives providing for their election or appointment term of office or of service removal and manner of filling vacancies and making appropriations to the Senate House of Representatives and Legislative Reference Bureau" as last amended by the act approved the sixth day of March one thousand nine hundred fifty-one (P. L. 18) are hereby further amended to read as follows

Section 3 The following officers and employes of the Senate shall be appointed by the President pro tempore of the Senate to serve at his pleasure and receive the compensation and perform the duties herein specified

\* \* \* \* \*

(4) One journal clerk at a compensation of two thousand two hundred dollars (\$2200) for each regular session plus eleven dollars (\$11) for each day following the fifteenth day of June of any regular session which extends beyond the fifteenth day of June and eleven dollars (\$11) per diem for each special or extraordinary session

(5) One assistant journal clerk at a compensation of one thousand nine hundred eighty dollars (\$1980) for each regular session plus eleven dollars (\$11) for each day following the fifteenth day of June of any regular session which extends beyond the fifteenth day of June and eleven dollars (\$11) per diem for each special or extraordinary session

(6) One reading clerk at a compensation of two thousand four hundred seventy-five dollars (\$2475) for each regular session plus eleven dollars (\$11.00) for each day following the fifteenth day of June of any regular session which extends beyond the fifteenth day of June and thirteen dollars and fifty cents (\$13.50) per diem for each special or extraordinary session

\* \* \* \* \*

(22) One executive clerk at a compensation of one thousand nine hundred eighty dollars (\$1980) for each regular session plus eleven dollars (\$11) for each day

following the fifteenth day of June of any regular session which extends beyond the fifteenth day of June and eleven dollars (\$11) per diem for each special or extraordinary session

Section 2 Clauses (4) (5) and (6) of Section 21 of said act as amended by the act approved the eleventh day of February one thousand nine hundred forty-nine (P. L. 4) are hereby further amended to read as follows

Section 21 The House of Representatives shall immediately upon the final enactment of this act and in each odd-numbered year thereafter at the beginning of each regular biennial session of the General Assembly elect in addition to the Speaker as provided for by the Constitution the following officers and employes who shall serve for two years or until their successors are elected and have qualified unless sooner removed by a majority vote of all of the members of the House of Representatives during any regular biennial special or extraordinary session of the General Assembly and who shall receive the compensation and perform the duties herein specified

\* \* \* \* \*

(4) One journal clerk at a compensation of two thousand two hundred dollars (\$2200) for each regular session plus eleven dollars (\$11) for each day following the fifteenth day of June of any regular session which extends beyond the fifteenth day of June and eleven dollars (\$11) per diem for each special or extraordinary session

(5) One assistant journal clerk at a compensation of one thousand nine hundred eighty dollars (\$1980) for each regular session plus eleven dollars (\$11) for each day following the fifteenth day of June of any regular session which extends beyond the fifteenth day of June and eleven dollars (\$11) per diem for each special or extraordinary session

(6) Two reading clerks at a compensation of two thousand four hundred seventy-five dollars (\$2475) each for each regular session plus eleven dollars (\$11.00) for each day following the fifteenth day of June of any regular session which extends beyond the fifteenth day of June and thirteen dollars and fifty cents (\$13.50) each per diem for each special or extraordinary session

Section 3 The following sums or as much thereof as may be necessary are hereby appropriated from the General Fund to the Senate and to the House of Representatives of the General Assembly for the purposes herein-after set forth for the work of the legislative session of one thousand nine hundred fifty-one Said sums shall be in addition to any sums heretofore appropriated to the Senate or to the House of Representatives for any of said purposes

To the Senate

For the payment of daily compensation provided for in this act for regular session employees when the regular session extends beyond the fifteenth day of June the sum of four thousand eight hundred eighty-two dollars and fifty cents (\$4882.50)

To the House of Representatives

For the payment of daily compensation provided for in this act for regular session employees when the regular session extends beyond the fifteenth day of June the sum of five thousand one hundred forty-five dollars (\$5145)

Section 4 The provisions of this act shall become effective immediately upon final enactment and the daily compensation provided for in this act shall be payable to regular session employees of the Senate and House of Representatives employed for the work of the legislative session of one thousand nine hundred and fifty-one for work done on and after the sixteenth day of June one thousand nine hundred and fifty-one

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:



## YEAS—205

Amarando,	Graybill,	Maxwell,	Royer,
Andrews,	Greenwood,	Masza,	Rubin,
Banker,	Greer,	McConnell,	Sarraf,
Barkdoll,	Guarnieri,	McCormack,	Sax,
Baumunk,	Gutendorf,	McCullough,	Scanlon,
Bear,	Guthrie,	McDermitt,	Schmidt,
Beaver,	Hagerty,	McGee,	Schuster,
Beech,	Hall,	McInroy,	Scott,
Berkstresser,	Hamilton, R. K.,	McKinney,	Seyler,
Blair,	Hamilton, W. H.,	McMillen,	Shoemaker,
Bloom,	Harney,	McNally,	Shotwell,
Boles,	Haudenschild,	Metz,	Smith,
Bolton,	Headlee,	Mihm,	Snider,
Bomberger,	Helm,	Mikula,	Sollenberger,
Boorse,	Hersch,	Miller, H. G.,	Spencer,
Bower,	Hewitt,	Mills,	Stank,
Brelsch,	Hocker,	Mintess,	Stimmel,
Breth,	Hoggard,	Monroe,	Stoner,
Brown,	Hunter,	Moore, C. E.,	Swartz,
Bucchin,	Jenkins,	Moore, H. A.,	Swope,
Byrne,	Johnson,	Moran,	Tahl,
Cella,	Jones, G. E.,	Muldowney,	Taylor,
Clapper,	Jones, J. M.,	Munley,	Thompson, E. F.,
Clendening,	Jones, P. F.,	Murray,	Thompson, R. L.,
Cochran,	Jones, T. H. W.,	Musto,	Toll,
Conway,	Jump,	Najaka,	Tompkins,
Cooper,	Kamyk,	Naugle,	Toomey,
Corr,	Keller,	Needham,	VanSant,
Costa,	Kent,	Olsen,	Varallo,
Coyle,	Kilne,	Penglase,	Varner,
Dalrymple,	Kohl,	Peta,	Verona,
Davis,	Kolankiewicz,	Petrosky,	Wachhaus,
Dennison,	Kornick,	Pettigrew,	Wargo,
Dougherty,	Kratz,	Pfaff,	Waterhouse,
Dowling,	Kubacki,	Pichney,	Watkins,
Duffy,	Lafore,	Pitzer,	Weidner,
Dunn,	Lederer,	Polaski,	Welsh,
Erb,	Lelsey,	Polen,	Wescott,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Westrick,
Fenrich,	Leonard, W. O.,	Price, R. A.,	Whalley,
Ferster,	Leven,	Readinger,	Wheeler,
Fillip,	Light,	Reagan,	White,
Filo,	Limper,	Reese,	Williams,
Firmstone,	Loftus,	Reidenbach,	Wilt,
Flack,	Lopresti,	Relly, J. M.,	Wood,
Frost,	Lovett,	Rigby,	Yeakel,
Gaffney,	Lutty,	Riley, R. L.,	Yester,
Geer,	Lyons,	Robertson,	Yetzer,
Gibson,	Madden,	Rose,	Young,
Gleason,	Madigan,	Rosen,	Ziegler,
Good,	Markley,	Rovansek,	Sorg,
Goodling,			Speaker

## NAYS—1

Miller, J. C.,

## NOT VOTING—1

DuBois,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1703, as follows:

An Act making an appropriation to the Senate and to the House of Representatives of the General Assembly and to the Legislative Reference Bureau for the payment of mileage compensation of employes and contingent expenses

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The following sums or as much thereof as may be necessary are hereby appropriated from the General Fund to the Senate and to the House of Representatives of the General Assembly and to the Legislative Reference Bureau for the purposes hereinafter set forth for the balance of the work of the legislative session of one thousand nine hundred fifty-one Said sums shall be in addition to any sums heretofore appropriated to the

Senate or to the House of Representatives or to the Legislative Reference Bureau for any of said purposes

## To the Senate

For the payment of the mileage of fifty Senators the sum of six thousand dollars (\$6000)

To the Chief Clerk of the Senate for the payment of the compensation of employes in his office the sum of twenty thousand dollars (\$20,000)

For the payment of the necessary expenses including extra labor in the office of the Chief Clerk the sum of five thousand dollars (\$5000)

For the payment of postage labor and incidental expenses in the office of the Secretary of the Senate the sum of two thousand five hundred dollars (\$2500)

For the payment of contingent expenses including clerical stenographic traveling and discretionary charges of the Majority Floor Leader of the Senate the sum of two thousand five hundred dollars (\$2500)

For the payment of contingent expenses including clerical stenographic traveling and discretionary charges of the Minority Floor Leader of the Senate the sum of

For the payment of contingent expenses including extra one thousand five hundred dollars (\$1500)

services of employes of the Senate and clerical stenographic traveling and discretionary charges of the Majority Whip the sum of five hundred dollars (\$500)

For the payment of contingent expenses including extra services of employes of the Senate and clerical stenographic traveling and discretionary charges of the Minority Whip the sum of four hundred dollars (\$400)

For necessary clerical assistance and other necessary expenses in connection with the work of the Committee on Appropriations of the Senate in compiling data and information for the use of said committee and the Senate the sum of two thousand five hundred dollars (\$2500)

## To the House of Representatives

For the payment of the mileage of two hundred and eight Members of the House of Representatives the sum of fifteen thousand dollars (\$15,000)

For the payment of salaries of the officers and employes of the House of Representatives Session of 1951 also for the payment of the session salaries of all officers and employes whose positions are now or may be hereafter created and for the payment of which provision is not otherwise made the sum of thirty-five thousand dollars (\$35,000)

For the payment of necessary expenses including extra labor in the office of the Chief Clerk and Library the sum of two thousand five hundred dollars (\$2500)

For the payment of contingent expenses including clerical stenographic traveling and discretionary charges of the Speaker of the House of Representatives the sum of two thousand five hundred dollars (\$2500)

For the payment of contingent expenses including clerical stenographic traveling and discretionary charges of the Majority Floor Leader of the House of Representatives the sum of two thousand five hundred dollars (\$2500)

For the payment of contingent expenses including clerical stenographic traveling and discretionary charges of the Minority Floor Leader of the House of Representatives the sum of one thousand five hundred dollars (\$1500)

For the payment of contingent expenses including extra services of employes of the House of Representatives and clerical stenographic traveling and discretionary charges of the Majority Whip the sum of five hundred dollars (\$500)

For the payment of contingent expenses including extra services of employes of the House of Representatives and clerical stenographic traveling and discretionary charges of the Minority Whip the sum of four hundred dollars (\$400)

For the payment of postage clerical stenographic and express charges and all other expenses in the office of the Secretary of the House of Representatives the sum of two thousand five hundred dollars (\$2500)

For necessary clerical assistance and other necessary expenses in connection with the work of the Committee



piling data and information for the use of said committee on Appropriations of the House of Representatives in command and the House of Representatives the sum of two thousand five hundred dollars (\$2500)

To the Legislative Reference Bureau

For the payment of the compensation of temporary employees and overtime compensation of all employees of the Legislative Reference Bureau the sum of five thousand dollars (\$5000)

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—205

Amarando,	Graybill,	Maxwell,	Royer,
Andrews,	Greenwood,	Mazza,	Rubin,
Banker,	Greer,	McConnell,	Sarrafi,
Barkdoll,	Guarnieri,	McCormack,	Sax,
Baumunk,	Gutendorf,	McCullough,	Scanlon,
Bear,	Guthrie,	McDermitt,	Schmidt,
Beaver,	Hagerty,	McGee,	Schuster,
Beech,	Hall,	McInroy,	Scott,
Berkstresser,	Hamilton, R. K.,	McKinney,	Seyler,
Blair,	Hamilton, W. H.,	McMillen,	Shoemaker,
Bloom,	Harney,	McNally,	Shotwell,
Boles,	Haudenschild,	Metz,	Smith,
Bolton,	Headlee,	Mihm,	Snider,
Bomberger,	Helm,	Mikula,	Sollenberger,
Boorse,	Hersch,	Miller, H. G.,	Spencer,
Bower,	Hewitt,	Mills,	Stank,
Breisch,	Hocker,	Mintess,	Stimmel,
Breth,	Hoggard,	Monroe,	Stoner,
Brown,	Hunter,	Moore, C. E.,	Swartz,
Buccichin,	Jenkins,	Moore, H. A.,	Swope,
Byrne,	Johnson,	Moran,	Tahl,
Cella,	Jones, G. E.,	Muldowney,	Taylor,
Clapper,	Jones, J. M.,	Munley,	Thompson, E. F.,
Clendenning,	Jones, P. F.,	Murray,	Thompson, R. L.,
Cochran,	Jones, T. H. W.,	Musto,	Toll,
Conway,	Jump,	Najaka,	Tompkins,
Cooper,	Kamyk,	Naugle,	Toomey,
Corr,	Keller,	Needham,	VanSant,
Costa,	Kent,	Olsen,	Varallo,
Coyle,	Kline,	Penglase,	Varner,
Dalrymple,	Kohl,	Peta,	Verona,
Davis,	Kolankiewicz,	Petrosky,	Wachhaus,
Dennison,	Kornick,	Pettigrew,	Wargo,
Dougherty,	Kratz,	Pfaff,	Waterhouse,
Dowling,	Kubacki,	Pichney,	Watkins,
Duffy,	Lafore,	Pitzer,	Weidner,
Dunn,	Lederer,	Polaski,	Welsh,
Erb,	Leisey,	Polen,	Wescott,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Westrick,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Whalley,
Ferster,	Leven,	Readinger,	Wheeler,
Filip,	Light,	Reagan,	White,
Filo,	Limper,	Reese,	Williams,
Firmstone,	Loftus,	Reidenbach,	Wilt,
Flack,	Lopresti,	Reilly, J. M.,	Wood,
Frost,	Lovett,	Rigby,	Yeakel,
Gaffney,	Lutty,	Riley, R. L.,	Yester,
Geer,	Lyons,	Robertson,	Yetzer,
Gibson,	Madden,	Rose,	Young,
Gleason,	Madigan,	Rosen,	Ziegler,
Good,	Markley,	Rovansek,	Sorg,

Speaker

#### NAYS—1

Miller, J. C.,

#### NOT VOTING—1

DuBois,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1710, as follows:

An Act to further amend Section 1 of the act approved the twenty-fourth day of June one thousand nine hundred nineteen (P. L. 579) entitled "An act to fix the salary and mileage of the members of the General Assembly and to provide for the furnishing of such postage stationery and supplies as may be necessary for the conduct of their offices and repealing all acts or parts of acts inconsistent therewith" by increasing the salary of members of the General Assembly and providing a salary and payment of expenses in the event of annual sessions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1 of the act approved the twenty-fourth day of June one thousand nine hundred nineteen (P. L. 579) entitled "An act to fix the salary and mileage of the members of the General Assembly and to provide for the furnishing of such postage stationery and supplies as may be necessary for the conduct of their offices and repealing all acts or parts of acts inconsistent therewith" as last amended by the act approved the seventh day of July one thousand nine hundred fifty-one (Act No. 212) is hereby further amended to read as follows

Section 1 Be it enacted &c That the salary of the members of the General Assembly shall be [three thousand dollars (\$3000) for each biennial session and mileage to and from their homes at the rate of five cents per mile circular for each week a member was in actual attendance at the session to be computed by the ordinary mail route between their homes and capitol of the State The salary of the members of the General Assembly shall be five hundred dollars (\$500) and mileage as aforesaid for each special or extraordinary session lasting less than one calendar month and seven hundred and fifty dollars (\$750) and mileage as aforesaid for each special or extraordinary session lasting one calendar month or more and no]

(1) For each regular biennial session five thousand dollars (\$5000)

(2) In the event that regular annual sessions of the General Assembly are provided for by amendment or revision of the Constitution for each regular annual session five thousand dollars (\$5000)

(3) For each extraordinary session lasting less than thirty days eight hundred dollars (\$800)

(4) For each extraordinary session lasting thirty days and more but less than sixty days one thousand two hundred fifty dollars (\$1250)

(5) For each extraordinary session lasting sixty days and more one thousand five hundred dollars (\$1500)

At each regular or extraordinary session members shall be paid mileage to and from their homes at the rate of five cents per mile circular for each week a member was in actual attendance at the session to be computed by the ordinary mail route between their homes and the capitol of the State

No other compensation shall be allowed whatever except each member of the General Assembly shall receive an allowance for clerical assistance and other expenses incurred during his term in connection with the duties of his office in the event of regular biennium sessions the sum of thirty-six hundred dollars (\$3600) for each two year period of service payable nine hundred dollars (\$900) on July 1 of each year and nine hundred dollars (\$900) on November 30 of each year commencing July 1 one thousand nine hundred fifty-one In the event that regular annual sessions of the General Assembly are provided for the amendment or revision of the Constitution such allowance shall be the rate of two thousand four hundred (\$2400) for each two year period of service payable six hundred dollars (\$600) on July 1 of each year and six hundred dollars (\$600) on November 30 of each year commencing on the first day of July immediately following the ratification and adoption of the constitutional amendment or revision by the electors



And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—186

Amarando,	Guarnieri,	Markley,	Rovansek,
Andrews,	Gutendorf,	Maxwell,	Royer,
Banker,	Guthrie,	Mazza,	Rubin,
Beaver,	Hagerty,	McConnell,	Sarrafa,
Beech,	Hall,	McCormack,	Sax,
Blair,	Hamilton, R. K.	McDermitt,	Scanlon,
Bloom,	Hamilton, W. H.	McGee,	Schmidt,
Boles,	Harney,	McInroy,	Schuster,
Bolton,	Haudenshield,	McKinney,	Scott,
Bomberger,	Headlee,	McMillen,	Seyler,
Boorse,	Helm,	McNally,	Shoemaker,
Bower,	Hersch,	Metz,	Smith,
Breisch,	Hewitt,	Mihm,	Snider,
Breth,	Hocker,	Mikula,	Sollenberger,
Brown,	Hoggard,	Miller, H. G.,	Stank,
Bucchin,	Hunter,	Mills,	Stimmel,
Byrne,	Jenkins,	Mintess,	Stoner,
Cella,	Johnson,	Monroe,	Swope,
Clapper,	Jones, G. E.,	Moore, C. E.,	Tahl,
Clendenning,	Jones, J. M.,	Moore, H. A.,	Taylor,
Cochran,	Jones, P. F.,	Moran,	Thompson, E. F.,
Conway,	Jones, T. H. W.,	Muldowney,	Thompson, R. L.,
Cooper,	Jump,	Munley,	Toll,
Cort,	Kamyk,	Murray,	Tompkins,
Costa,	Keller,	Musto,	Toomey,
Coyle,	Kent,	Najaka,	VanSant,
Dalrymple,	Kline,	Naugle,	Varallo,
Davis,	Kohl,	Needham,	Varner,
Dennison,	Kolankiewicz,	Olsen,	Verona,
Dougherty,	Kornick,	Penglase,	Wachhaus,
Dowling,	Kratz,	Peta,	Wargo,
Duffy,	Kubacki,	Petrosky,	Waterhouse,
Dunn,	Lafore,	Pettigrew,	Watkins,
Ewing,	Lederer,	Pfaff,	Welsh,
Feurich,	Lelsey,	Pichney,	Wescott,
Fillip,	Leonard, L.,	Pitzer,	Westrick,
Filo,	Leonard, W. C.,	Polaski,	Wheeler,
Firmstone,	Leven,	Polen,	Williams,
Flack,	Light,	Price, R. A.,	Wilt,
Frost,	Limper,	Readinger,	Wood,
Gaffney,	Loftus,	Reese,	Yeakel,
Geer,	Lopresti,	Reidenbach,	Yetzer,
Gibson,	Lovett,	Reilly, J. M.,	Young,
Good,	Lutty,	Rigby,	Ziegler,
Goodling,	Lyons,	Riley, R. L.,	Sorg,
Greenwood,	Madden,	Robertson,	Speaker
Greer,	Madigan,	Rosen,	

NAYS—20

Barkdoll,	Ferster,	Price, H. W. Jr.,	Swartz,
Baumunk,	Gleason,	Reagan,	Weidner,
Bear,	Graybill,	Rose,	Whalley,
Berkstresser,	McCullough,	Shotwell,	White,
Erb,	Miller, J. C.,	Spencer,	Yester.

NOT VOTING—1

DuBols,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House Bill No. 1711, Printer's No. 968 was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1718, as follows:

An Act to amend Section twenty-one of the Act approved the twentieth day of June one thousand nine hundred nineteen (P. L. 521) entitled as amended "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal" as amended by modifying the rates of commission which may be retained by registers of wills for their own use for collection of inheritance taxes as agents of the Commonwealth

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section twenty-one of the Act approved the twentieth day of June one thousand nine hundred nineteen (P. L. 521) as last amended by the Act approved the fourth day of June one thousand nine hundred thirty-seven (P. L. 1597) is hereby further amended to read as follows

Section 21 The registers of wills upon their filing with the Department of Revenue the bond hereinafter required of the said tax in the case of resident decedents For shall be the agents of th Commonwealth for the collection services rendered in collecting and paying over the same they shall be allowed to retain for their own use upon the gross amount collected during any year (five) eight per centum upon the tax collected if such tax shall amount to a sum of (fifty) fifteen thousand dollars (\$15,000) or less five per centum on the amounts collected in excess of fifteen thousand dollars (\$15,000) and not exceeding fifty thousand dollars (\$50,000) three per centum on the amounts collected in excess of fifty thousand dollars (\$50,000) and not exceeding one hundred thousand dollars (\$100,000) one per centum on the amounts collected in excess of one hundred thousand dollars (\$100,000 and not in excess of two hundred thousand dollars (\$200,000) (and) one-half of one per centum on the amounts collected in excess of two hundred thousand dollars (\$200,000) and not over one million dollars (\$1,000,000) and one-quarter of one per centum on the amounts collected in excess of one million dollars (\$1,000,000) Provided That the total amount to be so retained by such registers of wills for their own use shall not exceed the sum of (ten) eleven thousand five hundred dollars (\$11,500) during any year Provided further that if any tax rate shall be increased over the rate in effect during the year 1950 the foregoing percentages shall be computed as though such increase had not occurred

Section 2 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarrafa,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenshield,	Mihm,	Snider,



Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Mills,	Stank,
Breisch,	Hewitt,	Mintess,	Stimmel,
Breth,	Hocker,	Monroe,	Stoner,
Brown,	Hoggard,	Moore, C. E.,	Swartz,
Bucchin,	Hunter,	Moore, H. A.,	Swope,
Byrne,	Jenkins,	Moran,	Tahl,
Cella,	Johnson,	Muldowney,	Taylor,
Clapper,	Jones, G. E.,	Munley,	Thompson, E. F.,
Clendening,	Jones, J. M.,	Murray,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Musto,	Toll,
Conway,	Jones, T. H. W.,	Najaka,	Tompkins,
Cooper,	Jump,	Naugle,	Toomey,
Corr,	Kamyk,	Needham,	VanSant,
Costa,	Keller,	Olsen,	Varallo,
Coyle,	Kline,	Penglase,	Varner,
Dalrymple,	Kohl,	Peta,	Verona,
Davis,	Kolankiewicz,	Petrosky,	Wachhaus,
Dennison,	Kornick,	Pettigrew,	Wargo,
Dougherty,	Kratz,	Pfaff,	Waterhouse,
Dowling,	Kubacki,	Pichney,	Watkins,
Duffy,	Lafore,	Pitzer,	Weidner,
Dunn,	Lederer,	Polaski,	Welsh,
Erb,	Leisey,	Polen,	Wescott,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Westrick,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Whalley,
Ferster,	Leven,	Readinger,	Wheeler,
Filip,	Light,	Reagan,	White,
Filo,	Limper,	Reese,	Williams,
Firmstone,	Loftus,	Reidenbach,	Wilt,
Flack,	Lopresti,	Reilly, J. M.,	Wood,
Frost,	Lovett,	Rigby,	Yeakel,
Gaffney,	Lutty,	Riley, R. L.,	Yester,
Geer,	Lyons,	Robertson,	Yetzer,
Gibson,	Madden,	Rose,	Young,
Gleason,	Madigan,	Rosen,	Ziegler,
Good,	Markley,	Rovansek,	Sorg,

Speaker

## NAYS—2

Kent, Miller, J. C.,

## NOT VOTING—1

DuBois,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1720, as follows:

An Act making an appropriation to the Department of Property and Supplies for the payment of rates rentals and other charges that may become due on leases and other contracts executed by such department with The General State Authority for the use and occupancy by the Commonwealth of various projects structures buildings and facilities of the Authority or for the service rendered by the Authority or its projects

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of two hundred fifty thousand dollars (\$250,000) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Property and Supplies for the two fiscal years beginning June first one thousand nine hundred fifty-one for the payment by the Commonwealth of annual rates rentals and other charges for the use and occupancy of or the right to use or occupy the projects structures buildings equipment and facilities leased by The General State Authority to the Commonwealth or for services rendered by the Authority or its projects Payment of such annual rates rentals and to her charges shall be made in equal monthly quarterly or annual installments or otherwise as required by the respective leases

Section 2 When approved by the Governor the appropriation in the act providing moneys for the purposes herein indicated for the biennium will be reduced by the amount appropriated by this act

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:-

## YEAS—206

Amarando,	Graybill,	Maxwell,	Royer,
Andrews,	Greenwood,	Mazza,	Rubln,
Banker,	Greer,	McConnell,	Sarraf,
Bardoll,	Guarnieri,	McCormack,	Sax,
Baumunk,	Gutendorf,	McCullough,	Scanlon,
Bear,	Guthrie,	McDermitt,	Schmidt,
Beaver,	Hagerty,	McGee,	Schuster,
Beech,	Hall,	McInroy,	Scott,
Berkstresser,	Hamilton, R. K.,	McKinney,	Seyler,
Blair,	Hamilton, W. H.,	McMillen,	Shoemaker,
Bloom,	Harney,	McNally,	Shotwell,
Boles,	Haudenshield,	Metz,	Smith,
Bolton,	Headlee,	Mihm,	Snider,
Bomberger,	Helm,	Mikula,	Sollenberger,
Boorse,	Hersch,	Miller, H. G.,	Spencer,
Bower,	Hewitt,	Miller, J. C.,	Stank,
Breisch,	Hocker,	Mills,	Stimmel,
Breth,	Hoggard,	Mintess,	Stoner,
Brown,	Hunter,	Monroe,	Swartz,
Bucchin,	Jenkins,	Moore, C. E.,	Swope,
Byrne,	Johnson,	Moore, H. A.,	Tahl,
Cella,	Jones, G. E.,	Moran,	Taylor,
Clapper,	Jones, J. M.,	Muldowney,	Thompson, E. F.,
Clendening,	Jones, P. F.,	Munley,	Thompson, R. L.,
Cochran,	Jones, T. H. W.,	Murray,	Toll,
Conway,	Jump,	Musto,	Tompkins,
Cooper,	Kamyk,	Najaka,	Toomey,
Corr,	Keller,	Naugle,	VanSant,
Costa,	Kent,	Needham,	Varallo,
Coyle,	Kline,	Olsen,	Varner,
Dalrymple,	Kohl,	Penglase,	Verona,
Davis,	Kolankiewicz,	Peta,	Wachhaus,
Dennison,	Kornick,	Petrosky,	Wargo,
Dougherty,	Kratz,	Pettigrew,	Waterhouse,
Dowling,	Kubacki,	Pfaff,	Watkins,
Duffy,	Lafore,	Pichney,	Weidner,
Dunn,	Lederer,	Pitzer,	Welsh,
Erb,	Leisey,	Polaski,	Wescott,
Ewing,	Leonard, L.,	Polen,	Westrick,
Fenrich,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley,
Ferster,	Leven,	Price, R. A.,	Wheeler,
Filip,	Light,	Readinger,	White,
Filo,	Limper,	Reagan,	Williams,
Firmstone,	Loftus,	Reese,	Wilt,
Flack,	Lopresti,	Reidenbach,	Wood,
Frost,	Lovett,	Reilly, J. M.,	Yeakel,
Gaffney,	Lutty,	Rigby,	Yester,
Geer,	Lyons,	Riley, R. L.,	Yetzer,
Gibson,	Madden,	Robertson,	Young,
Gleason,	Madigan,	Rose,	Ziegler,
Good,	Markley,	Rosen,	Sorg,
Goodling,		Rovansek,	Speaker

## NAYS—0

## NOT VOTING—1

DuBois,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1721, as follows:

An Act making an appropriation to the State Treasurer for the purpose of paying salaries and wages of State Officers and employes and other ordinary and general expenses in the interim between the thirty-first day of May one thousand nine hundred fifty-one and such time as the funds provided by the General Appropriation Act become available and for the payment of bills



incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred fifty-one

Whereas Under the Constitution and the laws of this Commonwealth the State Treasurer may not pay out any moneys unless they be specifically appropriated by Act of the General Assembly therefore

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 That the sum of forty million dollars (\$40,000,000) or as much thereof as may be necessary is hereby specifically appropriated to the State Treasurer of the Commonwealth of Pennsylvania for the purpose of paying the salaries and wages of the officers and employees and other ordinary and general expenses of the State government in the interim between the thirty-first day of May one thousand nine hundred fifty-one and such time as moneys appropriated by the General Appropriation Act of one thousand nine hundred fifty-one may become available for such purposes and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred fifty-one

Section 2 Payments out of the appropriation of this act shall be made by the State Treasurer upon requisitions by the several departments boards commissions or officers in the same manner as payments are ordinarily made

Section 3 All amounts paid by the State Treasurer in accordance with this act shall be charged against the appropriations made for the salaries and wages of the officers and employees and other ordinary and general expenses of the State government in the General Appropriation Act of one thousand nine hundred fifty-one

Section 4 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—205

Amarando,	Graybill,	Maxwell,	Royer,
Andrews,	Greenwood,	Mazza,	Rubin,
Banker,	Greer,	McConnell,	Sarrafi,
Barkdoll,	Guarnieri,	McCormack,	Sax,
Baumunk,	Gutendorf,	McCullough,	Scanlon,
Bear,	Guthrie,	McDermitt,	Schmidt,
Beaver,	Hagerty,	McGee,	Schuster,
Blair,	Hall,	McNroy,	Scott,
Beech,	Hamilton, R. K.,	McKinney,	Seyler,
Berkstresser,	Hamilton, W. H.,	McMillen,	Shoemaker,
Bloom,	Harney,	McNally,	Shotwell,
Boles,	Haudenshield,	Metz,	Smith,
Bolton,	Headlee,	Mihm,	Snider,
Bomberger,	Helm,	Mikula,	Sollenberger,
Boorse,	Hersch,	Miller, H. G.,	Spencer,
Bower,	Hewitt,	Mills,	Stank,
Breisch,	Hocker,	Mintess,	Stimmel,
Breth,	Hoggard,	Monroe,	Stoner,
Brown,	Hunter,	Moore, C. E.,	Swartz,
Bucchin,	Jenkins,	Moore, H. A.,	Swope,
Byrne,	Johnson,	Moran,	Tabl,
Cella,	Jones, G. E.,	Muldowney,	Taylor,
Clapper,	Jones, J. M.,	Munley,	Thompson, E. F.,
Clendening,	Jones, P. F.,	Murray,	Thompson, R. L.,
Cochran,	Jones, T. H. W.,	Musto,	Toll,
Conway,	Jump,	Najaka,	Tompkins,
Cooper,	Kamyk,	Naugle,	Toomey,
Corr,	Keller,	Needham,	VanSant,
Costa,	Kent,	Olsen,	Varallo,
Coyle,	Kline,	Penglase,	Varner,
Dalrymple,	Kohl,	Peta,	Verona,
Davis,	Kolankiewicz,	Petrosky,	Wachhaus,
Dennison,	Kornick,	Pettigrew,	Wargo,
Dougherty,	Kratz,	Pfaff,	Waterhouse,
Dowling,	Kubacki,	Pichney,	Watkins,
Duffy,	Lafore,	Pitzer,	Weidner,
Dunn,	Lederer,	Polaski,	Welsh,

Erh,  
Ewing,  
Fenrich,  
Ferster,  
Filip,  
Filo,  
Firmstone,  
Flack,  
Frost,  
Gaffney,  
Geer,  
Gibson,  
Gleason,  
Good,  
Gooding,

Lelsey,  
Leonard, L.,  
Leonard, W. C.,  
Lev n,  
Light,  
Limper,  
Loftus,  
Lopresti,  
Lovett,  
Lutty,  
Lyons,  
Madden,  
Madigan,  
Markley,

Polen,  
Price, H. W. Jr.,  
Price, R. A.,  
Readinger,  
Reagan,  
Reese,  
Reidenbach,  
Reilly, J. M.,  
Rigby,  
Riley, R. L.,  
Robertson,  
Rose,  
Rosen,  
Rovanssek,

Wescott,  
Westrick,  
Whalley,  
Wheeler,  
White,  
Williams,  
Wilt,  
Wood,  
Yeakel,  
Yester,  
Yetzer,  
Young,  
Ziegler,  
Sorg,  
Speaker

#### NAYS—1

Miller, J. C.,

#### NOT VOTING—1

DuBols,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 134, as follows:

An Act to amend further Section 5 of the act approved the thirteenth day of June one thousand eight hundred and thirty-six (P. L. 551) entitled "An act relating to roads highways and bridges" as amended by extending the width of a public road in the instance of multiple lane highways to increase the maximum width by the additional footage that shall be necessary in the judgment of the Secretary of Highways for center or dividing strips

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 5 of the act approved the thirteenth day of June one thousand eight hundred and thirty-six (P. L. 551) entitled "An act relating to roads highways and bridges" as last amended by the act approved the sixth day of August one thousand nine hundred and forty-one (P. L. 890) is hereby further amended to read as follows

Section 5 The breadth of a private road shall not in any case exceed twenty-five feet and the width of a public road shall not be less than thirty-three feet nor more than one hundred and twenty feet except that whenever the right of way for a public highway has been acquired solely by the Federal government the maximum width thereof may be two hundred feet and except in the instance of multiple lane highways the maximum width shall be one hundred and twenty feet plus any additional footage that shall be necessary in the judgment of the Secretary of Highways for center or dividing strips between the multiple roadways Provided That the limits of width shall not be construed to include the width required for necessary slopes in cuts or fills when the limits of the road and the extra width required for such slopes exceed the limits of width herein specified but no appropriation of property as width required only for slopes shall be construed to prevent the owner from making any use of his property which is not inconsistent with the necessary support or protection of the highway all viewers shall hereafter be required to take into consideration the equalized nature of the easement in proceedings to assess damages for the taking of land for highway purposes Anr provided further That when the public road desired to be opened is in a built up section of any township of the second class of the type commonly known as an alley and is not an integral part of a through route the minimum width shall be fifteen feet And provided further That where the breadth of a public road shall hereafter be fixed at more than one hundred and twenty feet and the right of way of such public high-



way has been acquired solely by the Federal government and it shall become necessary to move or relocate any public service facilities the cost and expenses incident to such removal or relocation shall be paid by the Federal Government

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—206

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarra,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenschild,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Brelschi,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendening,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varner,
Dalrymple,	Kline,	Penglase,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
Duffy,	Kubacki,	Pichney,	Weidner,
Dunin,	Lafore,	Pitzer,	Welsh,
Erb,	Lederer,	Polaski,	Wescott,
Ewing,	Leisey,	Polen,	Westrick,
Fenrich,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Ferster,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Filip,	Leven,	Readinger,	White,
Filo,	Light,	Reagan,	Williams,
Firmstone,	Limper,	Reese,	Wilt,
Flack,	Loftus,	Reidenbach,	Wood,
Frost,	Lopresti,	Reilly, J. M.,	Yeakel,
Gaffney,	Lovett,	Rigby,	Yester,
Geer,	Lutty,	Riley, R. L.,	Yetzer,
Gibson,	Lyons,	Robertson,	Young,
Gleason,	Madden,	Rose,	Ziegler,
Good,	Madigan,	Rosen,	Sorg,
	Markley,	Rovansek,	Speaker

#### NAYS—0

#### NOT VOTING—1

DuBois.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

#### BILLS PASSED OVER

There being no objection

Senate Bill No. 230, Printer's No. 384 and

Senate Bill No. 319, Printer's No. 270

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 441, as follows:

An Act to add Sections 602.1 and 705.1 to further amend Section 802 to add Sections 804.1 and 901.1 to the act approved the fifth day of August one thousand nine hundred forty-one (P. L. 752) entitled "An act regulating and improving the civil service of certain departments and agencies of the Commonwealth vesting in the State Civil Service Commission and a Personnel Director certain powers and duties providing for classification of positions adoption of compensation schedules and certification of payrolls imposing duties upon certain officers and employees of the Commonwealth authorizing service to other State departments or agencies and political subdivisions of the Commonwealth in matters relating to civil service defining certain crimes and misdemeanors imposing penalties making certain appropriations and repealing certain acts and parts thereof" by providing that substitutes may hold positions only until employees on military leave return relating to rights of transferred reassigned or promoted employees during probationary periods and providing for employee audits from time to time

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections 602.1 and 705.1 are hereby added to the act approved the fifth day of August one thousand nine hundred forty-one (P. L. 752) entitled "An act regulating and improving the civil service of certain departments and agencies of the Commonwealth vesting in the State Civil Service Commission and a Personnel Director certain powers and duties providing for classification of positions adoption of compensation schedules and certification of payrolls imposing duties upon certain officers and employees of the Commonwealth authorizing service to other State departments or agencies and political subdivisions of the Commonwealth in matters relating to civil service defining certain crimes and misdemeanors imposing penalties making certain appropriations and repealing certain acts and parts thereof" to read as follows

Section 602.1 Substitutes During Military Leave Whenever an employee in the classified service is granted military leave the position so vacated shall be filled only by substitute appointment or promotion and the employee so appointed or promoted shall vacate the position upon return of the employee from military leave any such substitute employee when required to vacate such position upon the return of the regular employee shall have the right to return to his previous civil service position and status

Such substitute appointments or promotions shall be made from lists certificated by the State Civil Service Commission in keeping with the provisions of this act

Section 705.1 Further Rights of Transferred Employees Any classified employee transferred reassigned or promoted from one position to any other position in the same or another classification and remaining in the position through a period of time equivalent to the accepted probationary period for that position shall be deemed to have vacated the position from which he was transferred reassigned or promoted and to have acquired status in the position to which he was transferred reassigned or promoted provided that during such period of time he shall retain reemployment rights in the former position

A position so vacated shall be filled by appointment or promotion from eligible lists certified by the commission

Section 2 Section 802 of said act as last amended by



the act approved the twenty-first day of June one thousand nine hundred forty-seven (P. L. 835) is hereby further amended to read as follows

Section 802 Furlough In case a reduction in force is necessary in the classified service no employe shall be furloughed while any probationary or provisional employe is employed in the same classification and no probationary employe shall be furloughed while a provisional employe is employed in the same classification. An employe shall be furloughed only if at the time he is furloughed he is within the lowest quarter among all employes of the employer in the same classification on the basis of their last regular service ratings and within this quarter he shall be furloughed in the order of seniority. Provided That the appointing authority may limit the application of this provision in any particular instance to employes in the same classification with headquarters at a particular municipality county or administrative district of the Commonwealth.

A furloughed employe shall have the right of return to any classification and civil service status which he previously held provided such classification is contained in the current classification plan of the agency or to any classification and civil service status in the same or lower grade provided that he meets the minimum qualifications given in the classification plan of the agency [provided that in both instances there is a vacancy with the same appointing authority]. The appointing authority shall promptly report to the director the names of employes furloughed together with the date the furlough of each is effective and the character of his services. Under the rules a permanent employe furloughed shall for a period of one year be given preference for reemployment in the same class of position in the department from which he was furloughed and shall be eligible for appointment to a position of a similar class in other agencies under this act provided that in case of a promotion of another employe such preference shall not be effective if it necessitates furloughing such other employe.

Section 3 Sections 804.1 and 901.1 are hereby added to said act to read as follows

Section 804.1 Rights of Promoted Employee During Probationary Period If the probationary period has resulted from a promotion such removal shall not be from the classified service. A classified employe so removed during a probationary period resulting from promotion shall have the right to and shall be returned to the position or classification held immediately prior to such promotion without necessity of appeal or hearing.

Section 901.1 Commission to Make Periodic Audits of Employees The commission is hereby authorized to and is held responsible for conducting audits of changes in employment and promotions of employes in the various departments bureaus and agencies under its jurisdiction to assure strict compliance with this act and the commission rules and regulations.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—206

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarraf,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenschild,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,

Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Breisch,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendenling,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varner,
Dalrymple,	Kline,	Penglase,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
Duffy,	Kubacki,	Pichney,	Weldner,
Dunn,	Lafore,	Pitzer,	Welsh,
Erb,	Lederer,	Polaski,	Wescott,
Ewing,	Lelsey,	Polen,	Westrick,
Fenrich,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Ferster,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Filip,	Leven,	Readinger,	White,
Filo,	Light,	Reagan,	Williams,
Firmstone,	Limper,	Reese,	Wilt,
Flack,	Lopresti,	Reidenbach,	Wood,
Frost,	Loftus,	Reilly, J. M.,	Yeakel,
Gaffney,	Lovett,	Rigby,	Yester,
Geer,	Luty,	Riley, R. L.,	Yetzer,
Gibson,	Lyons,	Robertson,	Young,
Gleason,	Madden,	Rose,	Ziegler,
Good,	Madigan,	Rosen,	Sorg,
	Markley,	Rovanseck,	Speaker

#### NAYS—0

#### NOT VOTING—1

DuBois,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

#### BILLS PASSED OVER

There being no objection

Senate Bill No. 494, Printer's No. 528,

Senate Bill No. 500, Printer's No. 183,

Senate Bill No. 502, Printer's No. 536,

Senate Bill No. 503, Printer's No. 537, and

Senate Bill No. 504, Printer's No. 224,

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 544, as follows:

An Act making an appropriation from the Motor License Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employes receiving compensation from the Motor License Fund.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of two million one hundred sixty thousand five hundred seventy-two dollars (\$2,160,572) or as much thereof as may be necessary is hereby specifically appropriated out of the Motor License Fund to the State Employees' Retirement Board for the two fiscal years commencing the first day of June one thousand nine hundred fifty-one for payment from time to time into the State Employees' Retirement Fund to meet the



obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Motor License Fund

Section 2 Of the sum appropriated by this act there shall be paid into the State Employees' Retirement Fund to the credit of the State Annuity Reserve Account Number Two the sum of five hundred ten thousand two hundred twenty-one dollars (\$510,221) to the credit of the Contingent Reserve Account the sum of one million six hundred thousand three hundred fifty-one dollars (\$1,600,351) and to the credit of the Pennsylvania State Police Retirement Account the sum of fifty thousand dollars (\$50,000)

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—205

Amarando,	Graybill,	Maxwell,	Royer,
Andrews,	Greenwood,	Mazza,	Rubin,
Banker,	Greer,	McConnell,	Sarraf,
Barkdoll,	Guarnieri,	McCormack,	Sax,
Baumunk,	Gutendorf,	McCullough,	Scanlon,
Bear,	Guthrie,	McDermitt,	Schmidt,
Beaver,	Hagerty,	McGee,	Schuster,
Beech,	Hall,	McInroy,	Scott,
Berkstreser,	Hamilton, R. K.,	McKinney,	Seyler,
Blair,	Hamilton, W. H.,	McMillen,	Shoemaker,
Bloom,	Harney,	McNally,	Shotwell,
Boles,	Haudenschild,	Metz,	Smith,
Bolton,	Headlee,	Mihm,	Snider,
Bomberger,	Helm,	Mikula,	Sollenberger,
Boorse,	Hersch,	Miller, H. G.,	Spencer,
Bower,	Hewitt,	Mills,	Stank,
Breisch,	Hocker,	Mintess,	Stimmel,
Breth,	Hoggard,	Monroe,	Stoner,
Brown,	Hunter,	Moore, C. E.,	Swartz,
Bucchin,	Jenkins,	Moore, H. A.,	Swope,
Byrne,	Johnson,	Moran,	Tahl,
Cella,	Jones, G. E.,	Muldowney,	Taylor,
Clapper,	Jones, J. M.,	Munley,	Thompson, E. F.,
Clendening,	Jones, P. F.,	Murray,	Thompson, R. L.,
Cochran,	Jones, T. H. W.,	Musto,	Toll,
Conway,	Jump,	Najaka,	Tompkins,
Cooper,	Kamyk,	Naugle,	Toomey,
Corr,	Keller,	Needham,	VanSant,
Costa,	Kent,	Olsen,	Varallo,
Coyle,	Kline,	Penglase,	Varner,
Dalrymple,	Kohl,	Peta,	Verona,
Davis,	Kolankiewicz,	Petrosky,	Wachhaus,
Dennison,	Kornick,	Pettigrew,	Wargo,
Dougherty,	Kratz,	Pfaff,	Waterhouse,
Dowling,	Kubacki,	Pichney,	Watkins,
Duffy,	Lafore,	Pitzer,	Weidner,
Dunn,	Lederer,	Polaski,	Welsh,
Erb,	Leisey,	Polen,	Wescott,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Westrick,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Whalley,
Ferster,	Leven,	Readinger,	Wheeler,
Filip,	Light,	Reagan,	White,
Flo,	Limper,	Reese,	Williams,
Firmstone,	Loftus,	Reidenbach,	Wilt,
Flack,	Lopresti,	Reilly, J. M.,	Wood,
Frost,	Lovett,	Rigby,	Yeakel,
Gaffney,	Lutty,	Riley, R. L.,	Yester,
Geer,	Lyons,	Robertson,	Yetzer,
Gibson,	Madden,	Rose,	Young,
Gleason,	Madigan,	Rosen,	Ziegler,
Good,	Markley,	Rovansek,	Sorg,
Goodling,			Speaker

## NAYS—1

Miller, J. C.,

## NOT VOTING—1

DuBois,

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 545, as follows:

An Act making an appropriation from the Game Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Game Fund The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one hundred thirty-four thousand two hundred sixty-seven dollars (\$134,267) or as much thereof as may be necessary is hereby specifically appropriated out of the Game Fund to the State Employees' Retirement Board for the two fiscal years commencing the first day of June one thousand nine hundred fifty-one for payment from time to time into the State Employees' Retirement Fund to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Game Fund

Section 2 Of the sum appropriated by this act there shall be paid into the State Employees' Retirement Fund to the credit of the State Annuity Reserve Account Number Two the sum of thirty-two thousand six hundred thirty dollars (\$32,630) and to the credit of the Contingent Reserve Account the sum of one hundred one thousand six hundred thirty-seven dollars (\$101,637)

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—205

Amarando,	Graybill,	Mazza,	Royer,
Andrews,	Greenwood,	McConnell,	Rubin,
Banker,	Greer,	Maxwell,	Sarraf,
Barkdoll,	Guarnieri,	McCormack,	Sax,
Baumunk,	Gutendorf,	McCullough,	Scanlon,
Bear,	Guthrie,	McDermitt,	Schmidt,
Beaver,	Hagerty,	McGee,	Schuster,
Beech,	Hall,	McInroy,	Scott,
Berkstreser,	Hamilton, R. K.,	McKinney,	Seyler,
Blair,	Hamilton, W. H.,	McMillen,	Shoemaker,
Bloom,	Harney,	McNally,	Shotwell,
Boles,	Haudenschild,	Metz,	Smith,
Bolton,	Headlee,	Mihm,	Snider,
Bomberger,	Helm,	Mikula,	Sollenberger,
Boorse,	Hersch,	Miller, H. G.,	Spencer,
Bower,	Hewitt,	Mills,	Stank,
Breisch,	Hocker,	Mintess,	Stimmel,
Breth,	Hoggard,	Monroe,	Stoner,
Brown,	Hunter,	Moore, C. E.,	Swartz,
Bucchin,	Jenkins,	Moore, H. A.,	Swope,
Byrne,	Johnson,	Moran,	Tahl,
Cella,	Jones, G. E.,	Muldowney,	Taylor,
Clapper,	Jones, J. M.,	Munley,	Thompson, E. F.,
Clendening,	Jones, P. F.,	Murray,	Thompson, R. L.,
Cochran,	Jones, T. H. W.,	Musto,	Toll,
Conway,	Jump,	Najaka,	Tompkins,
Cooper,	Kamyk,	Naugle,	Toomey,
Corr,	Keller,	Needham,	VanSant,
Costa,	Kent,	Olsen,	Varallo,
Coyle,	Kline,	Penglase,	Varner,
Dalrymple,	Kohl,	Peta,	Verona,
Davis,	Kolankiewicz,	Petrosky,	Wachhaus,
Dennison,	Kornick,	Pettigrew,	Wargo,
Dougherty,	Kratz,	Pfaff,	Waterhouse,
Dowling,	Kubacki,	Pichney,	Watkins,
Duffy,	Lafore,	Pitzer,	Weidner,
Dunn,	Lederer,	Polaski,	Welsh,
Erb,	Leisey,	Polen,	Wescott,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Westrick,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.



Fenrich,	Leonard, W. C.,	Price, R. A.,	Whalley,
Ferster,	Leven,	Readinger,	Wheeler,
Filip,	Light,	Reagan,	White,
Filo,	Limper,	Reese,	Williams,
Firmstone,	Loftus,	Reidenbach,	Wilt,
Flack,	Lopresti,	Reilly, J. M.,	Wood,
Frost,	Lovett,	Rigby,	Yeakel,
Gaffney,	Lutty,	Riley, R. L.,	Yester,
Geer,	Lyons,	Robertson,	Yetzer,
Gibson,	Madden,	Rose,	Young,
Gleason,	Madigan,	Rosen,	Ziegler,
Good,	Markley,	Rovansek	Sorg,
Goodling,			Speaker

## NAYS—1

Miller, J. C.,

## NOT VOTING—1

DuBois,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 550, as follows:

An Act making an appropriation of moneys in the Motor License Fund to the Board of Finance and Revenue for the payment of the Loan and Transfer Agent of the Commonwealth

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of sixteen thousand eight hundred seventy-five dollars (\$16,875) or as much thereof as may be necessary is hereby specifically appropriated out of the Motor License Fund to the Board of Finance and Revenue for the two fiscal years commencing June first one thousand nine hundred fifty-one for the payment of the compensation to the Commonwealth's Loan and Transfer Agent for services rendered in connection with the registration transfer and payment of interest on highway bonds and for other services required to be performed by the said Loan and Transfer Agent Payments from such appropriation shall be made at such times and in such amounts and upon such basis as may be provided by law or agreed upon between the Board of Finance and Revenue and the said Loan and Transfer Agent

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—205

Amarando,	Graybill,	Maxwell,	Royer,
Andrews,	Greenwood,	Mazza,	Rubin,
Banker,	Greer,	McConnell,	Sarra,
Barkdoll,	Guarnieri,	McCormack,	Sax,
Baumunk,	Gutendorf,	McCullough,	Scanlon,
Bear,	Guthrie,	McDermitt,	Schmidt,
Beaver,	Hagerty,	McGee,	Schuster,
Beech,	Hall,	McInroy,	Scott,
Berkstresser,	Hamilton, R. K.,	McKinney,	Seyler,
Blair,	Hamilton, W. H.,	McMillen,	Shoemaker,
Bloom,	Harney,	McNally,	Shotwell,
Boles,	Haudenshield,	Metz,	Smith,
Bolton,	Headlee,	Mihm,	Snider,
Bomberger,	Helm,	Mikula,	Sollenberger,
Boorse,	Hersch,	Miller, H. G.,	Spencer,
Bower,	Hewitt,	Mills,	Stank,
Breisch,	Hocker,	Mintess,	Stimmel,
Breth,	Hoggard,	Monroe,	Stoner,
Brown,	Hunter,	Moore, C. E.,	Swartz,
Buechin,	Jenkins,	Moore, H. A.,	Swope,

Byrne,	Johnson,	Moran,	Tahl,
Cella,	Jones, G. E.,	Muldowney,	Taylor,
Clapper,	Jones, J. M.,	Munley,	Thompson, E. F.,
Glendening,	Jones, P. F.,	Murray,	Thompson, R. L.,
Cochran,	Jones, T. H. W.,	Musto,	Toll,
Conway,	Jump,	Najaka,	Tompkins,
Cooper,	Kamyk,	Naugle,	Toomey,
Corr,	Keller,	Needham,	VanSant,
Costa,	Kent,	Olsen,	Varallo,
Coyle,	Kline,	Penglase,	Varner,
Dalrymple,	Kohl,	Peta,	Verona,
Davis,	Kolankiewicz,	Petrosky,	Wachhaus,
Dennison,	Kornick,	Pettigrew,	Wargo,
Dougherty,	Kratz,	Pfaff,	Waterhouse,
Dowling,	Kubacki,	Pichney,	Watkins,
Duffy,	Lafore,	Pitzer,	Weldner,
Dunn,	Lederer,	Polaski,	Welsh,
Erb,	Lelsey,	Polen,	Wescott,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Westrick,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Whalley,
Ferster,	Leven,	Readinger,	Wheeler,
Filip,	Light,	Reagan,	White,
Filo,	Limper,	Reese,	Williams,
Firmstone,	Loftus,	Reidenbach,	Wilt,
Flack,	Reilly, J. M.,	Reilly, J. M.,	Wood,
Frost,	Lovett,	Rigby,	Yeakel,
Gaffney,	Lutty,	Riley, R. L.,	Yester,
Geer,	Lyons,	Robertson,	Yetzer,
Gibson,	Madden,	Rose,	Young,
Gleason,	Madigan,	Rosen,	Ziegler,
Good,	Markley,	Rovansek,	Sorg,
Goodling,			Speaker.

## NAYS—1

Miller, J. C.,

## NOT VOTING—1

DuBois,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 563, as follows:

An Act making an appropriation to the Treasury Department out of various funds to pay replacement checks issued in lieu of outstanding checks when presented and to adjust errors

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The following sums of moneys are hereby appropriated to the Treasury Department for the payment of replacement checks issued by that department in accordance with the provisions of the act approved the twelfth day of July one thousand nine hundred thirty-five (P. L. 996)

Out of the General Fund.	\$10,000.00
Out of the Motor License Fund	10,000.00
Out of the Liquor License Fund	2,500.00
Out of the Fire Insurance Tax Fund	1,000.00
Out of the Fish Fund	150.00
Out of the Game Fund	750.00
Out of the School Employees Retirement Fund	10,000.00
Out of the State Workmen's Insurance Fund	5,000.00
Out of the Milk Control Fund	500.00
Out of the State Stores Fund	10,000.00
Out of the State School Fund	500.00
Out of the State Farm Show Fund	100.00
Out of the State Employees' Retirement Fund	5,000.00
Out of the Flood Control Fund	5,000.00
Out of the World War II Veterans Compensation Fund	100,000.00

And said bill having been read at length the third time, considered and agreed to,

On the question,



Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—205

Amarando,	Graybill,	Maxwell,	Royer,
Andrews,	Greenwood,	Mazza,	Rubin,
Banker,	Greer,	McConnell,	Sarraff,
Barkdoll,	Guarnieri,	McCormack,	Sax,
Baumunk,	Gutendorf,	McCullough,	Scanlon,
Bear,	Guthrie,	McDermitt,	Schmidt,
Beaver,	Hagerty,	McGee,	Schuster,
Beech,	Hall,	McInroy,	Scott,
Berkstresser,	Hamilton, R. K.,	McKinney,	Seyler,
Blair,	Hamilton, W. H.,	McMillen,	Shoemaker,
Bloom,	Harney,	McNally,	Shotwell,
Boles,	Haudenshield,	Metz,	Smith,
Bolton,	Headlee,	Mihm,	Snider,
Bomberger,	Helm,	Mikula,	Sollenberger,
Boorse,	Hersch,	Miller, H. G.,	Spencer,
Bower,	Hewitt,	Mills,	Stank,
Breisch,	Hocker,	Mintess,	Stimmel,
Breth,	Hoggard,	Monroe,	Stoner,
Brown,	Hunter,	Moore, C. E.,	Swartz,
Bucchin,	Jenkins,	Moore, H. A.,	Swope,
Byrne,	Johnson,	Moran,	Tahl,
Cella,	Jones, G. E.,	Muldowney,	Taylor,
Clapper,	Jones, J. M.,	Munley,	Thompson, E. F.,
Clendenning,	Jones, P. F.,	Murray,	Thompson, R. L.,
Cochran,	Jones, T. H. W.,	Toll,	
Conway,	Jump,	Najaka,	Tompkins,
Cooper,	Kamyk,	Naugle,	Toomey,
Corr,	Keller,	Needham,	VanSant,
Costa,	Kent,	Olsen,	Varallo,
Coyle,	Kline,	Penglase,	Varner,
Dalrymple,	Kohl,	Peta,	Verona,
Davis,	Kolankiewicz,	Petrosky,	Wachhaus,
Dennison,	Kornick,	Pettigrew,	Wargo,
Dougherty,	Kratz,	Pfaff,	Waterhouse,
Dowling,	Kubacki,	Pichney,	Watkins,
Duffy,	Lafore,	Pitzer,	Weidner,
Dunn,	Lederer,	Polaski,	Welsh,
Erb,	Leisey,	Polen,	Wescott,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Westrick,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Whalley,
Ferster,	Leven,	Readinger,	Wheeler,
Filip,	Light,	Reagan,	White,
Filo,	Limper,	Reese,	Williams,
Firmstone,	Loftus,	Reidenbach,	Wilt,
Flack,	Lopresti,	Reilly, J. M.,	Wood,
Frost,	Lovett,	Rigby,	Yeakel,
Gaffney,	Lutty,	Riley, R. L.,	Yester,
Geer,	Lyons,	Robertson,	Yetzer,
Gibson,	Madden,	Rose,	Young,
Gleason,	Madigan,	Rosen,	Ziegler,
Good,	Markley,	Rovansek,	Sorg,
Goodling,			Speaker

## NAYS—1

Miller, J. C.,

## NOT VOTING—1

DuBois,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 564, as follows:

An Act making an appropriation from the State Stores Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the State Stores Fund

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one million thirty thousand one

hundred fifty-six (\$1,030,156) or a smuch thereof as may be necessary is hereby specifically appropriated out of the State Stores Fund to the State Employees' Retirement Board for the two fiscal years commencing the first day of June one thousand nine hundred fifty-one for payment from time to time into the State Employees' Retirement Fund to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the State Stores Fund

Section 2 Of the sum appropriated by this act there shall be paid into the State Employees' Retirement Fund to the credit of the State Annuity Reserve Account Number Two the sum of two hundred forty-eight thousand nine hundred thirty dollars (\$248,930) and to the credit of the Contingent Reserve Account the sum of seven hundred eighty-one thousand two hundred twenty-six dollars (\$781,226)

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—205

Amarando,	Graybill,	Maxwell,	Royer,
Andrews,	Greenwood,	Mazza,	Rubin,
Banker,	Greer,	McConnell,	Sarraff,
Barkdoll,	Guarnieri,	McCormack,	Sax,
Baumunk,	Gutendorf,	McCullough,	Scanlon,
Bear,	Guthrie,	McDermitt,	Schmidt,
Beaver,	Hagerty,	McGee,	Schuster,
Beech,	Hall,	McInroy,	Scott,
Berkstresser,	Hamilton, R. K.,	McKinney,	Seyler,
Blair,	Hamilton, W. H.,	McMillen,	Shoemaker,
Bloom,	Harney,	McNally,	Shotwell,
Boles,	Haudenshield,	Metz,	Smith,
Bolton,	Headlee,	Mihm,	Snider,
Bomberger,	Helm,	Mikula,	Sollenberger,
Boorse,	Hersch,	Miller, H. G.,	Spencer,
Bower,	Hewitt,	Mills,	Stank,
Breisch,	Hocker,	Mintess,	Stimmel,
Breth,	Hoggard,	Monroe,	Stoner,
Brown,	Hunter,	Moore, C. E.,	Swartz,
Bucchin,	Jenkins,	Moore, H. A.,	Swope,
Byrne,	Johnson,	Moran,	Tahl,
Cella,	Jones, G. E.,	Muldowney,	Taylor,
Clapper,	Jones, J. M.,	Munley,	Thompson, E. F.,
Clendenning,	Jones, P. F.,	Murray,	Thompson, R. L.,
Cochran,	Jones, T. H. W.,	Musto,	Toll,
Conway,	Jump,	Najaka,	Tompkins,
Cooper,	Lovett,	Naugle,	Toomey,
Corr,	Kamyk,	Needham,	VanSant,
Costa,	Keller,	Olsen,	Varallo,
Coyle,	Kent,	Penglase,	Varner,
Dalrymple,	Kline,	Peta,	Verona,
Davis,	Kolankiewicz,	Petrosky,	Wachhaus,
Dennison,	Kornick,	Pettigrew,	Wargo,
Dougherty,	Kratz,	Pfaff,	Waterhouse,
Dowling,	Kubacki,	Pichney,	Watkins,
Duffy,	Lafore,	Pitzer,	Weidner,
Dunn,	Lederer,	Polaski,	Welsh,
Erb,	Leisey,	Polen,	Wescott,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Westrick,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Whalley,
Ferster,	Leven,	Readinger,	Wheeler,
Filip,	Light,	Reagan,	White,
Filo,	Kohl,	Reese,	Williams,
Firmstone,	Limper,	Reidenbach,	Wilt,
Flack,	Loftus,	Reilly, J. M.,	Wood,
Frost,	Lopresti,	Rigby,	Yeakel,
Gaffney,	Lutty,	Riley, R. L.,	Yester,
Geer,	Lyons,	Robertson,	Yetzer,
Gibson,	Madden,	Rose,	Young,
Gleason,	Madigan,	Rosen,	Ziegler,
Good,	Markley,	Rovansek,	Sorg,
Goodling,			Speaker

## NAYS—1

Miller, J. C.,

## NOT VOTING—1

DuBois,

The majority required by the Constitution having voted



in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 565 as follows:

An Act making an appropriation from the State Workmen's Insurance Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the State Workmen's Insurance Fund

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of ninety-five thousand three hundred forty-two dollars (\$95,342) or as much thereof as may be necessary is hereby specifically appropriated out of the State Workmen's Insurance Fund to the State Employees' Retirement Board for the two fiscal years commencing the first day of June one thousand nine hundred fifty-one for payment from time to time into the State Employees' Retirement Fund to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the State Workmen's Insurance Fund

Section 2 Of the sum appropriated by this act there shall be paid into the State Employees' Retirement Fund to the credit of the State Annuity Reserve Account Number Two the sum of twenty-two thousand nine hundred ninety dollars (\$22,990) and to the credit of the Contingent Reserve Account the sum of seventy-two thousand three hundred fifty-two dollars (\$72,352)

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—205

Amarando,	Graybill,	Maxwell,	Royer,
Andrews,	Greenwood,	Mazza,	Rubin,
Banker,	Greer,	McConnell,	Sarraff,
Barkdoll,	Guarnieri,	McCormack,	Sax,
Baumunk,	Gutendorf,	McCullough,	Scanlon,
Bear,	Guthrie,	McDermitt,	Schmidt,
Beaver,	Hagerty,	McGee,	Schuster,
Beech,	Hall,	McInroy,	Scott,
Berkstresser,	Hamilton, R. K.,	McKinney,	Seyler,
Blair,	Hamilton, W. H.,	McMillen,	Shoemaker,
Bloom,	Harney,	McNally,	Shotwell,
Boles,	Haudenschild,	Metz,	Smith,
Bolton,	Headlee,	Mihm,	Snider,
Bomberger,	Helm,	Mikula,	Sollenberger,
Boorse,	Hersch,	Miller, H. G.,	Spencer,
Bower,	Hewitt,	Mills,	Stank,
Brelsach,	Hocker,	Mintess,	Stimmel,
Breth,	Hoggard,	Monroe,	Stoner,
Brown,	Hunter,	Moore, C. E.,	Swartz,
Bucchin,	Jenkins,	Moore, H. A.,	Swope,
Byrne,	Johnson,	Moran,	Tahl,
Cella,	Jones, G. E.,	Muldowney,	Taylor,
Clapper,	Jones, J. M.,	Munley,	Thompson, E. F.,
Clendenning,	Jones, P. F.,	Murray,	Thompson, R. L.,
Cochran,	Jones, T. H. W.,	Musto,	Toll,
Conway,	Jump,	Najaka,	Tompkins,
Cooper,	Kamyk,	Naugle,	Toomey,
Corr,	Keller,	Needham,	VanSant,
Costa,	Kent,	Olsen,	Varallo,
Coyle,	Kline,	Penglase,	Varner,
Dalrymple,	Kohl,	Peta,	Verona,
Davis,	Kolankiewicz,	Petrosky,	Wachhaus,
Dennison,	Kornick,	Pettigrew,	Wargo,
Dougherty,	Kratz,	Praff,	Waterhouse,
Dowling,	Kubacki,	Pichney,	Watkins,
Duffy,	Lafore,	Pitzer,	Weldner,

Dunn,  
Erh,  
Ewing,  
Fenrich,  
Ferster,  
Fillip,  
Filo,  
Firmstone,  
Flack,  
Frost,  
Gaffney,  
Geer,  
Gibson,  
Gleason,  
Good,  
Goodling.

Lederer,  
Lelsey,  
Leonard, L.,  
Leonard, W. C.,  
Leven,  
Light,  
Limper,  
Loftus,  
Lopresti,  
Lovett,  
Lutty,  
Lyons,  
Madden,  
Madigan,  
Markley.

Polaski,  
Polen,  
Price, H. W. Jr.,  
Price, R. A.,  
Readinger,  
Reagan,  
Reese,  
Reidenbach,  
Reilly, J. M.,  
Rigby,  
Riley, R. L.,  
Robertson,  
Rose,  
Rosen,  
Rovanssek,

Welsh,  
Wescott,  
Westrick,  
Whalley,  
Wheeler,  
White,  
Williams,  
Wilt,  
Wood,  
Yeakel,  
Yester,  
Yetzer,  
Young,  
Ziegler,  
Sorg,

Speaker.

NAYS—1

NOT VOTING—1

Miller, J. C.,

DuBois,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 567, as follows:

An Act making an appropriation from the Fish Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Fish Fund

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of fifty-nine thousand one hundred twenty-seven dollars (\$59,127) or as much thereof as may be necessary is hereby specifically appropriated out of the Fish Fund to the State Employees' Retirement Board for the two fiscal years commencing the first day of June one thousand nine hundred fifty-one for payment from time to time into the State Employees' Retirement Fund to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Fish Fund

Section 2 Of the sum appropriated by this act there shall be paid into the State Employees' Retirement Fund to the credit of the State Annuity Reserve Account Number Two the sum of fourteen thousand three hundred thirty-eight dollars (\$14,338) and to the credit of the Contingent Reserve Account the sum of forty-four thousand seven hundred eighty-nine dollars (\$44,789)

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—205

Amarando,	Graybill,	Maxwell,	Royer,
Andrews,	Greenwood,	Mazza,	Rubin,
Banker,	Greer,	McConnell,	Sarraff,
Barkdoll,	Guarnieri,	McCormack,	Sax,
Baumunk,	Gutendorf,	McCullough,	Scanlon,
Bear,	Guthrie,	McDermitt,	Schmidt,
Beaver,	Hagerty,	McGee,	Schuster,
Beech,	Hall,	McInroy,	Scott,
Berkstresser,	Hamilton, R. K.,	McKinney,	Seyler,
Blair,	Hamilton, W. H.,	McMillen,	Shoemaker,
Bloom,	Harney,	McNally,	Shotwell,
Boles,	Haudenschild,	Metz,	Smith,
Bolton,	Headlee,	Mihm,	Snider,
Bomberger,	Helm,	Mikula,	Sollenberger,
Boorse,	Hersch,	Miller, H. G.,	Spencer,



Bower,	Hewitt,	Mills,	Stank,
Brelsch,	Hocker,	Mintess,	Stimmel,
Breth,	Hoggard,	Monroe,	Stoner,
Brown,	Hunter,	Moore, C. E.,	Swartz,
Bucchin,	Jenkins,	Moore, H. A.,	Swope,
Byrne,	Johnson,	Moran,	Tahl,
Cella,	Jones, G. E.,	Muldowney,	Taylor,
Clapper,	Jones, J. M.,	Munley,	Thompson, E. F.,
Clendening,	Jones, P. F.,	Murray,	Thompson, R. L.,
Cochran,	Jones, T. H. W.,	Musto,	Toll,
Conway,	Jump,	Najaka,	Tompkins,
Cooper,	Kamyk,	Naugle,	Toomey,
Corr,	Keller,	Needham,	VanSant,
Costa,	Kent,	Olsen,	Varallo,
Coyle,	Kline,	Penglase,	Varner,
Dalrymple,	Kohl,	Peta,	Verona,
Davis,	Kolankiewicz,	Petrosky,	Wachhaus,
Dennison,	Kornick,	Pettigrew,	Wargo,
Dougherty,	Kratz,	Pfaff,	Waterhouse,
Dowling,	Kubacki,	Pichney,	Watkins,
Duffy,	Lafore,	Pitzer,	Weldner,
Dunn,	Lederer,	Polaski,	Welsh,
Erb,	Leisey,	Polen,	Wescott,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Westrick,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Whalley,
Ferster,	Leven,	Readinger,	Wheeler,
Filip,	Light,	Reagan,	White,
Filo,	Limper,	Reese,	Williams,
Firmstone,	Loftus,	Reidenbach,	Wilt,
Flack,	Lopresti,	Reilly, J. M.,	Wood,
Frost,	Lovett,	Rigby,	Yeakel,
Gaffney,	Lutty,	Riley, R. L.,	Yester,
Geer,	Lyons,	Robertson,	Yetzer,
Gibson,	Madden,	Rose,	Young,
Gleason,	Madigan,	Rosen,	Ziegler,
Good,	Markley,	Rovansek,	Sorg,
Goodling,			Speaker

## NAYS—1

Miller, J. C.,

## NOT VOTING—1

DuBois,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 573, as follows:

An Act making an appropriation from the Banking Department Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Banking Department Fund

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of fifty thousand twelve dollars (\$50,012) or as much thereof as may be necessary is hereby specifically appropriated out of the Banking Department Fund to the State Employees' Retirement Board for the two fiscal years commencing the first day of June one thousand nine hundred fifty-one for payment from time to time into the State Employees' Retirement Fund to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Banking Department Fund

Section 2 Of the sum appropriated by this act there shall be paid into the State Employees' Retirement Fund to the credit of the State Annuity Reserve Account Number Two the sum of twelve thousand one hundred thirteen dollars (\$12,113) and to the credit of the Contingent Reserve Account the sum of thirty-seven thousand eight hundred ninety-nine dollars (\$37,899)

And said bill having been read at length the third time, considered and agreed to.

On the question,  
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—205

Amarando,	Graybill,	Maxwell,	Rovansek,
Andrews,	Greenwood,	Mazza,	Rubin,
Banker,	Greer,	McConnell,	Sarraif,
Barkdoll,	Guarnieri,	McCormack,	Sax,
Baumunk,	Gutendorf,	McCullough,	Scanlon,
Bear,	Guthrie,	McDermitt,	Schmidt,
Beaver,	Hagerty,	McGee,	Schuster,
Beech,	Hall,	McInroy,	Scott,
Berkstresser,	Hamilton, R. K.,	McKinney,	Seyler,
Blair,	Hamilton, W. H.,	McMillen,	Spoemaker,
Bloom,	Harney,	McNally,	Shotwell,
Boles,	Haudenshield,	Metz,	Smith,
Bolton,	Headlee,	Mihm,	Snider,
Bomberger,	Helm,	Mikula,	Sollenberger,
Boorse,	Hersch,	Miller, H. G.,	Spencer,
Bower,	Hewitt,	Mills,	Stank,
Brelsch,	Hocker,	Mintess,	Stimmel,
Breth,	Hoggard,	Monroe,	Stoner,
Brown,	Hunter,	Moore, C. E.,	Swartz,
Bucchin,	Jenkins,	Moore, H. A.,	Swope,
Byrne,	Johnson,	Moran,	Tahl,
Cella,	Jones, G. E.,	Muldowney,	Taylor,
Clapper,	Jones, J. M.,	Munley,	Thompson, E. F.,
Clendening,	Jones, P. F.,	Murray,	Thompson, R. L.,
Cochran,	Jones, T. H. W.,	Musto,	Toll,
Conway,	Jump,	Najaka,	Tompkins,
Corr,	Kamyk,	Naugle,	Toomey,
Costa,	Keller,	Needham,	VanSant,
Cooper,	Kent,	Olsen,	Varallo,
Coyle,	Kline,	Penglase,	Varner,
Dalrymple,	Kohl,	Peta,	Verona,
Davis,	Kolankiewicz,	Petrosky,	Wachhaus,
Dennison,	Kornick,	Pettigrew,	Wargo,
Dougherty,	Kratz,	Pfaff,	Waterhouse,
Dowling,	Kubacki,	Pichney,	Watkins,
Duffy,	Lafore,	Pitzer,	Weldner,
Dunn,	Leisey,	Polaski,	Welsh,
Erb,	Lederer,	Polen,	Wescott,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Westrick,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Whalley,
Ferster,	Leven,	Readinger,	Wheeler,
Filip,	Light,	Reagan,	White,
Filo,	Limper,	Reese,	Williams,
Firmstone,	Loftus,	Reidenbach,	Wilt,
Flack,	Lopresti,	Reilly, J. M.,	Wood,
Frost,	Lutty,	Rigby,	Yeakel,
Gaffney,	Lovett,	Riley, R. L.,	Yester,
Geer,	Lyons,	Robertson,	Yetzer,
Gibson,	Madden,	Rose,	Young,
Gleason,	Madigan,	Rosen,	Ziegler,
Good,	Markley,	Royer,	Sorg,
Goodling,			Speaker

## NAYS—1

Miller, J. C.,

## NOT VOTING—1

DuBois,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 575, as follows:

An Act making an appropriation from the Manufacturing Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Manufacturing Fund

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows



Section 1 The sum of twenty-three thousand seven hundred seventy-four dollars (\$23,774) or as much thereof as may be necessary is hereby specifically appropriated out of the Manufacturing Fund to the State Employees' Retirement Board for the two fiscal years commencing the first day of June one thousand nine hundred fifty-one for payment from time to time into the State Employees' Retirement Fund to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Manufacturing Fund

Section 2 Of the sum appropriated by this act there shall be paid into the State Employees' Retirement Fund to the credit of the State Annuity Reserve Account Number Two the sum of five thousand six hundred eighty-six dollars (\$5,686) and to the credit of the Contingent Reserve Account the sum of eighteen thousand eighty-eight dollars (\$18,088)

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—205

Amarando,	Graybill,	Maxwell,	Royer,
Andrews,	Greenwood,	Mazza,	Rubin,
Banker,	Greer,	McConnell,	Sarra,
Barkdoll,	Guarnieri,	McCormack,	Sax,
Baumunk,	Gutendorf,	McCullough,	Scanlon,
Bear,	Guthrie,	McDermitt,	Schmidt,
Beaver,	Hagerty,	McGee,	Schuster,
Beech,	Hall,	McInroy,	Scott,
Berkstresser,	Hamilton, R. K.,	McKinney,	Seyler,
Blair,	Hamilton, W. H.,	McMillen,	Shoemaker,
Bloom,	Harney,	McNally,	Shotwell,
Boles,	Haudenschild,	Metz,	Smith,
Bolton,	Headlee,	Mihm,	Snider,
Bomberger,	Helm,	Mikula,	Sollenberger,
Boorse,	Hersch,	Miller, H. G.,	Spencer,
Bower,	Hewitt,	Mills,	Stank,
Brelsch,	Hocker,	Mintess,	Stimmel,
Breth,	Hoggard,	Monroe,	Stoner,
Brown,	Hunter,	Moore, C. E.,	Swartz,
Bucchin,	Jenkins,	Moore, H. A.,	Swope,
Byrne,	Johnson,	Moran,	Tahl,
Cella,	Jones, G. E.,	Muldowney,	Taylor,
Clapper,	Jones, J. M.,	Munley,	Thompson, E. F.,
Clendenning,	Jones, P. F.,	Murray,	Thompson, R. L.,
Cochran,	Jones, T. H. W.,	Musto,	Toll,
Conway,	Jump,	Najaka,	Tompkins,
Cooper,	Kamyk,	Naugle,	Toomey,
Corr,	Keller,	Needham,	VanSant,
Costa,	Kent,	Olsen,	Varner,
Coyle,	Kline,	Penglase,	Varallo,
Dalrymple,	Kohl,	Peta,	Verano,
Davis,	Kolankiewicz,	Petrosky,	Wachhaus,
Dennison,	Kratz,	Pettigrew,	Wargo,
Dougherty,	Kornick,	Pfaff,	Watkins,
Dowling,	Kubacki,	Pichney,	Waterhouse,
Duffy,	Lafore,	Pitzer,	Weidner,
Dunn,	Lederer,	Polaski,	Welsh,
Erb,	Lelsey,	Polen,	Wescott,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Westrick,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Whalley,
Ferster,	Leven,	Readinger,	Wheeler,
Filo,	Light,	Reagan,	White,
Fillip,	Limper,	Reese,	Williams,
Firmstone,	Loftus,	Reidenbach,	Wilt,
Flack,	Lopresti,	Reilly, J. M.,	Yester,
Frost,	Lovett,	Rigby,	Yeakel,
Gaffney,	Lutty,	Riley, R. L.,	Yetzer,
Geer,	Lyons,	Robertson,	Young,
Gibson,	Madden,	Rose,	Wood,
Gleason,	Madigan,	Rosen,	Ziegler,
Good,	Markley,	Rovansek,	Sorg,
Goodling,			Speaker

## NAYS—1

Miller, J. C.,

## NOT VOTING—1

DuBois,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 576, as follows:

An Act making an appropriation from the Public Building Construction Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Public Building Construction Fund

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of twenty-four thousand eight hundred eighty-one dollars (\$24,881) or as much thereof as may be necessary is hereby specifically appropriated out of the Public Building Construction Fund to the State Employees' Retirement Board for the two fiscal years commencing the first day of June one thousand nine hundred fifty-one for payment from time to time into the State Employees' Retirement Fund to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Public Building Construction Fund

Section 2 Of the sum appropriated by this act there shall be paid into the State Employees' Retirement Fund to the credit of the State Annuity Reserve Account Number Two the sum of five thousand nine hundred thirty-two dollars (\$5,932) and to the credit of the Contingent Reserve Account the sum of eighteen thousand nine hundred forty-nine dollars (\$18,949)

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—205

Amarando,	Graybill,	Maxwell,	Royer,
Andrews,	Greenwood,	Mazza,	Rubin,
Banker,	Greer,	McConnell,	Sarra,
Barkdoll,	Guarnieri,	McCormack,	Sax,
Baumunk,	Gutendorf,	McCullough,	Scanlon,
Bear,	Guthrie,	McDermitt,	Schmidt,
Beaver,	Hagerty,	McGee,	Schuster,
Beech,	Hall,	McInroy,	Scott,
Berkstresser,	Hamilton, R. K.,	McKinney,	Seyler,
Blair,	Hamilton, W. H.,	McMillen,	Shoemaker,
Bloom,	Harney,	McNally,	Shotwell,
Boles,	Haudenschild,	Metz,	Smith,
Bolton,	Headlee,	Mihm,	Snider,
Bomberger,	Helm,	Mikula,	Sollenberger,
Boorse,	Hersch,	Miller, H. G.,	Spencer,
Bower,	Hewitt,	Mills,	Stank,
Brelsch,	Hocker,	Mintess,	Stimmel,
Breth,	Hoggard,	Monroe,	Stoner,
Brown,	Hunter,	Moore, C. E.,	Swartz,
Bucchin,	Jenkins,	Moore, H. A.,	Swope,
Byrne,	Johnson,	Moran,	Tahl,
Cella,	Jones, G. E.,	Muldowney,	Taylor,
Clapper,	Jones, J. M.,	Munley,	Thompson, E. F.,
Clendenning,	Jones, P. F.,	Murray,	Thompson, R. L.,
Cochran,	Jones, T. H. W.,	Musto,	Toll,
Conway,	Jump,	Najaka,	Tompkins,
Cooper,	Kamyk,	Naugle,	Toomey,
Corr,	Keller,	Needham,	VanSant,
Costa,	Kent,	Olsen,	Varallo,
Coyle,	Kline,	Penglase,	Varner,
Dalrymple,	Kohl,	Peta,	Verona,
Davis,	Kolankiewicz,	Petrosky,	Wachhaus,
Dennison,	Kornick,	Pettigrew,	Wargo,



Dougherty,	Kratz,	Pfaff,	Waterhouse,
Dowling,	Kubacki,	Pichney,	Watkins,
Duffy,	Lafore,	Pitzer,	Weidner,
Dunn,	Lederer,	Polaski,	Welsh,
Erb,	Leisey,	Polen,	Wescott,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Westrick,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Whalley,
Ferster,	Leven,	Readinger,	Wheeler,
Filip,	Light,	Reagan,	White,
Filo,	Limper,	Reese,	Williams,
Firmstone,	Loftus,	Reidenbach,	Wilt,
Flack,	Lopresti,	Reilly, J. M.,	Wood,
Frost,	Lovett,	Rigby,	Yeakel,
Gaffney,	Lutty,	Riley, R. L.,	Yester,
Geer,	Lyons,	Robertson,	Yetzer,
Gibson,	Madden,	Rose,	Young,
Gleason,	Madigan,	Rosen,	Ziegler,
Good,	Markley,	Rovansek,	Sorg,
Goodling,			Speaker

## NAYS—1

Miller, J. C.,

## NOT VOTING—1

DuBois,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

## BILLS PASSED OVER

There being no objection

Senate Bill No. 656, Printer's No. 405 and

Senate Bill No. 658, Printer's No. 504

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 668, as follows:

An Act to designate the several judicial districts of the Commonwealth as required by the Constitution and to provide for the election and commissioning of judges learned in the law for the said districts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Be it enacted &c That the judicial districts of the Commonwealth shall be numbered composed designated and shall each have the number of judges respectively as follows

The first district shall be composed of the city and county of Philadelphia and shall have twenty-one judges learned in the law in the common pleas and six judges learned in the law in the orphans' court and such judges of the municipal court as now or may hereafter be provided by law

The second district of the county of Lancaster and shall have two judges learned in the law in the common pleas and one judge learned in the law in the orphans' court

The third district of the county of Northampton and shall have three judges learned in the law

The fourth district of the county of Tioga and shall have one judge learned in the law

The fifth district of the county of Allegheny and shall have sixteen judges learned in the law in the common pleas and three judges learned in the law in the orphans' court and such judges of the county court as now or may hereafter be provided by law

The sixth district of the county of Erie and shall have two judges learned in the law in the common pleas and one judge learned in the law in the orphans' court

The seventh district of the county of Bucks and shall have two judges learned in the law

The eighth district of the county of Northumberland and shall have two judges learned in the law

The ninth district of the county of Cumberland and shall have one judge learned in the law

The tenth district of the County of Westmoreland and shall have four judges learned in the law in the common pleas and one judge learned in the law in the orphans' court

The eleventh district of the county of Luzerne and shall have five judges learned in the law in the common pleas and one judge learned in the law in the orphans' court

The twelfth district of the county of Dauphin and shall have four judges learned in the law in the common pleas and one judge learned in the law in the orphans' court

The thirteenth district of the county of Greene and shall have one judge learned in the law

The fourteenth district of the county of Fayette and shall have three judges learned in the law in the common pleas and one judge learned in the law in the orphans' court

The fifteenth district of the county of Chester and shall have two judges learned in the law

The sixteenth district of the county of Somerset and shall have one judge learned in the law

The seventeenth district of the counties of Union and Snyder and shall have one judge learned in the law

The eighteenth district of the county of Clarion and shall have one judge learned in the law

The nineteenth district of the county of York and shall have two judges learned in the law in the common pleas and one judge learned in the law of the orphans' court

The twentieth district of the county of Huntingdon and shall have one judge learned in the law

The twenty-first district of the county of Schuylkill and shall have four judges learned in the law in the common pleas and one judge learned in the law in the orphans' court

The twenty-second district of the county of Wayne and shall have one judge learned in the law

The twenty-third district of the county of Berks and shall have three judges learned in the law in the common pleas and one judge learned in the law in the orphans' court

The twenty-fourth district of the county of Blair and shall have one judge learned in the law

The twenty-fifth district of the county of Clinton and shall have one judge learned in the law

The twenty-sixth district of the county of Columbia and shall have one judge learned in the law the county of Montour shall be attached to this district

The twenty-seventh district of the county of Washington and shall have three judges learned in the law in the common pleas and one judge learned in the law in the orphans' court

The twenty-eighth district of the county of Venango and shall have one judge learned in the law

The twenty-ninth district of the county of Lycoming and shall have two judges learned in the law

The thirtieth district of the county of Crawford and shall have one judge learned in the law

The thirty-first district of the county of Lehigh and shall have two judges learned in the law in the common pleas and one judge learned in the law in the orphans' court

The thirty-second district of the county of Delaware and shall have four judges learned in the law in the common pleas and one judge learned in the law in the orphans' court

The thirty-third district of the county of Armstrong and shall have one judge learned in the law

The thirty-fourth district of the county of Susquehanna and shall have one judge learned in the law

The thirty-fifth district of the county of Mercer and shall have one judge learned in the law

The thirty-sixth district of the county of Beaver and shall have two judges learned in the law

The thirty-seventh district of the county of Warren and shall have one judge learned in the law the county of Forest shall be attached to this district

The thirty-eighth district of the county of Montgomery and shall have four judges learned in the law in the



common pleas and one judge learned in the law in the orphans' court

The thirty-ninth district of the county of Franklin and shall have one judge learned in the law

The fortieth district of the county of Indiana and shall have one judge learned in the law

The forty-first district of the counties of Juniata and Perry and shall have one judge learned in the law

The forty-second district of the county of Bradford and shall have one judge learned in the law

The forty-third district of the counties of Monroe and Pike and shall have one judge learned in the law

The forty-fourth district of the counties of Wyoming and Sullivan and shall have one judge learned in the law

The forty-fifth district of the county of Lackawanna and shall have three judges learned in the law in the common pleas and one judge learned in the law in the orphans' court

The forty-sixth district of the county of Clearfield and shall have one judge learned in the law

The forty-seventh district of the county of Cambria and shall have three judges learned in the law in the common pleas and one judge learned in the law in the orphans' court

The forty-eighth district of the county of McKean and shall have one judge learned in the law

The forty-ninth district of the county of Centre and shall have one judge learned in the law

The fiftieth district of the county of Butler and shall have one judge learned in the law

The fifty-first district of the counties of Adams and Fulton and shall have one judge learned in the law

The fifty-second district of the county of Lebanon and shall have one judge learned in the law

The fifty-third district of the county of Lawrence and shall have two judges learned in the law

The fifty-fourth district of the county of Jefferson and shall have one judge learned in the law

The fifty-fifth district of the county of Potter and shall have one judge learned in the law

The fifty-sixth district of the county of Carbon and shall have one judge learned in the law

The fifty-seventh district of the county of Bedford and shall have one judge learned in the law

The fifty-eighth district of the county of Mifflin and shall have one judge learned in the law

The fifty-ninth district of the counties of Cameron and Elk and shall have one judge learned in the law

And in all cases where a county is or shall be attached to a contiguous district the qualified voters of said county shall be entitled to vote for the judge or judges

Section 2 The nomination of judges which the qualified electors of any county are entitled to elect of themselves unconnected with any other county or district shall be made held and conducted and the returns of votes cast at primary elections for the nomination of such judges shall be made computed canvassed and certified as now or may be hereafter provided by law

Section 3 In all judicial districts at the municipal election next preceding the expiration of the term of any judge now or hereafter commissioned the qualified electors of any county or counties composing such district shall elect a successor to such judge to serve as provided by law

Section 4 In all districts in which by the provisions of this act two or more judges are provided one of said judges shall be the president judge of said district and the other or others shall be the additional law judge or judges thereof The judge of said districts whose commission shall first expire shall be the president judge thereof except when the president judge has been or shall be reelected in which case he shall continue to be president judge The said additional law judge or judges shall possess the same qualifications which are required by the Constitution and laws for the president judge of said district and shall hold his or their office for a like term and by the same tenure and shall have the same powers authority and jurisdiction and shall be subject to the same duties restrictions and penalties as the president judge of said district

Section 5 In all cases where by the provisions of this act a district heretofore consisting of more than one county is divided into two or more districts and in all cases in which counties are transferred from one district to another the judge now in office shall continue to serve until the expiration of his term of office as judge of the district which by this act is given the same number as that of the district in which the said judge has heretofore served At the municipal election next preceding the expiration of the term of office of any such judge the electors of the county or counties composing such district shall elect a judge to serve as provided by law

Section 6 In all districts in which the office of president judge additional law judge or the office of orphans' court judge is created by the provisions of this act the Governor shall appoint a person learned in the law and otherwise legally qualified and commission him as president judge additional law judge or orphans' court judge of such district as the case may be to serve until the first Monday of January one thousand nine hundred fifty-four At the municipal election to be held in the year one thousand nine hundred fifty-three successors to the judges so appointed shall be elected by the proper counties for terms of ten years and shall take office on the first Monday of January one thousand nine hundred fifty-four Where any office of judge has been created at the session of the General Assembly of one thousand nine hundred fifty-one otherwise than by this act such office shall be in addition to those provided for by this act

Section 7 The following acts and parts of acts and all amendments thereof are hereby repealed

(1) The act approved the twenty-first day of May one thousand nine hundred thirty-one (P. L. 167) entitled "An act to designate the several judicial districts of the Commonwealth as required by the Constitution and to provide for the election and commissioning of judges learned in the law for the said districts"

(2) The act approved the twenty-eighth day of May one thousand nine hundred thirty-one (P. L. 200) entitled "An act to provide for an additional law judge of the court of common pleas in the twenty-ninth judicial district"

(3) The act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 931) entitled "An act to establish a separate orphans' court in and for the county of Lehigh"

(4) The act approved the fifteenth day of March one thousand nine hundred thirty-seven (P. L. 96) entitled "An act increasing the number of courts of common pleas in the County of Philadelphia establishing therein a distinct and separate court of common pleas designated court of common pleas number six and providing for the election and appointment of judges for said court"

(5) The act approved the twenty-eighth day of April one thousand nine hundred thirty-seven (P. L. 459) entitled "An act increasing the number of courts of common pleas in the County of Philadelphia establishing therein a distinct and separate court of common pleas designated court of common pleas number seven and providing for the election and appointment of judges or said court"

(6) The act approved the thirteenth day of May one thousand nine hundred thirty-seven (P. L. 622) entitled "An act to establish a separate orphans' court in and for the County of York"

(7) The act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 792) entitled "An act to establish a separate orphans' court in and for the County of Dauphin"

(8) The act approved the twenty-sixth day of May one thousand nine hundred thirty-seven (P. L. 897) entitled "An act to provide for an additional law judge of the court of common pleas in the twenty-first judicial district"

(9) The act approved the eighteenth day of July one thousand nine hundred forty-one (P. L. 423) entitled "An act to provide for two additional law judges of the Court of Common Pleas of the Fifth Judicial District"



(10) The act approved the twenty-first day of April one thousand nine hundred forty-nine (P. L. 663) entitled "An act to provide for an additional law judge of the court of common pleas in the twelfth judicial district"

(11) The act approved the twenty-first day of April one thousand nine hundred forty-nine (P. L. 676) entitled "An act to provide for an additional law judge of the court of common pleas in the thirty-second judicial district"

(12) The act approved the second day of May one thousand nine hundred forty-nine (P. L. 871) entitled "An act to provide for an additional law judge of the court of common pleas in the thirty-eighth judicial district"

(13) The act approved the second day of May one thousand nine hundred forty-nine (P. L. 895) entitled "An act to provide for an additional law judge of the court of common pleas in the tenth judicial district"

All other acts and parts of acts are hereby repealed in so far as they are inconsistent with the provisions of this act

Nothing in this act shall be construed to repeal or alter the provisions of an act approved the fifty day of May one thousand nine hundred eleven (P. L. 198) entitled "An act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" or the amendments thereto nor to repeal or alter any of the provisions of an act approved the twelfth day of July one thousand nine hundred thirteen (P. L. 711) entitled "An act establishing a court for the county of Philadelphia prescribing its jurisdiction and powers providing for the service of its writs process or warrants by the proper officers of the county or city of Philadelphia regulating the procedure therein and appeals therefrom and providing for the expenses thereof" or the amendments thereto

Section 8 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—206

Amarando,	Graybill,	Mazza,	Royer,
Andrews,	Greenwood,	McConnell,	Rubin,
Banker,	Greer,	McCormack,	Sarra,
Barkdoll,	Guarnieri,	McCullough,	Sax,
Baumunk,	Gutendorf,	McDermitt,	Scanlon,
Bear,	Guthrie,	McGee,	Schmidt,
Beaver,	Hagerty,	McInroy,	Schuster,
Beech,	Hall,	McKinney,	Scott,
Berkstresser,	Hamilton, R. K.,	McMillen,	Seyler,
Blair,	Hamilton, W. H.,	McNally,	Shoemaker,
Bloom,	Harney,	Metz,	Shotwell,
Boles,	Haudensfield,	Mihm,	Smith,
Bolton,	Headlee,	Mikula,	Snider,
Bomberger,	Helm,	Miller, H. G.,	Sollenberger,
Boorse,	Hersch,	Miller, J. C.,	Spencer,
Bower,	Hewitt,	Mills,	Stank,
Breisch,	Hocker,	Mintess,	Stimmel,
Breth,	Hoggard,	Monroe,	Stoner,
Brown,	Hunter,	Moore, C. E.,	Swartz,
Bucchin,	Jenkins,	Moore, H. A.,	Swope,
Byrne,	Johnson,	Moran,	Tahl,
Cella,	Jones, G. E.,	Muldowney,	Taylor,
Clapper,	Jones, J. M.,	Munley,	Thompson, E. F.,
Clendening,	Jones, P. F.,	Murray,	Thompson, R. L.,
Cochran,	Jones, T. H. W.,	Musto,	Toll,
Conway,	Jump,	Najaka,	Tompkins,
Cooper,	Kamyk,	Naugle,	Toomey,
Corr,	Keller,	Needham,	VanSant,
Costa,	Kent,	Olsen,	Varallo,
Coyle,	Kline,	Penglase,	Varnier,
Dalrymple,	Kohl,	Peta,	Verona,
Davis,	Kolankiewicz,	Petrosky,	Wachhaus,
Dennison,	Kornick,	Pettigrew,	Wargo,
Dougherty,	Kratz,	Pfaff,	Waterhouse,

Dowling,	Kubacki,	Pichney,	Watkins,
Duffy,	Lafore,	Pitzer,	Weidner,
Dunn,	Lederer,	Polaski,	Welsh,
Erb,	Leisey,	Polen,	Wescott,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Westrick,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Whalley,
Ferster,	Leven,	Readinger,	Wheeler,
Fillip,	Light,	Reagan,	White,
Filo,	Limper,	Reese,	Williams,
Firmstone,	Loftus,	Reidenbach,	Wilt,
Flack,	Lopresti,	Relly, J. M.,	Wood,
Frost,	Lovett,	Rigby,	Yeakel,
Gaffney,	Lutty,	Riley, R. L.,	Yester,
Geer,	Lyons,	Robertson,	Yetzer,
Gibson,	Madden,	Rose,	Young,
Gleason,	Madigan,	Rosen,	Ziegler,
Good,	Markley,	Rovansek,	Sorg,
Goodling,	Maxwell,		Speaker

#### NAYS—0

#### NOT VOTING—1

DuBois,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

#### BILLS PASSED OVER

There being no objection

Senate Bill No. 675, Printer's No. 489

Senate Bill No. 676, Printer's No. 535

Senate Bill No. 677, Printer's No. 491

Senate Bill No. 678, Printer's No. 492

Senate Bill No. 679, Printer's No. 478

Senate Bill No. 680, Printer's No. 516

Senate Bill No. 681, Printer's No. 545 and

Senate Bill No. 682, Printer's No. 397

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 701, as follows:

An Act to amend paragraph five of section one of the act approved the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1669) entitled as amended "An act to provide revenue for school districts of the first class by imposing a tax on persons engaging in certain businesses professions occupations trades vocations and commercial activities therein providing for its levy and collection conferring and imposing powers and duties on the oard of Public Education receiver of school taxes and school treasurer in such districts and prescribing penalties" by further defining "receipts"

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Paragraph five of section one of the act approved the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1669) entitled as amended "An act to provide revenue for school districts of the first class by imposing a tax on persons engaging in certain businesses professions occupations trades vocations and commercial activities therein providing for its levy and collection conferring and imposing powers and duties on the Board of Public Education receiver of school taxes and school treasurer in such districts and prescribing penalties" as reenacted and amended by the act approved the tenth day of May one thousand nine hundred fifty-one (Act No 45) is amended to read as follows

Section 1 Definitions The following words and phrases when used in this act shall have the meanings ascribed to them in this section except where the context clearly indicates a different meaning

\* \* \* \* \*



(5) "Receipts" Cash credits property of any kind or nature received in or allocable to a school district of the first class from any business or by reason of any sale made or services rendered or commercial or business transaction had within a school district of the first class without deduction therefrom on account of the cost of property sold materials used labor service or other cost interest or discount paid or any other expense "Receipts" shall exclude (a) the dollar volume of annual business covering the resale of goods wares or merchandise taken by a dealer as a trade-in or as part payment for other goods wares and merchandise in the usual and ordinary course of his business except to the extent that the resale price exceeds the trade-in allowance (b) in the case of a financial business the cost of securities and other property sold exchanged paid at maturity or redeemed and moneys or credits received in repayment of advances credits and loans but not to exceed the principal amount of such advance credits and loans and shall also exclude deposits and in the case of building and loan or savings and loan associations payments received on account of shares purchased by shareholders (c) in the case of a broker any commissions paid by him to another broker on account of a purchase or sales contract initiated executed or cleared in conjunction with such other broker (d) the receipts or the portion thereof attributable to any sale involving the bona fide delivery of goods commodities wares or merchandise of the taxpayer's own manufacture growth or produce to a location regularly maintained by the other party to the transaction outside the limits of such school district and not for the purpose of evading or avoiding payment of the tax or any portion thereof imposed under this act For the purpose of determining taxable receipts from sales made by a manufacturing corporation of goods commodities wares and merchandise of its own manufacture through a wholly owned distributing corporation such sales shall be treated as if made directly by the manufacturing corporation to the vendees of the distributing corporation For the purpose of determining taxable receipts from sales made by a manufacturing corporation of goods commodities wares and merchandise of its own manufacture made through a distributing corporation such sales shall be treated as if made directly by the manufacturing corporation to the vendees of the distributing corporation if a majority of the shares of stock of both the manufacturing corporation and the distributing corporation is owned by the same individual association or corporation For the purpose of determining receipts from the business of insurance such receipts shall mean those from premiums received from risks within the school district of the first class whether by mutual or stock companies domestic or foreign without any deductions therefrom for any costs or expense whatsoever The collector shall determine from such data as he shall require from insurance companies subject to this act the amount of such receipts and shall ascertain the amount of the tax in accordance with such determination

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—204

Amarando,	Graybill,	Maxwell,	Royer,
Andrews,	Greenwood,	Mazza,	Rubin,
Banker,	Greer,	McConnell,	Sarraf,
Barkdoll,	Guarnieri,	McCormack,	Sax,
Baumunk,	Gutendorf,	McCullough,	Scanlon,
Bear,	Guthrie,	McDermitt,	Schmidt,
Beaver,	Hagerty,	McInroy,	Schuster,
Beech,	Hall,	McGee,	Scott,
Berkstresser,	Hamilton, R. K.,	McKinney,	Seyler,
Blair,	Hamilton, W. H.,	McMillen,	Shoemaker,
Bloom,	Harney,	McNally,	Shotwell,
Boles,	Haudenshield,	Metz,	Smith,

Bolton,	Headlee,	Mihm,	Snider,
Bomberger,	Helm,	Mikula,	Sollenberger,
Boorse,	Hersch,	Miller, H. G.,	Spencer,
Bower,	Hewitt,	Mills,	Stank,
Brelsch,	Hocker,	Mintess,	Stimmel,
Breth,	Hoggard,	Monroe,	Stoner,
Brown,	Hunter,	Moore, C. E.,	Swartz,
Bucchin,	Jenkins,	Moore, H. A.,	Swope,
Byrne,	Johnson,	Moran,	Tahl,
Cella,	Jones, G. E.,	Muldowney,	Taylor,
Clapper,	Jones, J. M.,	Munley,	Thompson, E. F.,
Cleandening,	Jones, P. F.,	Murray,	Thompson, R. L.,
Cochran,	Jones, T. H. W.,	Musto,	Toill,
Conway,	Jump,	Najaka,	Tompkins,
Cooper,	Kamyk,	Naugle,	Toomey,
Corr,	Keller,	Needham,	VanSant,
Costa,	Kent,	Olsen,	Varallo,
Coyle,	Kilne,	Penglease,	Varner,
Dalrymple,	Kohl,	Peta,	Verona,
Davis,	Kolankiewicz,	Petrosky,	Wachhaus,
Dennison,	Kornick,	Pettigrew,	Wargo,
Dougherty,	Kratz,	Pfaff,	Waterhouse,
Dowling,	Kubacki,	Pichney,	Watkins,
Duffy,	Lafore,	Pitzer,	Weidner,
Dunn,	Lederer,	Polaski,	Welsh,
Ewing,	Leisey,	Polen,	Wescott,
Fenrich,	Leonard, L.,	Price, R. A.,	Westrick,
Ferster,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley,
Filip,	Leven,	Readinger,	Wheeler,
Filo,	Light,	Reagan,	White,
Firmstone,	Limper,	Reese,	Williams,
Flack,	Loftus,	Reidenbach,	Wilt,
Frost,	Lopresti,	Reilly, J. M.,	Wood,
Gaffney,	Lovett,	Rigby,	Yeakel,
Geer,	Lutty,	Riley, R. L.,	Yester,
Gibson,	Lyons,	Robertson,	Yetzer,
Gleason,	Madden,	Rose,	Young,
Good,	Madigan,	Rosen,	Ziegler,
Goodling,	Markley,	Rovansek,	Sorg,

Speaker

#### NAYS—2

Erb,

Miller, J. C.,

#### NOT VOTING—1

DuBois,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 708, entitled:

An Act to further amend Section 1207 of the act approved the first day of May one thousand nine hundred twenty-one (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars, trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages causes by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation



and providing for refunds" by changing the disposition of fines and forfeitures.

On the question,

Will the House agree to the bill on third reading?

Mr. DENNISON. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

Amend Section 1, page 4, lines 1 to 20 inclusive by striking out all of said lines.

Amend page 5, lines 1 to 12 inclusive by striking out all of said lines and inserting in lieu thereof the following:

(a) All fines and penalties collected under the provisions of this act for violation of the same, and all bail forfeited, shall be paid to the department, and transmitted to the State Treasury, and credited to the "General Fund," except those collected for violations of the provisions of sections [nine hundred and three (903), nine hundred and five (905)], one thousand and two (1002), one thousand and eleven (1011), one thousand and fifteen (1015), one thousand and eighteen (1018), one thousand and twenty (1020), one thousand and twenty-six (1026), one thousand and twenty-eight (1028) of this act, committed within cities, boroughs, incorporated towns, and townships, which fines and penalties and all bail forfeited shall be paid to the treasurer of the city, borough, incorporated town, or township wherein the violation occurred, to be used by such city, borough, incorporated town, or township, for the construction, repair, and maintenance of the highways thereof: Provided, That all fines and penalties collected and all bail forfeited for violations of the provisions of section one thousand and sixteen (1016), committed within cities, boroughs, incorporated towns, and townships shall be paid to the treasury of the city, borough, incorporated town, or township wherein the violation occurred, to be used by such city, borough, incorporated town or township for the construction, repair, and maintenance of the highways thereof: And provided further, That all fines and penalties collected, and all bail forfeited for violations of the provisions of subsection (f) of section six hundred twenty (620), shall be paid to the treasury of the county wherein the violation occurred, to be used by such county for the payment of physicians' fees for the examination of persons accused of violating the provisions of the said section. Any balance remaining in the treasury of the county at the expiration of the calendar year, and not payable for physicians' services rendered, shall be used for county, highway purposes, and provided further, That all fines and penalties collected and all bail forfeited for violations of the provisions of sections nine hundred three (903), nine hundred four (904), nine hundred five (905) and nine hundred six (906) shall be paid as follows: fifty (50) per centum to the department, and trans-License Fund, when information is made by a member of the State Police or other officer or employe of the Commonwealth or to the treasury for highway purposes of the city borough incorporated town or township in which the violation occurred when information is made by a peace officer, other officer or employe of such political subdivision, and fifty (50) per centum to the department and transmitted to the State Treasury and credited to the Motor License Fund when the violation occurred on a road or bridge maintained by the Commonwealth, or to the treasury, for highway purposes, of the city, borough, incorporated town or township in which the violation occurred when not on a road or bridge maintained by the Commonwealth.

Amend page 6 by adding after line 4 the following:

Section 2. This act shall become effective the first day of January one thousand nine hundred fifty-two.

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

#### BILL PASSED OVER

There being no objection

Senate Bill No. 729, Printer's No. 402 was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 736, as follows:

An Act providing for the registration of professional bondsmen in cities of the first class providing for criminal offenses and penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Definition The words "professional bondsman" when used in this act apply to any person who for a consideration has in more than six criminal cases in the next preceding calendar year become a surety or has indemnified or agreed to indemnify a surety or who has solicited or arranged for the furnishing of bail for any person charged with crime but shall not include a fidelity guarantee or surety company duly authorized to transact business in Pennsylvania nor any duly authorized agent thereof (b) the words "person" and "whoever" mean and include an individual copartnership association or corporation

Section 2 Registration (a) The Clerk of the Court of Quarter Sessions of any county of the first class upon payment by any person of an annual fee of ten dollars (\$10) shall issue to such person a certificate showing that such person is registered as a professional bondsman until the following December thirty-first

(b) In any criminal case no professional bondsman shall become a surety or indemnify or agree to indemnify a surety or solicit or arrange for the furnishing of bail unless he is at such time registered as a professional bondsman in the office of the Clerk of the Court of Quarter Sessions as herein provided

Section 3 Suspension or Revocation of License Upon application by the District Attorney of any county of the first class the Court of Quarter Sessions may issue a rule upon any registered professional bondsman to show cause why his registration should not be suspended or revoked returnable not less than ten (10) days after the issuance thereof A hearing shall be held on the rule and for good cause the court may revoke or suspend the registration Any registration which is revoked may not be reissued by Clerk of the Court of Quarter Sessions within a period of five (5) years from the date of revocation without leave of court first specially had and obtained

Section 4 Premiums In any criminal case the total amount paid in connection with the entry of bail for any person which is received by on behalf of or through any professional bondsman or bondsmen shall not exceed eight per centum (8%) of the amount of bail so entered for such person

Section 5 Penalties Whoever wilfully violates any of the provisions of this act shall be guilty of a misdemeanor and shall in addition to any other penalty provided by law or by this act be sentenced to imprisonment for a term not exceeding one (1) year or be fined not exceeding one thousand dollars (\$1000) or both

And said bill having been read at length the third time, considered and agreed to.

On the question,



Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—205

Amarando,	Greenwood,	Mazza,	Royer,
Andrews,	Greer,	McConnell,	Rubin,
Banker,	Guarnieri,	McCormack,	Sarrafa,
Barkdoll,	Gutendorf,	McCullough,	Sax,
Baumunk,	Guthrie,	McDermitt,	Scanlon,
Bear,	Hagerty,	McGee,	Schmidt,
Beaver,	Hall,	McInroy,	Schuster,
Beech,	Hamilton, R. K.,	McKinney,	Scott,
Berkstresser,	Hamilton, W. H.,	McMillen,	Seyler,
Blair,	Harney,	McNally,	Shoemaker,
Bloom,	Haudenschild,	Metz,	Shotwell,
Boles,	Headlee,	Mihm,	Smith,
Bolton,	Helm,	Mikula,	Snider,
Bomberger,	Hersch,	Miller, H. G.,	Sollenberger,
Boorse,	Hewitt,	Miller, J. C.,	Spencer,
Bower,	Hocker,	Mills,	Stank,
Brelsch,	Hoggard,	Mintess,	Stimmel,
Breth,	Hunter,	Monroe,	Stoner,
Brown,	Jenkins,	Moore, C. E.,	Swartz,
Bucchin,	Johnson,	Moore, H. A.,	Swope,
Byrne,	Jones, G. E.,	Moran,	Tahl,
Cella,	Jones, J. M.,	Muldowney,	Taylor,
Clapper,	Jones, P. F.,	Munley,	Thompson, E. F.,
Clendenning,	Jones, T. H. W.,	Murray,	Thompson, R. L.,
Cochran,	Jump,	Musto,	Toll,
Conway,	Kamyk,	Najaka,	Tompkins,
Cooper,	Keller,	Naugle,	Toomey,
Corr,	Kent,	Needham,	VanSant,
Costa,	Kline,	Olsen,	Varallo,
Coyle,	Kohl,	Penglase,	Varner,
Dalrymple,	Kolankiewicz,	Peta,	Verona,
Davis,	Kornick,	Petrosky,	Wachhaus,
Dennison,	Kratz,	Pettigrew,	Wargo,
Dougherty,	Kubacki,	Pfaff,	Waterhouse,
Dowling,	Lafore,	Pichney,	Watkins,
Duffy,	Lederer,	Pitzer,	Weidner,
Dunn,	Lelsey,	Polaski,	Welsh,
Ewing,	Leonard, L.,	Polen,	Wescott,
Enrich,	Leonard, W. C.,	Price, H. W. Jr.,	Westrick,
Ferster,	Leven,	Price, R. A.,	Whalley,
Filip,	Light,	Readinger,	Wheeler,
Filo,	Limper,	Reagan,	White,
Firmstone,	Loftus,	Reese,	Williams,
Flack,	Lopresti,	Reidenbach,	Wilt,
Frost,	Lovett,	Reilly, J. M.,	Wood,
Gaffney,	Lutty,	Rigby,	Yeakel,
Geer,	Lyons,	Riley, R. L.,	Yester,
Gibson,	Madden,	Robertson,	Yetzer,
Gleason,	Madigan,	Rose,	Young,
Good,	Markley,	Rosen,	Ziegler,
Goodling,	Maxwell,	Rovansek,	Sorg,
Graybill,			Speaker

## NAYS—1

Erb,

## NOT VOTING—1

DuBois,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

## BILLS PASSED OVER

There being no objection

Senate Bill No. 742, Printer's No. 461 and

Senate Bill No. 759, Printer's No. 415

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 763, as follows:

An Act to amend Section 6 of the act approved the fifth

day of June one thousand nine hundred forty-seven (P. L. 422) entitled "An act authorizing the Department of Forests and Waters to provide for stream clearance and stream channel rectifications to construct and maintain dams reservoirs lakes and other works and improvements for impounding flood waters and conserving the water supply of the Commonwealth and for creating additional recreational areas to acquire by purchase condemnation or otherwise certain lands for such purposes to construct and maintain flood forecasting and warning systems" by extending the powers of the department in consulting cooperating negotiating and entering into contracts and agreements for planning constructing financing maintaining and operating works or facilities

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 6 of the act approved the fifth day of June one thousand nine hundred forty-seven (P. L. 422) entitled "An act authorizing the Department of Forests and Waters to provide for stream clearance and stream channel rectifications to construct and maintain dams reservoirs lakes and other works and improvements for impounding flood waters and conserving the water supply of the Commonwealth and for creating additional recreational areas to acquire by purchase condemnation or otherwise certain lands for such purposes to construct and maintain flood forecasting and warning systems" is hereby amended to read as follows

Section 6 The Department of Forests and Waters is hereby authorized to consult cooperate negotiate and with the approval of the Governor enter into contracts and other agreements with the Federal Government or any appropriate agency thereof The General State Authority any State or local agency department board bureau commission or any political subdivisions municipality authority corporation association person or persons for cooperation and assistance in planning constructing financing maintaining and operating any work or facilities needed to carry out the purposes of this act Provided That all work of any character whatsoever performed under the authority of this act except as undertaken by its own forces or other agencies of the Commonwealth or of the Federal Government or any appropriate agency thereof or The General State Authority shall be performed under written contract let by the Department of Forests and Waters to the lowest responsible bidder after due advertising as provided by law and in accordance with plans and specifications prepared by the department

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—206

Amarando,	Graybill,	Maxwell,	Royer,
Andrews,	Greenwood,	Mazza,	Rubin,
Banker,	Greer,	McConnell,	Sarrafa,
Baumunk,	Guarnieri,	McCormack,	Sax,
Barkdoll,	Gutendorf,	McCullough,	Scanlon,
Bear,	Guthrie,	McDermitt,	Schmidt,
Beaver,	Hagerty,	McGee,	Schuster,
Beech,	Hall,	McInroy,	Scott,
Berkstresser,	Hamilton, R. K.,	McKinney,	Seyler,
Blair,	Hamilton, W. H.,	McMillen,	Shoemaker,
Bloom,	Harney,	McNally,	Shotwell,
Boles,	Haudenschild,	Metz,	Sollenberger,
Bolton,	Headlee,	Mihm,	Smith,
Bomberger,	Helm,	Mikula,	Snider,
Boorse,	Hersch,	Miller, H. G.,	Spencer,
Bower,	Hewitt,	Miller, J. C.,	Stank,
Brelsch,	Hocker,	Mills,	Stimmel,
Breth,	Hoggard,	Mintess,	Stoner,



Brown,	Hunter,	Monroe,	Swartz,
Bucchin,	Jenkins,	Moore, C. E.,	Swope,
Byrne,	Johnson,	Moore, H. A.,	Tahl,
Cella,	Jones, G. E.,	Moran,	Taylor,
Clapper,	Jones, J. M.,	Muldowney,	Thompson, E. F.,
Clendenning,	Jones, P. F.,	Munley,	Thompson, R. L.,
Cochran,	Jones, T. H. W.,	Murray,	Toll,
Conway,	Jump,	Musto,	Tompkins,
Cooper,	Kamyk,	Najaka,	Toomey,
Corr,	Keller,	Naugle,	VanSant,
Costa,	Kent,	Needham,	Varallo,
Coyle,	Kline,	Olsen,	Varnier,
Dalrymple,	Kohl,	Penglase,	Verona,
Davis,	Kolankiewicz,	Peta,	Wachhaus,
Dennison,	Kornick,	Petrosky,	Wargo,
Dougherty,	Kratz,	Pettigrew,	Watkins,
Dowling,	Kubacki,	Pfaff,	Waterhouse,
Duffy,	Lafore,	Pichney,	Weldner,
Dunn,	Lederer,	Pitzer,	Welsh,
Erb,	Leisey,	Polaski,	Wescott,
Ewing,	Leonard, L.,	Polen,	Westrick,
Fenrich,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley,
Ferster,	Leven,	Price, R. A.,	Wheeler,
Filip,	Light,	Readinger,	White,
Filo,	Limper,	Reagan,	Williams,
Firmstone,	Loftus,	Reese,	Wilt,
Flack,	Lopresti,	Reidenbach,	Yeakel,
Frost,	Lovett,	Relly, J. M.,	Yester,
Gaffney,	Lutty,	Rigby,	Yetzer,
Geer,	Lyons,	Riley, R. L.,	Young,
Gibson,	Madden,	Robertson,	Wood,
Gleason,	Madigan,	Rose,	Ziegler,
Good,	Markley,	Rosen,	Sorg,
Goodling,		Rovansek,	Speaker

NAYS—0

NOT VOTING—1

DuBois,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 789, as follows:

An Act to further amend clause (b) of Section 507 and clause (c) of Section 2403 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by making special provision for the purchase of fuel for use in any State hospital or any other State institution

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (b) of Section 507 and clause (c) of Section 2403 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) en-

titled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as last amended by the act approved the twelfth day of June one thousand nine hundred fifty-one (Act No. 133) are hereby further amended to read as follows

Section 507 Purchases It shall be unlawful for any administrative department other than the Department of Property and Supplies or for any independent administrative board or commission or for any departmental administrative body board or commission or for any advisory board or commission to purchase or contract for the purchase of any stationery paper printing binding lithographing engraving envelopes or other printing or binding supplies or any fuel supplies furniture furnishings or equipment except

\* \* \* \* \*

(b) Any department board or commission having charge of a State institution which may purchase perishable foodstuffs for such institution directly and may purchase any article directly if it can after competitive bidding purchase the same for the institution for a price less than the Department of Property and Supplies can furnish it for the institution but all articles purchased directly hereunder shall conform to the specification contained in the effective supply contracts of the Department of Property and Supplies or if the article be not included in the effective supply contracts then to the standard specification if any adopted by the Department of Property and Supplies for the commodity purchased unless the Board of Commissioners of Public Grounds and Buildings shall have specifically authorized a departure from such specification

In all other cases such departments boards or commissions shall make purchases through the Department of Property and Supplies as purchasing agency and all purchases made by the Department of Property and Supplies as purchasing agency hereunder shall conform to the specifications contained in the effective supply contracts of the department or if the article be not included in the effective supply contracts then to the standard specifications if any adopted by the department for the commodity purchased unless the Board of Commissioners of Public Grounds and Buildings shall specifically authorize a departure from such effective supply contracts or specifications except that contracts for the purchase of steel for use in the manufacture of vehicle registration plates may be let on the basis of the market price thereof on date of delivery and except that in contracts for the purchase of fuel for use in State hospitals or any other State institution or for any State use may be let to the lowest bidder on the basis that the bid or contract price may be increased or decreased if the cost to the producer or supplier of said fuel is changed on account of any change applicable to such producers or suppliers generally in wage rates hours of employment costs of transportation legislation or taxes Federal State or local except income taxes In the case of any such increase or decrease the contract or bid price shall be increased by such increase but not in excess of the actual increase in cost or decreased by such decrease but not in excess of the actual



decrease in cost as the case may be resulting from any of the foregoing factors

Section 2403 Standards and Purchases The Department of Property and Supplies shall have the power and its duty shall be

\* \* \* \* \*

(c) To enter into contracts with the lowest responsible bidder for the purchase of all other furniture materials or supplies requested by the Legislative and other departments of the State Government except as otherwise provided by this act and except that contracts for the purchase of steel for use in the manufacture of vehicle registration plates may be let on the basis of the market price thereof on date of delivery and except that contracts for the purchase of coal for use in State hospitals or any other State institution or for any State use may be let to the lowest bidder on the basis that the bid or contract price may be increased or decreased if the cost to the producer or supplier of said fuel is changed on account of any change in wage rates hours of employment costs of transportation legislation or taxes Federal State or local except income taxes In the case of any such increase or decrease the contract or bid price shall be increased by such increase but not in excess of the actual increase in cost or decreased by such decrease but not in excess of the actual decrease in cost as the case may be resulting from any of the foregoing factors All such contracts shall be approved by the Governor and signed on behalf of the Commonwealth by the Secretary of Property and Supplies who shall also with the approval of the Department of Justice prescribe rules and regulations for the submission of bids awards forms of contracts and other matter related thereto

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—206

Amarando,	Graybill,	Maxwell,	Rovanssek,
Andrews,	Greenwood,	Mazza,	Rubin,
Banker,	Greer,	McConnell,	Sarra,
Barkdoll,	Guarnieri,	McCormack,	Sax,
Baumunk,	Gutendorf,	McCullough,	Scanlon,
Bear,	Guthrie,	McDermitt,	Schmidt,
Beaver,	Hagerty,	McGee,	Schuster,
Beech,	Hall,	McInroy,	Scott,
Berkstresser,	Hamilton, R. K.,	McKinney,	Seyler,
Blair,	Hamilton, W. H.,	McMillen,	Shoemaker,
Bloom,	Harney,	McNally,	Shotwell,
Boies,	Haudenschild,	Metz,	Smith,
Bolton,	Headlee,	Mihm,	Snider,
Bomberger,	Helm,	Mikula,	Sollenberger,
Boorse,	Hersch,	Muller H. G.,	Spencer,
Bower,	Hewitt,	Miller, J. C.,	Stimmel,
Breisch,	Hocker,	Mills,	Stank,
Breth,	Hoggard,	Mintess,	Stoner,
Brown,	Hunter,	Monroe,	Swope,
Bucchin,	Jenkins,	Moore, C. E.,	Swartz,
Byrne,	Johnson,	Moore, H. A.,	Tahl,
Cella,	Jones, G. E.,	Moran,	Taylor,
Clapper,	Jones, J. M.,	Muldowney,	Thompson, E. F.,
Clendening,	Jones, P. F.,	Munley,	Thompson, R. L.,
Cochran,	Jones, T. H. W.,	Murray,	Toll,
Conway,	Jump,	Musto,	Tompkins,
Cooper,	Kamyk,	Najaka,	Toomey,
Corr,	Keller,	Naugle,	VanSant,
Costa,	Kent,	Needham,	Varner,
Coyle,	Kline,	Olsen,	Varallo,
Dalrymple,	Kohl,	Penglass,	Verona,
Davis,	Kolankiewicz,	Peta,	Wachhaus,
Dennison,	Kornick,	Petrosky,	Wargo,
Dougherty,	Kratz,	Pettigrew,	Waterhouse,
Dowling,	Kubacki,	Pfaff,	Watkins,
Duffy,	Lafore,	Pichney,	Weldner,
Dunn,	Lederer,	Pitzer,	Welsh,

Erb,  
Ewing,  
Fenrich,  
Ferster,  
Filip,  
Filo,  
Firmstone,  
Flack,  
Frost,  
Gaffney,  
Geer,  
Gibson,  
Gleason,  
Good,  
Goodling,

Lelsey,  
Leonard, L.,  
Leonard, W. C.,  
Leven,  
Light,  
Limper,  
Loftus,  
Lopresti,  
Lovett,  
Lyons,  
Lutty,  
Madden,  
Madigan,  
Markley,

Polaski,  
Polen,  
Price, H. W. Jr.,  
Price, R. A.,  
Readinger,  
Reagan,  
Reese,  
Reidenbach,  
Reilly, J. M.,  
Rigby,  
Riley, R. L.,  
Robertson,  
Rose,  
Rosen,  
Royer,

Wescott,  
Westrick,  
Whalley,  
Wheeler,  
White,  
Williams,  
Wilt,  
Wood,  
Yeakel,  
Yester,  
Yetzer,  
Young,  
Ziegler,  
Sorg,  
Speaker

#### NAYS—0

#### NOT VOTING—1

DuBois,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

#### BILL PASSED OVER

There being no objection

Senate Bill No. 796, Printer's No. 555 was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 819, as follows:

An Act to further amend the act approved the first day of June one thousand nine hundred forty-five (P. L. 1358) entitled "An act relating to chattel mortgages on any chattel or chattels of any kind or description including but not limited to livestock poultry farm machinery farm equipment and crops grown growing or to be grown designating the operation and effect of the lien of such mortgages providing for the filing indexing and docketing of such mortgages and related instruments in prothonotaries' offices and prescribing prothonotaries' fees providing for the filing in Pennsylvania of similar lien instruments originally filed or recorded in other states regulating the assignment release satisfaction and extension of the lien of such mortgages prescribing methods of foreclosure defining defaults and violations and fixing penalties" by providing that chattel mortgages may be given as security for principal obligations other than bonds or notes eliminating the requirement of witnesses providing additional remedies to mortgagees as against third persons and providing that the provisions of the act be liberally construed

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections 1 and 2 of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1358) entitled "An act relating to chattel mortgages on any chattel or chattels of any kind or description including but not limited to livestock poultry farm machinery farm equipment and crops grown growing or to be grown designating the operation and effect of the lien of such mortgages providing for the filing indexing and docketing of such mortgages and related instruments in prothonotaries' offices and prescribing prothonotaries' fees providing for the filing in Pennsylvania of similar lien instruments originally filed or recorded in other states regulating the assignment release satisfaction and extension of the lien of such mortgages prescribing methods of foreclosure defining defaults and violations and fixing penalties" are hereby amended to read as follows

Section 1 Any person association partnership or corpo-



ration may give as security for any funds borrowed or to be borrowed or any pre-existing indebtedness a chattel mortgage without another principal obligation or a bond or note with or without a confession of judgment clause secured by a chattel mortgage upon any chattel or chattels of any kind or description including but not limited to livestock poultry farm machinery farm equipment and crops including annual or perennial crops and other plant products either grown or growing at the time of the execution of such chattel mortgage or to be planted or grown within one year thereafter For the purposes of this act all such chattels and crops shall be deemed to be personal property and mortgageable as such The indebtedness secured by any such chattel mortgage shall not bear interest in excess of the rate which the creditor is permitted by law to charge at the time of the execution of such mortgage

Section 2 Any mortgage executed under and pursuant to this act shall be in writing and signed [witnessed] and duly acknowledged by the mortgagor or his agent duly authorized and constituted The property covered or to become covered by any such chattel mortgage may be described as all that property of a specified class so identified by reference to location brands marks numbers or otherwise as to distinguish it from other property of the same class or such property may be described in any other manner permitted or authorized by law

Section 2 Said act is hereby amended by adding after Section 13 a new section to read as follows

Section 13.1 A mortgage may after default repleven any goods subject to a chattel mortgage and in excess of one hundred dollars (\$100) in value in the hands of a third person who took title to such goods with actual or constructive notice of the mortgage or if such goods have been consumed or are not in the possession of such third person the mortgagee may recover the value of the goods in an action in trespass for conversion

Section 3 Said act is hereby amended by adding after Section 17 a new section to read as follows

Section 17.1 The provisions of this act shall be liberally construed to hold valid chattel mortgages made in good faith to secure bona fide loans and which substantially comply with the provisions of this act

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—206

Amarando,	Graybill,	Maxwell,	Royer,
Andrews,	Greenwood,	Mazza,	Rubin,
Banker,	Greer,	McConnell,	Sarraff,
Barkdoll,	Guarnieri,	McCormack,	Sax,
Baumunk,	Gutendorf,	McCullough,	Scanlon,
Bear,	Guthrie,	McDermitt,	Schmidt,
Beaver,	Hagerty,	McGee,	Schuster,
Beech,	Hall,	McInroy,	Scott,
Berkstresser,	Hamilton, R. K.,	McKinney,	Seyler,
Blair,	Hamilton, W. H.,	McMillen,	Shoemaker,
Bloom,	Harney,	McNally,	Shotwell,
Boles,	Haudenschild,	Metz,	Smith,
Bolton,	Headlee,	Mihm,	Snider,
Bomberger,	Helm,	Mikula,	Sollenberger,
Boorse,	Hersch,	Miller, H. G.,	Spencer,
Bower,	Hewitt,	Miller, J. C.,	Stank,
Breisch,	Hocker,	Mills,	Stimmel,
Breth,	Hoggard,	Mintess,	Swartz,
Brown,	Hunter,	Monroe,	Stoner,
Bucchin,	Jenkins,	Moore, C. E.,	Swope,
Byrne,	Johnson,	Moore, H. A.,	Tahl,
Cella,	Jones, G. E.,	Moran,	Taylor,
Clapper,	Jones, J. M.,	Muldowney,	Thompson, E. F.,
Clendening,	Jones, P. F.,	Munley,	Thompson, R. L.,
Cochran,	Jones, T. H. W.,	Murray,	Toll,
Conway,	Jump,	Musto,	Tompkins,
Cooper,	Kamyk,	Najaka,	Toomey,
Corr,	Keller,	Naugle,	VanSant,

Costa,	Kent,	Needham,	Varallo,
Coyle,	Kilne,	Olser,	Varner,
Dalrymple,	Kohl,	Penglase,	Verona,
Davis,	Kolankiewicz,	Peta,	Wachhaus,
Dennison,	Kornick,	Petrosky,	Wargo,
Dougherty,	Kratz,	Pettigrew,	Waterhouse,
Dowling,	Kubacki,	Pfaff,	Watkins,
Duffy,	Lafore,	Pichney,	Weidner,
Dunn,	Lederer,	Pitzer,	Welsh,
Erb,	Leisey,	Polaski,	Wescott,
Ewing,	Leonard, L.,	Polen,	Westrick,
Fenrich,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley,
Ferster,	Leven,	Price, R. A.,	Wheeler,
Filip,	Light,	Readinger,	White,
Filo,	Limper,	Reagan,	Williams,
Firmstone,	Loitus,	Reese,	Wilt,
Flack,	Lopresti,	Reidenbach,	Wood,
Frost,	Lovett,	Reilly, J. M.,	Yeakel,
Gaffney,	Lutty,	Rigby,	Yester,
Geer,	Lyons,	Riley, R. L.,	Yetzer,
Gibson,	Madden,	Robertson,	Young,
Gleason,	Madigan,	Rose,	Ziegler,
Good,	Markley,	Rosen,	Sorg,
Goodling,		Rovansek,	Speaker

#### NAYS—0

#### NOT VOTING—1

DuBois,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 822, as follows:

An Act to amend clause (7) of Section 2401 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for appointment of school auditors to fill vacancies in such office in union school districts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (7) of Section 2401 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" is hereby amended to read as follows

Section 2401 By Whom Audited The finances of every school district in every department thereof together with the accounts of all school treasurers school depositories teachers' retirement funds teachers' institute funds directors' association funds sinking funds and other funds belonging to or controlled by the district shall be properly audited as follows

\* \* \* \* \*

(7) In union school districts the court of common pleas of the county in which the district is located upon petition of the board of school directors of such union school district shall as soon as convenient after the creation of the district appoint three persons to audit the financial accounts of the district The auditors so appointed shall on the first Monday of July at the time of organization or within five days thereafter and within thirty days carefully audit and adjust the financial accounts of the school district for the preceding school year At the first municipal election after a union school district is created there shall be elected three school auditors one for a term of two years one for a term of four years and one for a term



of six years and their successors thereafter shall be elected for terms of six years each When a vacancy occurs in the office of auditor in any union school district by erason of death resignation removal from the school district or otherwise the court of common pleas of the county in which the district is located upon petition of the board of school directors of such union school district shall appoint a person to hold such office for the unexpired term of the person whose place he is appointed to fill The compensation of both the appointed and elected auditors shall be five dollars (\$5) per day for each day necessarily spent by each auditor The total expense of such auditing including the cost of filing the report advertising and other necessary costs shall be paid by the union school district

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—206

Amarando,	Graybill,	Maxwell,	Royer,
Andrews,	Greenwood,	Mazza,	Rubin,
Banker,	Greer,	McConnell,	Sarraf,
Barkdoll,	Guarnieri,	McCormack,	Sax,
Baumunk,	McCutdord,	McCullough,	Scanlon,
Bear,	Guthrie,	McDermitt,	Schmidt,
Beaver,	Hagerty,	McGee,	Schuster,
Beech,	Hall,	McInroy,	Scott,
Berkstresser,	Hamilton, R. K.,	McKinney,	Seyler,
Blair,	Hamilton, W. H.,	McMillen,	Shoemaker,
Bloom,	Harney,	McNally,	Shotwell,
Boles,	Haudenschild,	Metz,	Smith,
Bolton,	Headlee,	Mihm,	Snider,
Bomberger,	Helm,	Mikula,	Sollenberger,
Boorse,	Hersch,	Miller, H. G.,	Spencer,
Bower,	Hewitt,	Miller, J. C.,	Stank,
Breisch,	Hocker,	Mills,	Stimmel,
Breth,	Hoggard,	Mintess,	Stoner,
Brown,	Hunter,	Monroe,	Swartz,
Bucchin,	Johnson,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Jones, G. E.,	Moran,	Taylor,
Clapper,	Jones, J. M.,	Muldowney,	Thompson, E. F.,
Glendenning,	Jones, P. F.,	Munley,	Thompson, R. L.,
Cochran,	Jones, T. H. W.,	Murray,	Toll,
Conway,	Jump,	Musto,	Tompkins,
Cooper,	Kamyk,	Najaka,	Toomey,
Corr,	Keller,	Naugle,	VanSant,
Costa,	Kent,	Needham,	Varallo,
Coyle,	Kline,	Olsen,	Varnier,
Dalrymple,	Kohl,	Penglase,	Verona,
Dougherty,	Kolankiewicz,	Peta,	Wachhaus,
Davis,	Kornick,	Petrosky,	Wargo,
Dennison,	Kratz,	Pettigrew,	Waterhouse,
Dowling,	Kubacki,	Pfaff,	Watkins,
Duffy,	Lafore,	Pichney,	Weidner,
Dunn,	Lederer,	Pitzer,	Welsh,
Erb,	Lelsey,	Polaski,	Wescott,
Ewing,	Leonard, L.,	Polen,	Westrick,
Fenrich,	Leonard, W. O.,	Price, H. W. Jr.,	Whalley,
Ferster,	Leven,	Price, R. A.,	Wheeler,
Fillo,	Light,	Readinger,	White,
Firmstone,	Limper,	Reagan,	Williams,
Flack,	Lopresti,	Reidenbach,	Wilt,
Frost,	Lofthus,	Reese,	Wood,
Gaffney,	Lovett,	Reilly, J. M.,	Yeakel,
Geer,	Lutty,	Rigby,	Yester,
Gibson,	Lyons,	Riley, R. L.,	Yetzer,
Gleason,	Madden,	Robertson,	Young,
Good,	Madigan,	Rose,	Ziegler,
Goodling,	Markley,	Rosen,	Sorg,
		Rovansek,	Speaker

## NAYS—0

## NOT VOTING—1

DuBois.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 836, as follows:

An Act making an appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred fifty-one

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of ten million dollars (\$10,000,000) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Public Assistance for the payment of assistance and administrative expenses as provided by the Public Assistance Law and for the payment of attorneys' fees and court costs necessary for the proper conduct of the work of the Department of Public Assistance for the two fiscal years beginning June first one thousand nine hundred fifty-one and for the payment of assistance and administrative expenses attorneys fees and court costs accrued or incurred prior to and remaining unpaid on May thirty-first one thousand nine hundred fifty-one

Section 2 Out of the moneys appropriated by section one of this act the Department of Public Assistance shall allocate funds from time to time for the several assistance programs (old age assistance aid to dependent children pensions for the blind general assistance and other programs provided by the Public Assistance Law) for administrative expenses of the several county boards of assistance for such administrative expenses incurred by the department which are chargeable to such boards and for the payment of attorneys' fees and court costs necessary for the proper conduct of the work of the department

Section 3 Out of the moneys appropriated by section one of this act there is hereby allocated to the Treasury Department the sum of one hundred twenty thousand dollars (\$120,000) and to the Department of the Auditor General the sum of sixty-five thousand dollars (\$65,000) to pay the administrative expenses of said departments in auditing and disbursing the appropriation made by this act.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—205

Amarando,	Graybill,	Maxwell,	Royer,
Andrews,	Greenwood,	Mazza,	Rubin,
Banker,	Greer,	McConnell,	Sarraf,
Barkdoll,	Guarnieri,	McCormack,	Sax,
Baumunk,	Gutendorf,	McCullough,	Scanlon,
Bear,	Guthrie,	McDermitt,	Schmidt,
Beaver,	Hagerty,	McGee,	Schuster,
Beech,	Hall,	McInroy,	Scott,
Berkstresser,	Hamilton, R. K.,	McKinney,	Seyler,
Blair,	Hamilton, W. H.,	McMillen,	Shoemaker,
Bloom,	Harney,	McNally,	Shotwell,
Boles,	Haudenschild,	Metz,	Smith,
Bolton,	Headlee,	Mihm,	Snider,
Bomberger,	Helm,	Mikula,	Sollenberger,
Boorse,	Hersch,	Miller, H. G.,	Spencer,
Bower,	Hewitt,	Mills,	Stank,
Breisch,	Hocker,	Mintess,	Stimmel,
Breth,	Hoggard,	Monroe,	Stoner,
Brown,	Hunter,	Moore, C. E.,	Swartz,
Bucchin,	Jenkins,	Moore, H. A.,	Swope,
Byrne,	Johnson,	Moran,	Tahl,
Cella,	Jones, G. E.,	Muldowney,	Taylor,
Clapper,	Jones, J. M.,	Munley,	Thompson, E. F.,



Clendenning,	Jones, P. F.,	Murray,	Thompson, R. L.,
Cochran,	Jones, T. H. W.,	Musto,	Toll,
Conway,	Jump,	Najaka,	Tompkins,
Cooper,	Kamyk,	Naugle,	Toomey,
Corr,	Keller,	Needham,	VanSant,
Costa,	Kent,	Olsen,	Varallo,
Coyle,	Kline,	Penglase,	Varner,
Dalrymple,	Kohl,	Peta,	Verona,
Davis,	Kolankiewicz,	Petrosky,	Wachhaus,
Dennison,	Kornick,	Pettigrew,	Wargo,
Dougherty,	Kratz,	Pfaff,	Waterhouse,
Dowling,	Kubacki,	Pichney,	Watkins,
Duffy,	Lafore,	Pitzer,	Weldner,
Dunn,	Lederer,	Polaski,	Welsh,
Erb,	Leksey,	Polen,	Wescott,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Westrick,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Whalley,
Ferster,	Leven,	Readinger,	Wheeler,
Filip,	Light,	Reagan,	White,
Filo,	Limper,	Reese,	Williams,
Firmstone,	Loftus,	Reidenbach,	Wilt,
Flack,	Lopresti,	Reilly, J. M.,	Wood,
Frost,	Lovett,	Rigby,	Yeakel,
Gaffney,	Lutty,	Riley, R. L.,	Yester,
Geer,	Lyons,	Robertson,	Yetzer,
Gibson,	Madden,	Rose,	Young,
Gleason,	Madigan,	Rosen,	Ziegler,
Good,	Markley,	Rovansek,	Sorg,
Goodling,			Speaker

NAYS—1

Miller, J. C.,

NOT VOTING—1

DuBois,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

## SENATE MESSAGES

## RESOLUTION RECALLING SENATE BILL 739 FROM GOVERNOR

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, September 24, 1951.

Resolved (if the House of Representatives concur), that Senate Bill No. 739, Printer's No. 546, entitled "An act providing for the construction by the General State Authority of an addition of a medical and surgical hospital building to the Philadelphia State Hospital on a site heretofore conveyed to it by the Mercy-Douglass Hospital and authorizing the Department of Property and Supplies to sublease said land and building to the Mercy-Douglass Hospital," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

## RESOLUTION RETURNING SENATE BILL 406 TO GOVERNOR WITHOUT AMENDMENT

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, September 24, 1951.

Resolved, (if the House of Representatives concurs) That Senate Bill No. 406, Printer's No. 137, entitled "An

act to further amend Section 305 of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2017), entitled 'An act creating in each county (except of the first class) as a separate corporation, and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children; prescribing the powers and duties of county commissioners, county treasurers, city departments of public welfare, the State Department of Welfare and the State Department of Public Assistance in respect thereto; abolishing certain poor districts and terminating the terms of directors, overseers, guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them; providing for the transfer, vesting, sale and disposition of the property of poor districts and the payment of their obligations; imposing certain existing obligations on institution districts and on the Commonwealth; regulating the affairs of poor districts until abolished; revising, amending, changing and consolidating the law relating to the care of the poor and repealing existing laws,' by requiring the approval of the court of quarter sessions for the erection and alteration of institutions, and further prescribing the powers of the Department of Welfare," which was recalled from the Governor for the purpose of amendment on June 28, 1951, be returned to the Governor without amendment.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

## REPORTS FROM COMMITTEES

Mr. WATERHOUSE from the Committee on Labor Relations, reported as committed, House Bill No. 1731:

An Act to further amend the act, approved the second day of June, one thousand nine hundred and thirty-seven (P. L. 1998), entitled "An act relating to employes and organizations thereof; defining labor disputes, prescribing the procedure by which and the conditions under which injunctions may be granted in such disputes, and the scope thereof; declaring certain undertakings and promises between employers and employes contrary to public policy and void; prescribing the nature of proof necessary in actions arising out of labor disputes against persons or associations; prescribing the terms and conditions for bonds to be furnished prior to the issuance of injunctions; prescribing the procedure in case of appeal from granting injunctions; limiting the duration of temporary and permanent injunctions in case of labor disputes; and providing for the payment of costs; and repealing all acts or parts of acts inconsistent herewith," providing further conditions upon the issuance of injunctions in labor disputes.

Mr. ROBERTSON from the Committee on Counties, reported as committed, Senate Bill No. 718, entitled:

An Act to further amend section thirteen of the act approved the fourth day of June one thousand nine hundred and thirty-seven (P. L. 1625) entitled "An act providing for the creation maintenance and operation of a county employes' retirement system in counties of the third class and imposing certain charges on counties" by extending and further regulating such retirement systems

## BILLS ON FIRST READING

Pursuant to a resolution adopted September 17, the following bills were read for the first time:

Agreeably to order,



The House proceeded to the first reading and consideration of House Bill No. 1731, entitled:

An Act to further amend the Act, approved the second day of June, one thousand nine hundred and thirty-seven (P. L. 1998), entitled "An act relating to employes and organizations thereof; defining labor disputes, prescribing the procedure by which and the conditions under which injunctions may be granted in such disputes, and the scope thereof; declaring certain undertakings and promises between employers and employes contrary to public policy and void; prescribing the nature of proof necessary in actions arising out of labor disputes against persons or associations; prescribing the terms and conditions for bonds to be furnished prior to the issuance of injunctions; prescribing the procedure in case of appeal from granting injunctions; limiting the duration of temporary and permanent injunctions in case of labor disputes; and providing for the payment of costs; and repealing all acts or parts of acts inconsistent herewith," providing further conditions upon the issuance of injunctions in labor disputes.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 718, entitled:

An Act to further amend section thirteen of the act, approved the fourth day of June, one thousand nine hundred and thirty-seven (P. L. 1625), entitled "An act providing for the creation, maintenance and operation of a county employes' retirement system in counties of

the third class; and imposing certain charges on counties," by extending and further regulating such retirement systems.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

#### PARLIAMENTARY INQUIRY

Mr. ANDREWS. I rise to a point of inquiry.

The SPEAKER. The gentleman will state it.

Mr. ANDREWS. Mr. Speaker, am I obligated by statements made upon the floor to proceed with the liquidation of the Republican Members who voted against the salary raises?

The SPEAKER. The Chair would inquire whether the gentleman is obligated or pleased?

Mr. ANDREWS. Mr. Speaker, I will take a contract to liquidate seventy-five of them.

#### COMMITTEE MEETINGS

Judiciary, Mr. McKinney, Chairman, Room 520, Tuesday, September 25 at 10:30 a. m., EST.

#### ADJOURNMENT

Mr. ROVANSEK. Mr. Speaker, I move that this House do now adjourn until Tuesday, September 25, 1951 at 10:00 a. m., EST.

The motion was agreed to, and (at 5:43 p. m., EST) the House adjourned.







# Legislative Journal.

Session 1951.

139th of the General Assembly.

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HARRISBURG, PA., TUESDAY, SEPTEMBER 25, 1951.

No. 86.

## SENATE

TUESDAY, September 25, 1951

The Senate met at 12:30 o'clock, p. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Lloyd H. Wood) in the Chair.

### PRAYER

The Chaplain, Rev. WILLIAM D. McLEAN, Pastor of St. Peters Episcopal Church, Butler, Pennsylvania, offered the following prayer:

O Lord, our Governor, the high and mighty Ruler of the universe, Who dost from Thy throne behold all the dwellers upon earth, most heartily we beseech Thee with Thy favor to behold and bless this Senate now assembled. Replenish the Members with the force of Thy Holy Spirit, that they may always incline to Thy will and walk in Thy way. Grant to them in all their deliberations the grace to ask what Thou would'st have them to do, that the Spirit of Wisdom may guide them and save them from all false choices.

We ask this in the name of Jesus Christ, our Lord. Amen.

### JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WALKER and Mr. HARE, further reading has dispensed with, and the Journal was approved.

### LEAVE OF ABSENCE

Mr. Hare asked and obtained leave of absence for Mr. ROBINSON for today's Session only.

### NOMINATION BY THE GOVERNOR REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows, and referred to the Committee on Executive Nominations.

### CLERK OF THE COURT OF OYER AND TERMINER AND CLERK OF THE COURT OF QUARTER SESSIONS OF THE PEACE, SOMERSET COUNTY

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, September 25, 1951.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Charles G. Sechler, Somerset, Somerset County, for appointment as Clerk of the Court of Oyer and Terminer and Clerk of the Court of Quarter Sessions of the Peace in and for the County of Somerset, until the first Monday of January, 1952, vice Ivan Lambert, resigned.

JOHN S. FINE.

### NOMINATIONS BY THE GOVERNOR

#### NOTARIES PUBLIC

He also presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

#### CONSIDERATION OF NOTARIES PUBLIC

Mr. WATSON. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on September 25, 1951.

Mr. WATKINS. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, September 25, 1951.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

#### ALLEGHENY COUNTY

William G. Anderson, 5805 Hays St., Pittsburgh.  
Miss Anna J. Botta, 6428 Dean St., Pittsburgh.  
Mrs. Nancy Hickman Chapman, Pine Twp., Wexford.  
Miss Marguerite A. Restelli, Bellevue.  
Wayne C. Rings, 5932 Broad St., Pittsburgh.  
Mrs. K. Wiedenhofer, 115 S. Highland Ave., Pittsburgh.

#### CHESTER COUNTY

Louis Etter, Phoenixville.

#### CUMBERLAND COUNTY

Mrs. Edna P. Baer, Wormleysburg.

#### DAUPHIN COUNTY

Miss Frances B. Rudy, Harrisburg.

#### JEFFERSON COUNTY

C. B. Etts, Brookville.



## LACKAWANNA COUNTY

Joseph Dzik, Scranton.

## LUZERNE COUNTY

Ralph W. Eckrote, Hazleton.  
Wm. A. Schwartze, Hazleton.

## LYCOMING COUNTY

L. E. Herron, Williamsport.

## NORTHAMPTON COUNTY

Miss Marion Hower, Easton.

## PHILADELPHIA COUNTY

Mrs. Sylvia B. Boniske, 1524 Chestnut St.  
Albert W. Young, 5114 "F" St.

## YORK COUNTY

Walter E. Senft, York.

JOHN S. FINE.

A motion was made by Mr. WATSON and Mr. WATKINS.

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bane,	Haluska,	McMenamin,	Stevenson,
Barr,	Hare,	McPherson, Jr.	Stiefel,
Barrett,	Holland,	Meade,	Taylor,
Berger,	Kephart,	Neff,	Toole,
Blass,	Kessler,	Pechan,	Wade,
Byrne,	Lane,	Peelor,	Wagner,
Chapman,	Leader,	Proper,	Walker,
Crowe,	Letzler,	Rosenfeld,	Watkins,
Dent,	Mahanay,	Ruth,	Watson,
Diehm,	Mallery,	Scarlett,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,			

## NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

## HOUSE MESSAGES

## HOUSE CONCURS IN RESOLUTION RETURNING TO THE GOVERNOR SENATE BILL No. 406

The Clerk of the House of Representatives being introduced, informed the Senate that the House has concurred in resolution from the Senate as follows:

Resolved (If the House of Representatives concur) That Senate Bill No. 406, Printer's No. 137, entitled:

An Act to further amend Section 305 of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2017), entitled "An act creating in each county (except of the first class) as a separate corporation, and in each city of the first and second class as a part of the city government, an institution district for the care and maintenance of certain indigent persons and children; prescribing the powers and duties of county commissioners, county treasurers, city departments of public welfare, the State Department of Welfare and the State Department of Public Assistance in respect thereto; abolishing certain poor districts and terminating the terms

of directors, overseers, guardians and managers of the poor and poor district auditors, and providing for the temporary employment of certain of them; providing for the transfer, vesting, sale and disposition of the property of poor districts, and the payment of their obligations; imposing certain existing obligations on institution districts and on the Commonwealth; regulating the affairs of poor districts until abolished; revising, amending, changing and consolidating the law relating to the care of the poor; and repealing existing laws," by requiring the approval of the court of quarter sessions for the erection and alteration of institutions and further prescribing the powers of the Department of Welfare.

which was recalled from the Governor for the purpose of amendment on June 28, 1951, be returned to the Governor without amendment.

## HOUSE CONCURS IN RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL NO. 739

He also presented communication from the House of Representatives informing the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate, September 24, 1951.

Resolved (If the House of Representatives concur) That Senate Bill No. 739, entitled:

An Act providing for the construction by The General State Authority of an addition of a medical and surgical hospital building to the Philadelphia State Hospital on a site heretofore conveyed to it by the Mercy-Douglass Hospital and authorizing the Department of Property and Supplies to sublease said land and building to the Mercy-Douglass Hospital.

be recalled from the Governor for the purpose of amendment.

## HOUSE CONCURS IN SENATE BILL NO. 134

He also returned to the Senate, Senate Bill No. 134, entitled:

An Act to amend further Section 5 of the act approved the thirteenth day of June, one thousand eight hundred and thirty-six (P. L. 551) entitled "An act relating to roads, highways and bridges," as amended by extending the width of a public road in the instance of multiple lane highways to increase the maximum width by the additional footage that shall be necessary in the judgment of the Secretary of Highways for center or dividing strips.

with the information that the House has passed the same without amendments.

## HOUSE CONCURS IN SENATE BILL NO. 441

He also returned to the Senate, Senate Bill No. 441, entitled:

An Act to add Sections 602.1 and 705.1; to further amend Section 802; to add Sections 804.1 and 901.1 to the act approved the fifth day of August, one thousand nine hundred forty-one (P. L. 752), entitled "An act regulating and improving the civil service of certain departments and agencies of the Commonwealth; vesting in the State Civil Service Commission and a personnel Director certain powers and duties; providing for classification of positions, adoption of compensation schedules and certification of payrolls; imposing duties upon certain officers and employees of the Commonwealth; authorizing service to other State departments or agencies and political subdivisions of the Commonwealth in matters relating to civil service; defining certain crimes and misdemeanors; imposing penalties; making certain appropriations, and repealing certain



acts and parts thereof," by providing that substitutes may hold positions only until employes on military leave return; relating to rights of transferred or promoted employes during probationary periods and providing for employe audits from time to time.

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL NO. 544

He also returned to the Senate, Senate Bill No. 544, entitled:

An Act making an appropriation from the Motor License Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employes receiving compensation from the Motor License Fund.

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL NO. 545

He also returned to the Senate, Senate Bill No. 545, entitled:

An Act making an appropriation from the Game Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employes receiving compensation from the Game Fund.

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL No. 550

He also returned to the Senate, Senate Bill No. 550, entitled:

An Act making an appropriation of moneys in the Motor License Fund to the Board of Finance and Revenue for the payment of the Loan and Transfer Agent of the Commonwealth.

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL NO. 563

He also returned to the Senate, Senate Bill No. 563, entitled:

An Act making an appropriation to the Treasury Department out of various funds to pay replacement checks issued in lieu of outstanding checks when presented and to adjust errors

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL NO. 564

He also returned to the Senate, Senate Bill No. 564, entitled:

An Act making an appropriation from the State Stores Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employes receiving compensation from the State Stores Fund

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL NO. 565

He also returned to the Senate, Senate Bill No. 565, entitled:

An Act making an appropriation from the State Workmen's Compensation Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employes receiving compensation from the State Workmen's Insurance Fund.

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL NO. 567

He also returned to the Senate, Senate Bill No. 567, entitled:

An Act making an appropriation from the Fish Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employes receiving compensation from the Fish Fund

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL NO. 573

He also returned to the Senate, Senate Bill No. 573, entitled:

An Act making an appropriation from the Banking Department Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employes receiving compensation from the Banking Department Fund

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL NO. 575

He also returned to the Senate, Senate Bill No. 575, entitled:

An Act making an appropriation from the Manufacturing Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employes receiving compensation from the Manufacturing Fund.

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL NO. 576

He also returned to the Senate, Senate Bill No. 576, entitled:

An Act making an appropriation from the Public Building Construction Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employes receiving compensation from the Public Building Construction Fund.

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL NO. 668

He also returned to the Senate, Senate Bill No. 668, entitled:

An Act to designate the several judicial districts of the Commonwealth as required by the Constitution and to provide for the election and commissioning of judges learned in the law for the said districts



with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL NO. 701

He also returned to the Senate, Senate Bill No. 701, entitled:

An Act to amend paragraph five of sections one of the act approved the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1669) entitled as amended "An Act to provide revenue for school districts of the first class by imposing a tax on persons engaging in certain businesses professions occupations trades vocations and commercial activities therein providing for its levy and collection conferring and imposing powers and duties on the Board of Public Education receiver of school taxes and school treasurer in such districts and prescribing penalties" by further defining "receipts".

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL NO. 763

He also returned to the Senate, Senate Bill No. 763, entitled:

An Act to amend Section 6 of the act, approved the fifth day of June, one thousand nine hundred forty-seven (P. L. 422), entitled "An act authorizing the Department of Forests and Waters to provide for stream clearance and stream channel rectifications; to construct and maintain dams, reservoirs, lakes and other works and improvements for impounding flood waters, and conserving the water supply of the Commonwealth; and for creating additional recreational areas; to acquire by purchase, condemnation or otherwise, certain lands for such purposes; to construct and maintain flood forecasting and warning systems," by extending the powers of the department in consulting, cooperating, negotiating and entering into contracts and agreements for planning, constructing, financing, maintaining and operating works or facilities.

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL NO. 819

He also returned to the Senate, Senate Bill No. 819, entitled:

An Act to further amend the act, approved the first day of June, one thousand nine hundred forty-five (P. L. 1358), entitled "An act relating to chattel mortgages on any chattel or chattels of any kind or description, including, but not limited to, livestock, poultry, farm machinery, farm equipment and crops, grown, growing or to be grown, designating the operation and effect of the lien of such mortgages; providing for the filing, indexing and docketing of such mortgages and related instruments in prothonotaries' offices; and prescribing prothonotaries' fees; providing for the filing in Pennsylvania of similar lien instruments originally filed or recorded in other states; regulating the assignment, release, satisfaction and extension of the lien of such mortgages; prescribing methods of foreclosure; defining defaults and violations; and fixing penalties," by providing that chattel mortgages may be given as security for principal obligations other than bonds or notes; eliminating the requirement of witnesses; providing additional remedies to mortgagees as against third persons; and providing that the provisions of the act be liberally construed.

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL NO. 822

He also returned to the Senate, Senate Bill No. 822, entitled:

An Act to amend clause (7) of Section 2401 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by providing for appointment of school auditors to fill vacancies in such office in union school districts.

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL NO. 836

He also returned to the Senate, Senate Bill No. 836, entitled:

An Act making an appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first, one thousand nine hundred fifty-one.

with the information that the House has passed the same without amendments.

#### SENATE BILL No. 736 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 736, entitled:

An Act providing for the registration of professional bondsmen in cities of the first class; providing for criminal offenses and penalties.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended will appear on the Calendar.

#### SENATE BILL No. 789 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 789, entitled:

An Act to further amend clause (b) of Section 507 and clause (c) of Section 2403 of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employees in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments, boards and commissions shall be determined," by making special provision for the purchase of coal for use in any State hospital or any other State institution.



with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended will appear on the Calendar.

#### AMENDMENT TO HOUSE BILL No. 900 RECALLED FROM THE GOVERNOR

He also presented for concurrence, House Bill No. 900, entitled:

An Act to further amend section one thousand and twenty-seven of the act, approved th first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "Vehicle Code," by changing the requirements that certain vehicles stop at railway grade crossings.

Said bill having been recalled from the Governor for amendment, the votes had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended, will appear on the Calendar.

#### AMENDMENT TO HOUSE BILL No. 984 RECALLED FROM THE GOVERNOR

He also presented for concurrence, House Bill No. 984, entitled:

An Act to amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "Public School Code of 1949," by further providing for exceptions to compulsory attendance.

Said bill having been recalled from the Governor for amendment, the votes had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended, will appear on the Calendar.

#### HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence bills of the House, as follows:

House Bill No. 177, entitled:

An Act to amend subdivision (e) of article five of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "General County Law," by authorizing counties of the fourth class to make annual appropriations to volunteer fire companies for the purpose of purchasing, maintaining and operating radio equipment.

Which was committed to the Committee on Local Government.

House Bill No. 470, entitled:

An Act to further amend clause (c) of section 9 of the act approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2051) entitled "Public Assistance Law," by increasing pensions for the blind.

Which was committed to the Committee on Public Health and Welfare.

House Bill No. 488, entitled:

An Act to impose a temporary tax on real estate for pub-

lic school purposes in school districts of the first class A for current expenses.

Which was committed to the Committee on Education.

House Bill No. 1047, entitled:

An Act to further amend the act approved the first day of May, one thousand nine hundred twenty-nine (P. L. 1216), entitled "Real Estate Brokers License Act of 1929," by further defining "real estate brokers" and "real estate salesmen" authorizing the issuance of limited real estate brokers' and salesmen's licenses within a limited field or branch of the real estate business and prescribing the powers and duties of the department and commission with respect thereto, further regulating licensing and the suspension and revocation of such licenses; prohibiting the use of names of real estate salesmen in the corporate or partnership names of corporations or partnerships engaged in the real estate business and further regulating the payment of commissions.

Which was committed to the Committee on Education.

House Bill No. 1139, entitled:

An Act to further amend the first paragraph of section 13 of the act, approved the nineteenth day of March, one thousand nine hundred nine (P. L. 46), entitled "Osteopathic Practice Law," by changing the time and increasing the fee for annual registration of osteopaths.

Which was committed to the Committee on Public Health and Welfare.

House Bill No. 1264, entitled:

An Act to further amend Section 1201 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "Vehicle Code," by providing that in cities of the first class informations, charging violations of any summary provision of The Vehicle Code shall be brought before the traffic court in such cities.

Which was committed to the Committee on Highways.

House Bill No. 1468, entitled:

An Act to add section 10.1 to the act approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "State Employees Retirement Law," by providing for credit for years of service for certain former employees of the public school system.

Which was committed to the Committee on State Government.

House Bill No. 1469, entitled:

An Act to add section 12.2 to the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "School Employees Retirement Law," by providing for the furnishing of information and the transfer of certain moneys by the board to the State Employees' Retirement Board and Fund.

Which was committed to the Committee on State Government.

House Bill No. 1503, entitled:

An Act to amend the title and to further amend sections two, four, five, seven and fifteen of the act, approved the twenty-seventh day of April, one thousand nine hundred twenty-seven (P. L. 465), entitled "Fire Safety Building Regulation Law," by excluding cities of the first class and second class and including cities of the second class A for the licensing of projectionists, covering in Class I buildings not formerly covered, authorizing the increase of ways of egress, and further providing for the safety of the public in motion picture theatres.



Which was committed to the Committee on Law and Order.

House Bill No. 1579, entitled:

An Act making an appropriation to the Department of Public Instruction for the purpose of providing temporary emergency aid under certain conditions to school districts of the third and fourth classes in which housing projects are erected.

Which was committed to the Committee on Appropriations.

House Bill No. 1609, entitled:

An Act to amend Section 11 of the act, approved the eighteenth day of May, one thousand nine hundred forty-nine (P. L. 1440), entitled "The Notary Public Law," by requiring notaries public to register his signature and date of expiration of his commission in the prothonotary's office after each renewal of his commission and before he enters upon the duties of his office.

Which was committed to the Committee on State Government.

House Bill No. 1638, entitled:

An Act to further amend section thirteen of the act, approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 955), entitled, as amended "Housing Authorities Law," by providing that rentals to persons dependent upon veterans' benefits or public assistance or similar income payments from government agencies shall not be more than that charged to other families of comparable size and income.

Which was committed to the Committee on Public Health and Welfare.

House Bill No. 1678, entitled:

An Act to further amend the act, approved the twenty-first day of January, one thousand nine hundred forty-seven (P. L. 3) entitled "An act relating to officers and employes of the General Assembly; fixing the number, qualifications, compensation, mileage and duties of the officers and employes of the Senate and of the House of Representatives; providing for their election or appointment, term of office, or of service, removal, and manner of filling vacancies; and making appropriations to the Senate, House of Representatives and Legislative Reference Bureau," by providing for compensation on a daily basis for certain employes of the General Assembly when a regular biennial session of the General Assembly remains in session beyond the fifteenth day of June; making appropriations.

Which was committed to the Committee on State Government.

House Bill No. 1679, entitled:

An Act to further amend the last paragraph of subsection (c) of Section 507 of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177) entitled "Administrative Code of 1949," by authorizing departments, boards and commissions to contract for utility services furnished by political subdivisions and authorities.

Which was committed to the Committee on State Government.

House Bill No. 1703, entitled:

An Act making an appropriation to the Senate and to the House of Representatives of the General Assembly

and to the Legislative Reference Bureau for the payment of mileage, compensation of employes and contingent expenses.

Which was committed to the Committee on Appropriations.

House Bill No. 1710, entitled:

An Act to further amend Section 1 of the act, approved the twenty-fourth day of June, one thousand nine hundred nineteen (P. L. 579), entitled "An act to fix the salary and mileage of the members of the General Assembly, and to provide for the furnishing of such postage, stationery, and supplies, as may be necessary for the conduct of their offices, and repealing all acts or parts of acts inconsistent therewith," by increasing the salary of members of the General Assembly, and providing a salary and payment of expenses in the event of annual sessions.

Which was committed to the Committee on State Government.

House Bill No. 1718, entitled:

An Act to amend Section twenty-one of the Act approved the twentieth day of June, one thousand nine hundred nineteen (P. L. 521), entitled, as amended "Transfer Inheritance Tax Law," as amended by modifying the rates of commission which may be retained by registers of wills for their own use, for collection of inheritance taxes as agents of the Commonwealth.

Which was committed to the Committee on Local Government.

House Bill No. 1720, entitled:

An Act making an appropriation to the Department of Property and Supplies for the payment of rates, rentals and other charges that may become due on leases and other contracts executed by such department with The General State Authority, for the use and occupancy by the Commonwealth of various projects, structures, buildings and facilities of the Authority, or for the services rendered by the Authority or its projects.

Which was committed to the Committee on Appropriations.

House Bill No. 1721, entitled:

An Act making an appropriation to the State Treasurer for the purpose of paying salaries and wages of State Officers and employes, and other ordinary and general expenses in the interim between the thirty-first day of May, one thousand nine hundred fifty-one, and such time as the funds provided by the General Appropriation Act become available, and for the payment of bills incurred and remaining unpaid at the close of the fiscal years ending May thirty-first, one thousand nine hundred fifty-one.

Which was committed to the Committee on Appropriations.

## CALENDAR

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

## BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 615, on concurrence in House amendments, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses



bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by increasing annual registration fees for certain commercial motor vehicles truck tractors trailers and semi-trailers prescribing additional equipment requirements for certain vehicles increasing the maximum gross weights and axle loads allowed for certain vehicles changing the requirements for weighing vehicles removal of excess loads and prescribing and changing penalties providing that certain penalties shall be enforced by liens upon vehicles and the sale of such vehicles free of all liens and encumbrances and imposing duties upon operators owners magistrates and sheriffs

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

### THIRD READING CALENDAR

#### BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 667, entitled:

An Act to amend subsection (c) of Section 2 of the act approved the twenty-seventh day of June one thousand nine hundred forty-seven (P. L. 1046) entitled "An act providing for equalization of assessed valuations of real property throughout the Commonwealth for use in determining the amount and allocation of Commonwealth subsidies to school districts creating a State Tax Equalization Board and prescribing its powers and duties imposing duties on certain local officers agents boards commissions and departments and making an appropriation" by increasing the compensation of the members of board

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (c) of Section 2 of the act approved the twenty-seventh day of June one thousand nine hundred forty-seven (P. L. 1046) entitled "An act providing for equalization of assessed valuations of real property throughout the Commonwealth for use in determining the amount and allocation of Commonwealth subsidies to school districts creating a State Tax Equalization Board and prescribing its powers and duties imposing duties on certain local officers agents boards commissions and departments and making an appropriation" is hereby amended to read as follows

#### Section 2 Appointment of Board Compensation

\* \* \* \* \*

(c) The chairman of the board shall receive an annual salary of [ten thousand five hundred dollars (\$10,500)] twelve thousand dollars (\$12,000) and each other member thereof shall receive an annual salary of [ten thousand dollars (\$10,000)] eleven thousand dollars (\$11,000)

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—48

Bane,	Freed,	McGinnis,	Snowden,
Barr,	Haluska,	McMenamin,	Stevenson,
Barrett,	Hare,	McPherson, Jr.,	Stiefel,
Berger,	Holland,	Meade,	Taylor,
Blass,	Kephart,	Neff,	Toole,
Byrne,	Kessler,	Pechan,	Wade,
Chapman,	Lane,	Peelor,	Wagner,
Crowe,	Leader,	Propert,	Walker,
Dent,	Letzler,	Rosenfeld,	Watkins,
Diehm,	Mahany,	Ruth,	Watson,
DiSilvestro,	Mallery,	Scarlett,	Wolfe,
Fleming,	McCreesh,	Silver,	Wood,

#### NAYS—1

Yosko.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 726, as follows:

An Act to amend the title and further amend Subsections A C and E of section 1 of the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 1145) entitled "An act empowering cities of the second class cities of the second class A cities of the third class boroughs towns townships of the first class school districts of the second class school districts of the third class and school districts of the fourth class to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes and permitting penalties to be imposed and enforced providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court" by extending the provisions thereof to include townships of the second class as to certain taxes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title of the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 1145) entitled "An act empowering cities of the second class cities of the second class A cities of the third class boroughs towns townships of the first class school districts of the second class school districts of the third class and school districts of the fourth class to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes and permitting penalties to be imposed and enforced providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court" is hereby amended to read as follows

#### An Act

Empowering cities of the second class cities of the second class A cities of the third class boroughs towns town-



ships of the first class townships of the second class school districts of the second class school districts of the third class and school districts of the fourth class to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employees to assess and collect such taxes and permitting penalties to be imposed and enforced providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court

Section 2 Subsections A C and E of Section 1 of said act as amended by the act approved the ninth day of May one thousand nine hundred forty-nine (P. L. 898) are hereby further amended to read as follows

Section 1 A Delegation of Taxing Powers and Restrictions Thereon The duly constituted authorities of the following political subdivisions cities of the second class cities of the second class A cities of the third class boroughs towns townships of the first class school districts of the second class school districts of the third class and school districts of the fourth class may in their discretion by ordinance or resolution for general revenue purposes levy assess and collect or provide for the levying assessment and collection of such taxes on persons transactions occupations privileges subjects and personal property within the limits of such political subdivisions as they shall determine except that such local authorities shall not have authority by virtue of this act (1) to levy assess and collect or provide for the levying assessment and collection of any tax on a privilege transaction subject occupation or personal property which is now or does hereafter become subject to a State tax or license fee or (2) to levy assess or collect a tax on the gross receipts from utility service of any person or company whose rates and services are fixed and regulated by the Pennsylvania Public Utility Commission or on any public utility services rendered by any such person or company or on any privilege or transaction involving the rendering of any such public utility service or (3) except on sales of admission to places of amusement or on sales or other transfers of title or possession of property to levy assess or collect a tax on the privilege of employing such tangible property as is now or does hereafter become subject to a State tax or (4) to levy assess and collect a tax on goods and articles manufactured in such political subdivision or on the by-products of manufacture or on minerals timber natural resources and farm products produced in such political subdivision or on the preparation or processing thereof for use or market or on any privilege act or transaction related to the business of manufacturing the production preparation or processing of minerals timber and natural resources or farm products by manufacturers by producers and by farmers with respect to the goods articles and products of their own manufacture production or growth or on any privilege act or transaction relating to the business of processing by-products of manufacture or on the transportation loading unloading or dumping or storage of such goods articles products or by-products (5) to levy assess or collect a tax on salaries wages commissions compensation and earned income of nonresidents of the political subdivision Provided That this limitation (5) shall apply only to school districts of the second third and fourth classes (6) to levy assess or collect a tax on personal property subject to taxation by counties or on personal property owned by persons associations and corporations specifically exempted by law from taxation under the county personal property tax law Provided That this limitation (6) shall not apply to cities of the second class

Subject to the limitations prescribed in this act the duly constituted authorities of townships of the second class may in their discretion by ordinance or resolution for general revenue purposes levy assess and collect or provide for the levying assessment and collection of any one or more of the following taxes within the limits of such townships

- (1) A per capita tax upon individuals
  - (2) A tax on sales involving the transfer of title of real property
  - (3) A tax on admissions to places of amusement athletic events and the like
  - (4) A tax on the use or occupancy of house trailers suitable for living quarters
- No township shall levy a per capita tax for the same period for which it levies an occupation tax

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C Over-all Limit of Tax Revenues The aggregate amount of taxes imposed by enactment of an ordinance or resolution by any political subdivision under this section and in effect during any fiscal year shall not exceed an amount equal to the product obtained by multiplying the total assessed valuation of real estate in such political subdivision at the time of the said enactment by ten (10) mills in cases of cities of the second class cities of the second class A cities of the third class boroughs towns [and] townships of the first class and townships of the second class and by fifteen (15) mills in cases of school districts of the second class third class and fourth class

E Limitations on rates of specific taxes No taxes shall be levied by any political subdivisions on the following subjects exceeding the rates specified in this subsection

(A) Per capita poll or other similar head taxes \$10 except in townships of the second class \$5

(B) On each dollar of the whole volume of business transacted by wholesale dealers in goods wares and merchandise 1 mill by retail dealers in goods wares and merchandise and by proprietors of restaurants or other places where food drink and refreshments are served 1½ mills except in cities of the second class where rates shall not exceed 1 mill on wholesale dealers and 2 mills on retail dealers and proprietors no such tax shall be levied on the dollar volume of business transacted by wholesale and retail dealers derived from the resale of goods wares and merchandise taken by any dealer as a trade-in or as part payment for other goods wares and merchandises except to the extent that the resale price exceeds the trade-in allowance

(C) On wages salaries commissions and other earned income of individuals 1%

(D) On retail sales involving the transfer of title or possession of tangible personal property 2%

(E) On sale involving the transfer of title or real property 1%

(F) On admissions to places of amusement athletic events and the like 10%

(G) On use or occupancy of house trailers suitable for living quarters in townships of the second class \$10

If at any time two political subdivisions shall impose any one of the above taxes on the same person subject business transaction or privilege located within both such political subdivisions during the same year or part of the same year under the authority of this act then the tax levied by a political subdivision under the authority of this act shall during the time such duplication of the tax exists except as hereinafter otherwise provided be one-half of the rate as above limited and such one-half rate shall become effective by virtue of the requirements of this act from the day such duplication becomes effective without any action on the part of the political subdivision imposing the tax under the authority of this act it is the intent and purpose of this provision to limit rates of taxes referred to in this subsection so that the entire burden of one tax on a person subject business transaction or privilege shall not exceed the limitations prescribed in this subsection provided however that any two political subdivisions which impose any one of the above taxes on the same person subject business transaction or privilege during the same year or part of the same year may agree among themselves that instead of limiting their respective rates to one-half of the maximum rate herein provided they will impose respectively different rates the total of which shall not exceed the maximum rate as above permitted

Section 3 The provisions of this act shall become effective immediately upon final enactment



And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Bane,	Haluska,	McMenamin,	Stevenson,
Barr,	Hare,	McPherson, Jr.,	Stiefel,
Barrett,	Holland,	Meade,	Taylor,
Berger,	Kephart,	Neff,	Toole,
Blass,	Kessler,	Pechan,	Wade,
Byrne,	Lane,	Peelor,	Wagner,
Chapman,	Leader,	Propert,	Walker,
Crowe,	Letzler,	Rosenfeld,	Watkins,
Dent,	Mahany,	Ruth,	Watson,
Diehm,	Mallery,	Scarlett,	Wolfe,
DiSilvestro,	McCreesh,	Silver,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freder,			

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

#### BILLS SIGNED

The President (Lieutenant-Governor Lloyd H. Wood) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 28, entitled:

An Act to further amend Section 703 of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206), entitled "First Class Township Law," by changing the compensation paid to township commissioners.

Senate Bill No. 134, entitled:

An Act to amend further Section 5 of the Act approved the thirteenth day of June, one thousand eight hundred and thirty-six (P. L. 551) entitled "An act relating to roads, highways and bridges," as amended by extending the width of a public road in the instance of multiple lane highways to increase the maximum width by the additional footage that shall be necessary in the judgment of the Secretary of Highways for center or dividing strips.

House Bill No. 274, entitled:

An Act to further amend Section 1001 of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206), entitled "First Class Township Law," by increasing the compensation of the township auditors.

Senate Bill No. 441, entitled:

An Act to add Sections 602.1 and 705.1; to further amend Section 802; to add Sections 804.1 and 901.1 to the act approved the fifth day of August, one thousand nine hundred forty-one (P. L. 752), entitled "An act regulating and improving the civil service of certain departments and agencies of the Commonwealth; vesting in the State Civil Service Commission and a Personnel Director certain

powers and duties; providing for classification of positions, adoption of compensation schedules and certification of payrolls; imposing duties upon certain officers and employees of the Commonwealth; authorizing service to other State departments or agencies and political subdivisions of the Commonwealth in matters relating to civil service; defining certain crimes and misdemeanors; imposing penalties; making certain appropriations, and repealing certain acts and parts thereof," by providing that substitutes may hold positions only until employees on military leave return; relating to rights of transferred or promoted employees during probationary periods and providing for employee audits from time to time.

Senate Bill No. 544, entitled:

An Act making an appropriation from the Motor License Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Motor License Fund.

Senate Bill No. 545, entitled:

An Act making an appropriation from the Game Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Game Fund

Senate Bill No. 550, entitled:

An Act making an appropriation of moneys in the Motor License Fund to the Board of Finance and Revenue for the payment of the Loan and Transfer Agent of the Commonwealth

Senate Bill No. 563, entitled:

An Act making an appropriation to the Treasury Department out of various funds to pay replacement checks issued in lieu of outstanding checks when presented and to adjust errors

Senate Bill No. 564, entitled:

An Act making an appropriation from the State Stores Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the State Stores Fund.

Senate Bill No. 565, entitled:

An Act making an appropriation from the State Workmen's Insurance Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to State Employees' Retirement System with respect to State employees receiving compensation from the State Workmen's Insurance Fund.

Senate Bill No. 567, entitled:

An Act making an appropriation from the Fish Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Fish Fund.

Senate Bill No. 573, entitled:

An Act making an appropriation from the Banking Department Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Banking Department Fund.

Senate Bill No. 575, entitled:

An Act making an appropriation from the Manufacturing Fund to the State Employees' Retirement Board to



meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Manufacturing Fund

Senate Bill No. 576, entitled:

An Act making an appropriation from the Public Building Construction Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Public Building Construction Fund

Senate Bill No. 668, entitled:

An Act to designate the several judicial districts of the Commonwealth as required by the Constitution and to provide for the election and commissioning of judges learned in the law for the said districts

Senate Bill No. 701, entitled:

An Act to amend paragraph five of section one of the act approved the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1669) entitled as amended "An act to provide revenue for school districts of the first class by imposing a tax on persons engaging in certain businesses professions occupations trades vocations and commercial activities therein providing for its levy and collection conferring and imposing powers and duties on the Board of Public Education receiver of school taxes and school treasurer in such districts and prescribing penalties" by further defining "receipts"

House Bill No. 757, entitled:

An Act to add Article XVII to the act, approved the seventh day of March, one thousand nine hundred one (P. L. 20), entitled "Second Class City Law," by providing for the establishment of a traffic court in cities of the second class.

Senate Bill No. 763, entitled:

An Act to amend Section 6 of the act, approved the fifth day of June, one thousand nine hundred forty-seven (P. L. 422), entitled "An act authorizing the Department of Forests and Waters to provide for stream clearance and stream channel rectifications; to construct and maintain dams, reservoirs, lakes and other works and improvements for impounding flood waters, and conserving the water supply of the Commonwealth; and for creating additional recreational areas; to acquire by purchase, condemnation or otherwise, certain lands for such purposes; to construct and maintain flood forecasting and warning systems," by extending the powers of the department in consulting, cooperating, negotiating and entering into contracts and agreements for planning, constructing, financing, maintaining and operating works or facilities.

House Bill No. 815, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905) entitled "Vehicle Code," by providing that the Department of Revenue furnish one registration plate for every vehicle.

Senate Bill No. 819, entitled:

An Act to further amend the act, approved the first day of June, one thousand nine hundred forty-five (P. L. 1358), entitled "An act relating to chattel mortgages on any chattel or chattels of any kind or description, including, but not limited to, livestock, poultry, farm machinery, farm equipment and crops, grown, growing or to be grown, designating the operation and effect of the lien of such mortgages; providing for the filing, indexing and docketing of such mortgages and related instruments in prothonotaries' offices; and prescribing prothonotaries' fees; pro-

viding for the filing in Pennsylvania of similar lien instruments originally filed or recorded in other states; regulating the assignment, release, satisfaction and extension of the lien of such mortgages; prescribing methods of foreclosure; defining defaults and violations; and fixing penalties," by providing that chattel mortgages may be given as security for principal obligations other than bonds or notes; eliminating the requirement of witnesses; providing additional remedies to mortgagees as against third persons; and providing that the provisions of the act be liberally construed.

Senate Bill No. 822, entitled:

An Act to amend clause (7) of Section 2401 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, consolidating and changing the laws relating thereto," by providing for appointment of school auditors to fill vacancies in such office in union school districts.

Senate Bill No. 836, entitled:

An Act making an appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first, one thousand nine hundred fifty-one.

House Bill No. 1335, entitled:

An Act to further amend Section 11 of the act, approved the twentieth day of May, one thousand nine hundred fifteen (P. L. 566), entitled "An act requiring cities of the first class to establish a pension fund for employees of said cities, and all county or other public employes, if any, paid by appropriation of the city councils thereof, and out of the treasury of said cities; and regulating the administration and the payment of such pensions," by providing for credit for service with a school district of the first class, for members of a first class city pension fund in certain cases.

House Bill No. 1348, entitled:

An Act to amend Section 1 of the act, approved the eighth day of May, one thousand nine hundred one (P. L. 150) entitled "An act providing for the raising of revenue for State purposes, by imposing upon certain foreign corporations, limited partnership and joint stock associations a bonus of one-third of one per centum upon the capital actually employed in Pennsylvania, and requiring the filing of certain reports in the office of the Auditor General," by exempting from the provisions thereof foreign nonprofit corporations.

House Bill No. 1599, entitled:

An Act providing for an expense allowance for members of the board of inspectors of the Berks County Prison.

Whereupon,

The PRESIDENT (Lieutenant-Governor Lloyd H. Wood) in the presence of the Senate signed the same.

## REPORTS FROM COMMITTEE

Mr. McGINNIS. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. McGINNIS, from the Committee on State Government, reported as committed, House Bill No. 1678, entitled:

An Act to further amend the act approved the twenty-first day of January one thousand nine hundred forty-seven (P. L. 3) entitled "An act relating to officers and



employees of the General Assembly fixing the number qualifications compensation mileage and duties of the officers and employees of the Senate and of the House of Representatives providing for their election or appointment term of office or of service removal and manner of filling vacancies and making appropriations to the Senate House of Representatives and Legislative Reference Bureau" by providing for compensation on a daily basis for certain employees of the General Assembly when a regular biennial session of the General Assembly remains in session beyond the fifteenth day of June making appropriations.

He also, from the Committee on State Government, reported as committed, House Bill No. 1116, entitled:

An Act to further amend Sections 1 and 2 of the act approved the twenty-fourth day of July one thousand nine hundred thirteen (P. L. 965) entitled "An act defining commodities regulating the sale thereof and providing penalties for violation hereof" by defining further words and terms and regulating the sale of certain additional commodities

He also, from the Committee on State Government reported as committed, House Bill No. 1550, entitled:

An Act to further amend Section 1 of the act, approved the twenty-fifth day of April, one thousand nine hundred twenty-nine (P. L. 723), entitled "An act regulating the investment of funds by administrative departments, boards, commissions, and officers of the State Government," by expanding the investment powers of State administrative departments, boards, commissions, or officers.

He also, from the Committee on State Government, reported as committed, House Bill No. 1587, entitled:

An Act to amend section 8 of the act approved the thirty-first day of March one thousand nine hundred forty-nine (P. L. 372) entitled "An act to promote the welfare of the people of the Commonwealth creating The General State Authority as a body corporate and politic with power to construct improve equip furnish and operate projects and to lease the same and to fix fees rentals and charges for the use thereof authorizing and regulating the issuance of bonds for said Authority and providing for the payment of such bonds and the rights of the holders thereof and to enter into agreements with the Government of the United States or any Federal agency and authorizing the Department of Property and Supplies to grant assign convey or lease to the Authority lands of the Commonwealth and interests therein and to acquire lands therefor granting the right of eminent domain empowering The General State Authority to sell and convey projects and property to the Commonwealth and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act" by further providing for examination of the accounts and books of the Authority.

He also, from the Committee on State Government, reported as committed, House Bill No. 1533, entitled:

An Act to further amend Section 28 of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 414) entitled "An act relating to vital statistics and to make uniform the law with reference thereto" by further providing for payment of the compensation of local registrars.

He also, from the Committee on State Government, reported as committed, House Bill No. 1603, entitled:

An Act to further amend Section 4 to amend subsection (d) of Section 4.1 to add Sections 4.2 and 4.3 and to amend paragraph (1) of Section 14 of the act approved the twentieth day of May one thousand nine hundred fifteen (P. L. 566) entitled "An act requiring cities of the first class to establish a pension fund for employees of said cities and all

county or other public employees if any paid by appropriation of the city councils thereof and out of the treasury of said cities and regulating the administration and the payment of such pensions" by clarifying the amount of contributions by certain pensioners and the method of computing lesser pensions changing date of completing certain payments and the age to which pension increments may be computed fixing minimum pensions and providing benefits for surviving spouse.

He also, from the Committee on State Government, reported as committed, Senate Bill No. 854, entitled:

An Act to add sections 324.1 and 324.2 to the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by providing for credit for years of service for certain former state employees and for the furnishing of information and the transfer of certain monies by the board to the State Employees' Retirement Board.

He also, from the Committee on State Government, reported as committed, Senate Bill No. 855, entitled:

An Act to add Sections 11.1 and 11.2 to the act, approved the twenty-eighth day of May, one thousand nine hundred fifteen (P. L. 596), entitled "An act requiring cities of the second class to establish a pension fund for employees of said cities, and regulating the administration and the payment of such pensions," by providing for credit for years of service for certain former State employees and for the furnishing of information and the transfer of certain monies by the pension board to the State Employees' Retirement Board.

He also, from the Committee on State Government, reported as committed, Senate Bill No. 856, entitled:

An Act to add sections 10.2 and 10.3 to the act approved the fourth day of June, one thousand nine hundred thirty-seven (P. L. 1625), entitled "An act providing for the creation, maintenance and operation of a county employees retirement system in counties of the third class; and imposing certain charges on counties," by providing for credit for years of service for certain former state employees and for the furnishing of information and the transfer of certain monies by the board to the State Employees' Retirement Board.

He also, from the Committee on State Government, reported as committed, Senate Bill No. 857, entitled:

An Act to add sections 10.1 and 10.2 to the act approved the fifth day of August, one thousand nine hundred forty-one (P. L. 803) entitled as amended "An act providing for the creation, maintenance and operation of a county employees' retirement system in counties of the fifth, sixth, seventh, and eighth class; imposing certain charges on counties, and prescribing penalties," by providing for credit for years of service for certain former state employees and for the furnishing of information and the transfer of certain monies by the board to the State Employees' Retirement Board.

He also, from the Committee on State Government, reported as committed, Senate Bill No. 858, entitled:

An Act to add sections 11.1 and 11.2 to the act, approved the eighth day of July, one thousand nine hundred forty-one (P. L. 298), entitled "An act authorizing the creation of, and providing for, and regulating the maintenance and operation of a county employees' retirement system, in counties of the fourth class, imposing certain charges on counties, and fixing penalties," by providing for credit for years of service for certain former state employees and for the furnishing of information and the transfer of



certain monies by the board to the State Employees' Retirement Board.

He also, from the Committee on State Government, reported as committed, Senate Bill No. 859, entitled:

An Act to add Sections 10.1 and 10.2 to the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employees' retirement system and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employees, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employees serve; excepting annuities, allowances; returns, benefits, and rights from taxation and judicial process; and providing penalties," by providing for credit for years of service for certain former employees of counties and municipalities and for the furnishing of information and the transfer of certain moneys by the board to the retirement boards of counties and municipalities.

He also, from the Committee on State Government, reported as committed, Senate Bill No. 860, entitled:

An Act to add subdivision (d) to Article XLIII of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," by providing for credit for years of service for certain former State employees and for the furnishing of information and the transfer of certain monies by pension boards to the State Employees' Retirement Board.

He also, from the Committee on State Government, reported as committed, Senate Bill No. 861, entitled:

An Act to add Sections 10.1 and 10.2 to the act, approved the fourth day of June, one thousand nine hundred forty-three (P. L. 886), entitled as amended "An act creating a Municipal Employees' Retirement System for the payment of retirement allowances to officers and employees of political subdivisions and municipal authorities and of institutions supported and maintained by political subdivisions, and providing for the administration of the same by a board composed of certain state officers and others appointed by the Governor; imposing certain duties on the State Employees' Retirement Board and the actuary thereof; providing the procedure whereby political subdivisions and municipal authorities may join such system, and imposing certain liabilities and obligations on such political subdivisions and municipal authorities in connection therewith, and as to certain existing retirement and pension systems, and upon officers and employees of such political subdivisions; institutions supported and maintained by political subdivisions, and upon municipal authorities; providing certain exemptions from taxation, execution, attachment, levy and sale; and making an appropriation," by providing for credit for years of service for certain former state employees and for the furnishing of information and the transfer of certain monies by the board to the State Employees' Retirement Board.

He also, from the Committee on State Government, reported as committed, Senate Bill No. 862, entitled:

An Act to add Sections 11.1 and 11.2 to the act, approved the twentieth day of May, one thousand nine hundred fifteen (P. L. 566), entitled "An act requiring cities of the first class to establish a pension fund for employees of said cities, and all county or other public employees, if any, paid by appropriation of the city councils thereof, and out of the treasury of said cities, and regulating the administration and the payment of such pensions," by providing for credit for years of service for

certain former State employees and for the furnishing of information and the transfer of certain moneys by the Board of Pensions to the State Employees' Retirement Board.

## BILLS INTRODUCED AND REFERRED

Mr. HARE. Mr. President, I ask unanimous consent to introduce bills at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HARE read in place and presented to the Chair Senate Bill No. 867, entitled:

An Act to add section 2315.2 to the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employees in certain departments, boards and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments, boards, and commissions shall be determined," by authorizing the Department of Welfare to enter into certain contracts for utility services at State institutions; and providing for the payment of services furnished and for the Commonwealth's share of expenses and charges incurred.

Which was committed to the Committee on State Government.

He also read in his place and presented to the Chair Senate Bill No. 868, entitled

An Act to amend section 1 of the act approved the sixth day of April, one thousand nine hundred fifty-one (P. L. 68), entitled "An act authorizing the Department of Welfare, the Department of Health, or any departmental administrative board, commission or officer of either department to proceed by injunction or other process in the court of common pleas in any county where an alleged unauthorized activity is committed, to prohibit and restrain any unlicensed person, association, copartnership or corporation from engaging in an activity for which a license is required to be issued by either department, and setting out the method of procedure therefor," by clarifying the provisions thereof to include periods when licenses are revoked, and periods after violation of laws, rules and regulations governing private institutions.

Which was committed to the Committee on State Government.

## REPORT FROM COMMITTEE

### BILL RE-REFERRED

Mr. DIEHM. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. DIEHM, from the Committee on State Government, reported as committed, House Bill No. 1626, entitled:



An Act to further amend the act, approved the thirteenth day of May, one thousand nine hundred twenty-five (P. L. 644), entitled "An act relating to and regulating the solicitation of moneys and property for charitable, religious, benevolent, humane, and patriotic purposes," by extending its provisions to additional activities, agencies and purposes; requiring accounting; limiting administration costs and use of moneys collected; and further regulating solicitation and exemptions.

which was re-referred to the Committee on Judiciary General.

### THIRD READING CALENDAR

#### BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 864, as follows:

An Act to further amend the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1053) entitled "An act relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utility business by prescribing defining and limiting their duties powers and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchise defining and regulating contract carriers by motor vehicles and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale method of regulating rates providing for the supervision of financial and contractual relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alteration relocation protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulation the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" by requiring the issuance of an order and in certain cases a preliminary hearing prior thereto by the commission before the effective date of certain voluntary rate increases making such order

the basis of appeal and setting forth when such appeal may act as a supersedeas

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (b) of Section 308 of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1053) entitled "An act relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utility business by prescribing defining and limiting their duties powers and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale method of regulating rates providing for the supervision of financial and contractual relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alteration relocation protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulation the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" is hereby amended to read as follows

#### Section 308 Voluntary Changes in Rates \* \* \* \*

(b) Whenever there is filed with the commission by any public utility any tariff stating a new rate the commission except as hereinafter provided may either upon complaint or upon its own motion upon reasonable notice enter upon a hearing preliminary or final concerning the lawfulness of such rate and pending such hearing and the decision thereon the commission upon filing with such tariff and delivering to the public utility affected thereby a statement in writing of its reasons therefor may at any time before it becomes effective suspend the operation of such rate for a period not longer than six months from the time such rate would otherwise become effective and an additional period of not more than three months pending such decision The rate in force when the tariff stating the new rate was filed shall continue in force during the period of suspension unless the commission shall establish a temporary rate as authorized in section three hundred ten of this act The commission shall consider the effect of such suspension in finally determining and prescribing the rates to be thereafter charged and collected by such public utility In any case involving a new rate for a streetcar



or bus transportation utility the commission shall issue its order in writing on the new rate at least ten days before such rate goes into effect but if any municipality involved files a protest to such new rate the commission shall hold a preliminary hearing prior to issuing its order. The commission's order may be the basis of an appeal to the Superior Court and on such appeal any judge of such court may by interlocutory order direct that the appeal shall act as a supersedeas.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—49

Bane,	Haluska,	McMenamin,	Stevenson.
Barr,	Hare,	McPherson, Jr.	Stiefel,
Barrett,	Holland,	Meade,	Taylor,
Berger,	Kephart,	Neff,	Toole,
Blass,	Kessler,	Peelor,	Wade,
Byrne,	Lane,	Propert,	Wagner,
Chapman,	Leader,	Pechan,	Walker,
Crowe,	Letzler,	Rosenfeld,	Watkins,
Dent,	Mahanay,	Ruth,	Watson,
Diehm,	Mallery,	Scarlett,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,			

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

#### BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 967, on third reading, entitled:

An Act to further amend the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" providing for disability leave with salary and hospital and medical expenses for employes of jails and workhouses in counties of the second class temporarily incapacitated in the performance of duties

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1228, on third reading, entitled:

An Act establishing The Pennsylvania State School for the Deaf providing for its operation and maintenance by the Department of Public Instruction and for the admission of pupils thereto and the expense of maintaining pupils therein authorizing the acquisition of a site by The General State Authority or the use of land now owned by the Commonwealth the conveying of Commonwealth owned land to The General State Authority and the erection or construction and the furnishing and equipping of buildings and structures by The General State Authority and the leasing thereof by the Commonwealth and conferring powers and imposing duties on district and county superintendents of schools

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

#### BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1312, entitled:

An Act to provide for the better protection of life and health of the citizens of this Commonwealth by requiring and regulating the examination licensure and registration of persons and registration of corporations engaging in the care preparation and disposition of the bodies of deceased persons and providing penalties providing for a State Board of Funeral Directors in the Department of Health and repealing other laws

And said bill having been read at length the third time, On the question,

Will the Senate agree to the bill on third reading?

Mr. MAHANY. Mr. President, I ask unanimous consent to offer an amendment.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendment as follows:

Amend Sec. 3, page 6, line 14, by striking out "fifty-two" and inserting in lieu thereof: "fifty-three."

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

#### BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that House Bill No. 1312, on third reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

#### REPORT FROM COMMITTEE

Mr. BLASS. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BLASS, from the Committee on Judiciary General, reported as amended, House Bill No. 1644, entitled:

An Act declaring the Communist Party and similar Revolutionary Organizations illegal making membership in or participation in the revolutionary activities of the Communist Party or any organization furthering the revolutionary conspiracy by force and violence a felony and providing penalties.

#### REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 238

Mr. WOLFE. Mr. President, I submit the report of the Committee of Conference on House Bill No. 238, entitled:

An Act to amend Section 256 of the Act, approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "Fish Law of 1925," by authorizing fish wardens to make arrests without warrants under certain circumstances.

The PRESIDENT. The report will lie over for printing under the rules.



## REPORT FROM COMMITTEE

Mr. McCREESH. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. McCREESH, from the Committee on Public Health and Welfare, re-reported as amended, Senate Bill No. 431, entitled:

An Act to further amend clause (c) of Section 9 of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance; providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged persons, blind persons and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooperate with, and to accept and disburse moneys received from, the United States Government for assistance to each persons; providing for the liquidation of the State Emergency Relief Board, Boards, of Trustees of the Mothers' Assistance Fund, and Boards of Trustees of Pension Fund for the Blind; and repealing laws relating to mothers' assistance, pensions for the blind, old age assistance, and the State Emergency Relief Board," by increasing pensions for the blind and changing the provisions relating to eligibility therefor.

## SECOND READING CALENDAR

## BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 769, entitled:

An Act to further amend clause (a) of section one thousand eight hundred three and clause (e) of section one thousand eight hundred six of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" by further regulating the leasing and sale of State forest and park lands by the Commonwealth and defining the powers and duties of the Department of Forests and Waters and the rights of lessees with respect to such leased lands.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 811, entitled:

An Act to add section 1501.1 to the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by empowering township supervisors to compel connection with and use of sewer systems constructed by municipal authorities to impose penalties to enforce regulations and orders and to connect properties of owners failing or neglecting to make connection.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 840, entitled:

An Act imposing an income tax on residents of Pennsylvania as herein defined including trusts and estates and on income of non-residents derived from property business or other sources in Pennsylvania defining taxable income and requiring filing of returns thereof providing for the assessment collection and lien of said tax providing for administration and enforcement of the act by the Department of Revenue conferring powers and imposing duties on certain persons fiduciaries partnerships associations corporations political subdivisions State officers employees and departments saving certain local taxes and authorizing amendments extensions and supplements to the ordinances and resolutions relating thereto and imposing penalties and restricting the use of the moneys derived from said tax.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. LANE. Mr. President, I arise at this time to clarify my position in regard to House Bill No. 840, Printer's No. 1031. I want it distinctly understood that any vote on my part to advance this bill to Third Reading is not to be construed that I am in support of this legislation.

Mr. President, I also want it understood that the reason I am not making a motion to recommit the bill is that I have listened to the advice and counsel of my lawyers on both sides of the Senate, and we have agreed that we will band together tomorrow and hope to retire this bill to where it belongs, in the ash can.

Mr. WATKINS. Mr. President, I also wish to go on record that in not voting against this bill on Second Reading, that it is to be very definitely understood that I intend to oppose this bill and I intend to vote against this bill, and I just feel as though it should be known that I am not in any way concurring with this bill on Second Reading, other than with the understanding that it will be voted on tomorrow.

Mr. WALKER. Mr. President, I think it is clearly understood, and, if we can have a blanket suggestion, I think the record should show that under no circumstances or under any consideration will any action taken on this bill at the present time, in advancing it to Third Reading, indicate directly or indirectly the vote that might be cast



by any gentleman of the Senate when the bill is before us for Final Passage, when a record roll call will be taken.

And the question recurring,

Will the Senate agree to the section?

It was agreed to.

The second section and title were read and agreed to.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

#### POINT OF INFORMATION

Mr. HALUSKA. Mr. President, I rise to a point of information.

The PRESIDENT. The gentleman from Cambria, Mr. Haluska, will state his point of information.

Mr. HALUSKA. Mr. President, am I to understand that House Bill No. 840 is now to be prepared for Third Reading tomorrow?

The PRESIDENT. House Bill No. 840 will appear on tomorrow's Third Reading Calendar.

#### MOTION THAT HOUSE BILL No. 840 BE MADE A SPECIAL ORDER OF BUSINESS

Mr. HALUSKA. Mr. President, I now move that House Bill No. 840 be made a Special Order of Business tomorrow at 2 o'clock, Eastern Standard Time.

Mr. LANE. I second the motion, Mr. President.

On the question,

Will the Senate agree to the motion?

(The Senate was at ease.)

#### MOTION THAT HOUSE BILL No. 840 BE MADE A SPECIAL ORDER OF BUSINESS AMENDED

Mr. HALUSKA. Mr. President, I wish to amend my motion.

The RESIDENT. The gentleman may proceed.

Mr. HALUSKA. Mr. President, I now move that House Bill No. 840 be made a Special Order of Business at 3 o'clock tomorrow, Eastern Standard Time.

Mr. LANE. Mr. President, I second the motion.

The motion was agreed to.

#### BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 851, entitled:

An Act to amend Section 16 of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1237) entitled "An act affecting marital relations prescribing grounds and regulating proceedings for divorce and the annulment of bigamous marriages and amending revising and consolidating the law relating thereto" by further defining residence of the libellant.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

#### BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 863, on second reading, entitled:

An Act to amend the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 912) entitled "An act to regulate the drilling and abandoning of oil and gas wells and providing a penalty for violation of the provisions of this act" by requiring the approval of the Department of Mines authorizing injunctions and changing the disposition of fines.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

#### BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1118, entitled:

An Act making an appropriation from the Toll Bridge Fund to the Board of Finance and Revenue to meet interest and sinking fund requirements on Toll Bridge Bonds.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

#### BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1247, on second reading, entitled:

An Act to further amend section two of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 720) entitled "An act providing for the taking over by the Commonwealth under certain terms conditions and limitations of certain streets in cities of the second class second class A and third class as State highways and for the improvement construction reconstruction resurfacing and maintenance by the Commonwealth of certain defined widths of said streets imposing duties on such cities and on public utility companies using such streets providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon authorizing cities persons associations or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance providing for the assessment of certain portions of the cost of street improvements on abutting property owners regulating the replacement of certain facilities of public utility companies prohibiting the opening of said streets after improvement without a permit and providing penalty therefor regulating the maintenance of detours authorizing the increase of city indebtedness in certain cases and appropriating money in the Motor License Fund for the purposes of this act" by changing or deleting certain routes and adding certain new routes.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1248, on second reading, entitled:

An Act to further amend the act approved the fifth day of May one thousand nine hundred twenty-seven (P. L. 787) entitled "An act establishing certain public roads as State Highways and providing for their construction and maintenance at the expense of the Commonwealth" by changing certain routes.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.



Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1249, on second reading, entitled:

An Act to further amend the act approved the eighteenth day of May one thousand nine hundred forty-five (P. L. 809) entitled "An act removing certain roads or sections of road from the State highway system and providing for their future maintenance and construction" by removing additional roads from the State highway system.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1250, on second reading, entitled:

An Act to further amend section two of the act approved the first day of June one thousand nine hundred thirty-three (P. L. 1172) entitled "An act establishing certain streets in boroughs and incorporated towns as State highways and providing for their construction and maintenance at the expense of the Commonwealth" by changing or deleting certain routes and adding certain new routes.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1251, on second reading, entitled:

An Act to further amend the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 594) entitled "An act establishing certain township roads as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act" by changing or deleting certain routes and adding certain new routes.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1252, on second reading, entitled:

An Act to establish certain roads or sections of road as State Highways.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1253, on second reading, entitled:

An Act to amend the act approved the eighth day of April one thousand nine hundred twenty-five (P. L. 191) entitled "An act establishing certain public roads as State highways and providing for their construction and maintenance at the expense of the Commonwealth" by changing certain routes.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

#### REQUEST THAT HOUSE BILL No. 1416 GO OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1416, on second reading, entitled:

An Act to amend the act approved the eighteenth day of April one thousand nine hundred forty-nine (P. L. 512) entitled "An act relating to the administration and distribution of decedents' estates minors' estates and absentees' estates both as to real and personal property and the procedure relating thereto including the disposition of such estates or portions thereof and the determination of title thereto without the appointment of a fiduciary in certain cases the appointment bond removal and discharge of fiduciaries of such estates their powers duties and liabilities the rights of persons dealing with such fiduciaries and the rights of persons claiming an interest in such estates or in property distributed therefrom whether as claimants or distributees and containing provisions concerning guardians of the person of minors the powers duties and liabilities of sureties and of foreign fiduciaries the abatement survival and control of actions and rights of action and the presumption of death and also generally dealing with the jurisdiction powers and procedure of the orphans' court and of the register of wills in all matters relating to fiduciaries" by providing for the examination of safe deposit boxes rented in the names of decedents by an appraiser appointed by the Secretary of Revenue.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

#### POINT OF INFORMATION

Mr. DENT. Mr. President, I rise to a point of information.

The PRESIDENT. The gentleman from Westmoreland, Mr. Dent, will state his point of information.

Mr. DENT. Mr. President, has House Bill No. 1416 passed Second Reading?

The PRESIDENT. No, it has been requested that the bill go over in order.

Mr. DENT. Mr. President, I would suggest that the bill not go over in order, and that the bill be passed on Second Reading in order that it may be placed upon the Special Order of Business in order that the complete tax program may be debated at one time.

The PRESIDENT. Does the Majority Floor Leader desire to change his request?

Mr. WALKER. Mr. President, I am sorry, I apologize to the gentleman from Westmoreland. I was engaged and did not hear him.

Mr. DENT. Well, Mr. President, for the information of the gentleman from Allegheny, I believe that if we have an ounce of sincerity left in the Senate we ought to at least put all the tax bills in a position to be debated at the same time.

Mr. WALKER. Now, Mr. President, I do not know whether my religion is being raised again. All I do is defend my honor and my sincerity any more.

#### MOTION THAT HOUSE BILL No. 1416 BE READ FOR SECOND TIME

Mr. BARR. Mr. President, I move that House Bill No. 1416 be read for the second time.

The PRESIDENT. The Chair regrets to advise the Senator that his motion is not in order. We have to dispose of the previous request.

#### INTERROGATION

Mr. WALKER. Mr. President, will the gentleman from Allegheny, Mr. Barr, yeild? May I interrogate the gentleman from Westmoreland, Mr. Dent?



The PRESIDENT. Will the gentleman from Westmoreland, Mr. Dent, permit himself to be interrogated?

Mr. DENT. I will, Mr. President.

Mr. WALKER. Mr. President, do I understand that the gentleman from Westmoreland is suggesting that I withdraw my request that House Bill No. 1416 go over in its order?

The PRESIDENT. No, he is objecting that it be passed over in its order.

Mr. DENT. Thank you, Mr. President. I could not have done as good myself.

Mr. WALKER. Mr. President, I have inquired from the gentleman if he is requesting me to withdraw my request that House Bill No. 1416 go over in order so it could be read for the second time, and I gather the impression he is objecting, and I was just standing here thinking how sweet life would be if he would request it now. This is the first I knew that the gentleman did not want House Bill No. 1416 to go over in its order.

Mr. DENT. Mr. President, I only sent out a feather, I did not suggest it go over or anything else. I asked the Chair a question, and upon the answer from the Chair I said that if we had an ounce of sincerity left in the Senate of Pennsylvania, we ought to pass this bill and the other tax measures on Second Reading in order that all the tax bills could be debated and disposed of at the same time. I think some of us have come to the point where we cannot fool the people any longer.

Mr. WALKER. Mr. President, this seems to be the week that we must defend our honor. Yesterday the gentleman from Allegheny, Senator Barr, and now I gather very distinctly that my friend from Westmoreland, Senator Dent, is suggesting that if I have an ounce of sincerity I will move that bill up and debate it, too. Mr. President, I am entirely in favor of that and perfectly willing to do it, and if I could have understood the gentleman's request the first time it went around the track, I would have been very happy to have seconded his motion.

Mr. President, as I understand the present state of the record, there was a request made by the Majority Floor Leader to have House Bill No. 1416 go over in order. Now, Mr. President, I will be very happy to withdraw my request so that we can have it read for the second time. Then if the gentleman from Westmoreland desires to place it on tomorrow's Calendar as a Special Order of Business for any set time, I will be very happy to second that motion, and without sacrificing one bit of my sincerity or casting any smirch upon my shield or my escutcheon, I will be ready to discuss the tax program.

Mr. President, when it comes to fooling the people, I am sorry, I am still an amateur.

Mr. DENT. Mr. President, I am not going to defend my honor. The record speaks for itself.

#### REQUEST THAT HOUSE BILL No. 1416 GO OVER IN ORDER WITHDRAWN

Mr. WALKER. Mr. President, I withdraw my request that House Bill No. 1416, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

#### BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1416, entitled:

An Act to amend the act approved the eighteenth day of April one thousand nine hundred forty-nine (P. L. 512) entitled "An act relating to the administration and distribution of decedent's estates trust estates minors' estates and absentees' estates both as to real and personal property and the procedure relating thereto including the disposition of such estates or portions thereof and the determination of title thereto without the appointment of a fiduciary in certain cases the appointment bond removal and discharge of fiduciaries of such estates their powers duties and liabilities the rights of persons dealing with such fiduciaries and the rights of persons claiming an interest in such estates or in property distributed therefrom whether as claimants or distributees and containing provisions concerning guardians of the person of minors the powers duties and liabilities of sureties and of foreign fiduciaries the abatement survival and control of actions and rights of action and the presumption of death and also generally dealing with the jurisdiction powers and procedure of the orphans' court and of the register of wills in all matters relating to fiduciaries" by providing for the examination of safe deposit boxes rented in the names of decedents by an appraiser appointed by the Secretary of Revenue

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

#### MOTION THAT HOUSE BILL No. 1416 BE MADE A SPECIAL ORDER OF BUSINESS

Mr. DENT. Mr. President, I move you that House Bill No. 1416, Printer's No. 926, be made a Special Order of Business tomorrow afternoon at 2:30 p. m., Eastern Standard Time.

(The Senate was at ease.)

#### MOTION THAT HOUSE BILL No. 1416 BE MADE A SPECIAL ORDER OF BUSINESS WITHDRAWN

Mr. DENT. Mr. President, I withdraw my previous motion that House Bill No. 1416 be made a Special Order of Business at 2:30 o'clock, Eastern Standard Time.

#### MOTION THAT HOUSE BILL No. 1416 BE MADE A SPECIAL ORDER OF BUSINESS AMENDED

Mr. DENT. Mr. President, I now move that House Bill No. 1416, Printer's No. 926, be made a Special Order of Business at 2:45 p. m., Eastern Standard Time tomorrow.

Mr. BARR. I second the motion, Mr. President.

On the question,

Will the Senate agree to the motion?

Mr. HALUSKA. Mr. President, I have heard of political chicanery and I see it displayed right now. I made a motion that House Bill No. 840 become a Special Order of Business at 2 o'clock, and the Majority Floor Leader asked me to yield, and then I made it for 3 o'clock, for reasons better known to him and his Party. I did not care what time it was. It was my intention then to bring up House Bill No. 840 because it was the first bill on the Calendar covering the tax program, and now I find my colleague from Westmoreland County saying 2:30, then saying 2:55, five minutes before House Bill No. 840 comes up.

Mr. President, I think it comes in poor grace. I have no objection to making any other bills a Special Order



of Business if they come up in order, because House Bill No. 840 would have been up at 2 o'clock had I not yielded to the Majority Leader. I expect the Majority Party to keep faith and I ask him to yield until 3 o'clock or thereafter. I think it is very unfair to pull these tricks at the last minute.

The PRESIDENT. Does the gentleman from Cambria, Mr. Haluska, request a roll call, on the motion?

Mr. HALUSKA. I certainly do, Mr. President.

The PRESIDENT. Is there a seconder?

Mr. DENT. Mr. President, I do not know what is agitating certain individuals, but I know that the same motive does not agitate me. The only reason I asked that House Bill No. 1416 be made a Special Order of Business at 2:45 is because I felt, and I still feel, that House Bill No. 1416 should be passed, and as to House Bill No. 1698 and House Bill No. 1699, which are also revenue bills, I was going to ask that they, too, be made Special Orders of Business prior to the vote on the so-called income tax.

Mr. President, my purpose, and I will put it where everybody can understand it, because there is no secret, there is no ulterior motive, there is nothing dishonest in it. The only thing I am trying to do is to have these bills, which are of a less controversial nature, voted upon by the Senate of Pennsylvania in order that we can have at least \$26,500,000 worth of revenue to take care of the appropriations that this Senate, including myself, have voted for or indicated they will vote for over and above the budget. Then if House Bill No. 840 falls, these bills will not become the victims of a political vendetta. When men lose their tempers, they lose their sense of justice.

Mr. President, I want an opportunity to vote on these bills with a cool, clear head. When House Bill No. 840 comes up, it will stand or fall upon its own merits. I am not afraid of the vote on House Bill No. 840, I am not afraid of the outcome on House Bill No. 840, and I am not a bit disturbed about how any other individual votes. I am disturbed about how I stand up upon my own record when I face the people of my constituency and my own conscience.

Mr. President, I want to make a further motion when the time comes on the other revenue bills. I do not want them to become embroiled in the bitterness that may follow a strictly partisan or bipartisan fight.

#### INTERROGATION

Mr. YOSKO. Mr. President, may I interrogate the Majority Leader?

The PRESIDENT. Will the gentleman from Allegheny, Mr. Walker, permit himself to be interrogated?

Mr. WALKER. Certainly, Mr. President.

Mr. YOSKO. Mr. President, what time will we convene tomorrow?

Mr. WALKER. Mr. President, I was going to suggest 12:30, but I am a little reluctant to make a commitment on that until I see how far these motions go. The present thought, Mr. President, is that we will convene tomorrow at 12:30 p. m., Eastern Standard Time.

Mr. YOSKO. And what will the program be when we convene?

Mr. WALKER. Mr. President, the first order of business will be the prayer by the Chaplain.

Mr. YOSKO. Don't start getting funny, and don't start getting sarcastic. I am just asking a question. We know all

that, but lately here we have been following the procedure of going up as far as the Calendar, and then recess. Do you expect to do that tomorrow?

Mr. WALKER. Now, Mr. President, that is a different question. I apologize. I thought the gentleman wanted to know what the order of business was.

Mr. President, my intention at this point, and I do not think there will be any change, is that we will open as usual and go right straight through the Calendar with slight intermissions for debate on bills that might be controversial.

Mr. YOSKO. Mr. President, the reason I asked, the Majority Leader said we were going to convene at 12:30. I know that the Calendar is in such shape that it is not going to keep us here from 12:30 to 3, or from 12:30 until 2:30 or 2:45, according to the motions made over here, and I just wanted to get an expression from you to help solve this thing.

Mr. WALKER. Mr. President, the reason for saying 3 o'clock is that there are a couple of Members of the Senate who have other legislative business that will keep them out of the Senate Chamber for part of the afternoon. They will have completed that particular phase of their official business by 3 o'clock. They wanted to be here in order to hear the debate on the tax program and that is why I suggested to the gentleman from Cambria that he set 3 o'clock as the time for the Special Order of Business. Now, it may be that there might be slight hiatus in the program if we have to wait until 3 o'clock, but, on the other hand, there may be committee meetings. For example, at the present time on my memoranda here I have requests for seven or eight committee meetings for this afternoon that I am going to try to work in before we adjourn for the day.

Now, Mr. President, I do not know how many requests I will have for tomorrow, but the reason for the 3 o'clock request of the gentleman from Cambria, Senator Yosko, was that I wanted to be sure that all the Members of the Senate would have an opportunity to be here so that they could be enlightened by the debate on the tax program.

Mr. YOSKO. That is a satisfactory explanation, and, in my opinion, from what you have said I think Senator Haluska is right, and I think Senator Dent, after what you have just said, ought to change his motion to have the other tax bills considered after 3 o'clock.

Mr. WALKER. That is no question, Mr. President. I cannot answer that one.

Mr. YOSKO. I am saying in their regular order. If you are going to meet at 12:30 and you are going to go through the preliminaries and then recess until 3 o'clock, come back at 3—there has been a motion made for something for us to do at 3 o'clock, and I think all the other business ought to come after 3 o'clock, just from what you have said.

Mr. HALUSKA. Mr. President, I believe in fair play, and I believe all my colleagues do, and if it will help the situation, I am willing to ask the Senate to reconsider the motion that I made on House Bill No. 840, and let all bills come up in their order and have no bills made a Special Order of Business.

Mr. President, I request—I realize I am out of order



now, but I would request the Senate to reconsider my previous motion and let all bills come up in their order.

**MOTION TO RECONSIDER MOTION THAT HOUSE BILL No. 840 BE MADE A SPECIAL ORDER OF BUSINESS**

Mr. HALUSKA. Mr. President, I now move that my previous motion that House Bill No. 840 be made a Special Order of Business be reconsidered.

**POINT OF INFORMATION**

Mr. BARR. Mr. President, I rise to a point of information.

The PRESIDENT. The gentleman from Allegheny, Mr. Barr, will state his point of information.

Mr. BARR. Mr. President, which motion prevails, Senator Dent's motion or this one? There is a motion on the floor.

The PRESIDENT. The Senator from Cambria, Mr. Haluska is out of order.

Mr. HALUSKA. I yield to the gentleman from Westmoreland County, Mr. President.

Mr. LANE. Mr. President—

The PRESIDENT. The Chair would like to advise the Senator from Washington that there is a motion before the Senate, properly seconded, and a request for a roll call on the motion. Now, with that explanation, the Chair recognizes the Senator from Washington, Mr. Lane.

Mr. LANE. Mr. President, I am speaking on the motion made by Senator Dent. I believe that his position is sound, because I realize that tomorrow the debate on House Bill No. 840 is going to be rather bitter. I do not believe we should have these other tax measures made a victim of the debate on House Bill No. 840. Therefore, I take the position that we have to bring a little order out of this chaos, and I am in support of Senator Dent's motion because I realize this Commonwealth needs money, and we do not want to defeat all the tax bills because we may have a fight over House Bill No. 840.

Therefore, Mr. President, I am in support of Senator Dent's motion.

Mr. HALUSKA. Mr. President, it appears from the remarks made by the gentleman from Washington County that there would be no fight whatsoever over the other bills. I cannot understand his reasoning. There will be a fight on the other measures just as well as on House Bill No. 840, you can rest assured.

And the question recurring,

Will the Senate agree to the motion?

**POINT OF INFORMATION**

Mr. WALKER. Mr. President, I rise to a point of information.

The PRESIDENT. The gentleman from Allegheny, Mr. Walker, will state his point of information.

Mr. WALKER. Mr. President, I desire to interrogate the Chair on the question. If this motion prevails and House Bill No. 1416 is called up at 2:45, and in the midst of the debate or at the beginning of the roll call on House Bill No. 1416, the Senate clock shows that it is 3:00p. m., Eastern Standard Time, Mr. President, do we stop the proceedings on House Bill No. 1416 and proceed with House Bill No. 840, as we have now decided?

The PRESIDENT. Very definitely.

Mr. WALKER. Or do we ignore the step that we have already made on House Bill No. 840?

The PRESIDENT. Regardless of what the status of House Bill No. 1416 may be at that time.

Mr. WALKER. Now, Mr. President, I just merely submit to the gentlemen of the Senate, and I will say very frankly that in spite of the embarrassing position that we might be placed in tomorrow, I intend to vote in favor of Senator Dent's motion. I am perfectly willing to have these bills given a Special Order of Business. They can be lined up on the legislative track at whatever time or in whatever order the Members of the Senate decide, but I think it is getting a little silly when we are liable to run into the middle of a roll call and may be calling the roll on House Bill No. 1416 and voting on House Bill No. 840.

Mr. DENT. Mr. President, I have somewhat of a reputation of being a confusionist, but I never knew how badly I could be confused.

Mr. President, my original motion was made with the intention that we would have enough time to operate upon this piece of legislation before House Bill No. 840 came up. There was a request of the Majority Leader that we move that time up. He said, "Anywhere, 2:50, 2:55, I don't care." Did he know then that if this was made a Special Order of Business that House Bill No. 840 then would be interfered with?

Mr. President, I have no intention of interfering with the vote or debate on House Bill No. 840. I am trying to tell the Senate of Pennsylvania that I want an opportunity to vote upon \$26,500,000 worth of new revenue, in order to meet the requirements that I have placed upon the books by my vote in this Senate, before we become embroiled in any debate on House Bill No. 840. Now, if we want to make House Bill No. 840 a Special Order of Business for 3 o'clock, 2 o'clock or 1 o'clock, that is the business of the Senate.

**MOTION THAT HOUSE BILL No. 1416 BE MADE A SPECIAL ORDER OF BUSINESS WITHDRAWN**

Mr. DENT. Mr. President, again, with the permission of the seconder of the motion, I would like to again withdraw the motion that House Bill No. 1416 be made a Special Order of Business at 2:45 p. m., Eastern Standard Time, tomorrow.

**MOTION THAT HOUSE BILL No. 1416 BE MADE A SPECIAL ORDER OF BUSINESS AMENDED**

Mr. DENT. Mr. President, I now make a motion that House Bill No. 1416, Printer's No. 926, be made a Special Order of Business at 1 o'clock tomorrow afternoon. That will give us plenty of time to debate this question.

Mr. ROSENFELD. Mr. President, may we be at ease a minute?

(The Senate was at ease.)

The PRESIDENT. For the information of the Senate, the Chair wishes to state the condition of the record.

The Members will recall that the Minority Floor Leader made a motion, which was seconded by Senator Barr, that House Bill No. 1416, Printer's No. 926, be made a Special Order of Business tomorrow afternoon at 2:45 p. m., Eastern Standard Time. He subsequently withdrew



that motion and made another motion, with the consent of the seconder. The original motion was withdrawn, and then he made a motion that the same bill be considered at 1:00 p. m. tomorrow, Eastern Standard Time, for a Special Order of Business. That is the state of the record at the moment, the latter motion not having been seconded.

#### MOTION THAT HOUSE BILL No. 1416 BE MADE A SPECIAL ORDER OF BUSINESS WITHDRAWN

Mr. DENT. Mr. President, I wish to withdraw my motion at this time.

The PRESIDENT. Does the Chair understand that you are now withdrawing the last motion you made before the Senate was at ease?

Mr. DENT. I am clearing the desk, as it were.

The PRESIDENT. The Chair recognizes the gentleman from Cambria, Mr. Haluska.

#### RECONSIDERATION OF MOTION THAT HOUSE BILL No. 840 BE MADE A SPECIAL ORDER OF BUSINESS

Mr. HALUSKA. Mr. President, I now move that my previous motion that House Bill No. 840 be made a Special Order of Business at 3 o'clock tomorrow be reconsidered.

The PRESIDENT. How did the gentleman vote?

Mr. HALUSKA. I voted in the affirmative, Mr. President.

Mr. LANE. Mr. President, I second that motion.

The PRESIDENT. How did the gentleman vote?

Mr. LANE. In the affirmative, Mr. President.

The motion was agreed to.

#### BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1441, on second reading, entitled:

An Act to further amend the act approved the second day of June one thousand nine hundred fifteen (P. L. 736) entitled as amended "An act defining the liability of an employer to pay damages for injuries received by an employee in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties" by increasing maximum and minimum rates and deleting the limitation of number of weeks and aggregate of compensation for total disability increasing the maximum amounts payable upon death and increasing the minimum and maximum wages upon which death compensation shall be paid and changing procedure

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1442, on second reading, entitled:

An Act to further amend the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 566) entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employee arising out of and in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder imposing duties on the Department of Labor and Industry the Workmen's Compensation Board Workmen's Compensation Referees and deans of medical schools creating a medical board to determine controverted medical issues establishing an Occupational Disease Fund in custody of the State Work-

men's Insurance Board imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases making an appropriation and prescribing penalties" by increasing maximum and minimum rates and total amounts and aggregate of compensation and changing time for mailing medical report

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

#### BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1518, entitled:

An Act to amend Section 2001 of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by changing the provisions relating to protests by property owners to the exercise of zoning powers

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1557, entitled:

An Act to amend clause (h) of Section 9 of the act approved the twenty-fourth day of May one thousand nine hundred forty-five (P. L. 991) entitled "An act to promote elimination of blighted areas and supply sanitary housing in areas throughout the Commonwealth by declaring acquisition sound replanning and redevelopment of such areas to be for the promotion of health safety convenience and welfare creating public bodies corporate and politic to be known as Redevelopment Authorities authorizing them to engage in the elimination of blighted areas and to plan and contract with private corporate of governmental redevelopers for their redevelopment providing for the organization of such authorities defining and providing for the exercise of their powers and duties including the acquisition of property by purchase gift or eminent domain the leasing and selling of property including borrowing money issuing bonds and other obligations and giving security therefor restricting the interest of members and employees of authorities providing for notice and hearing supplying certain mandatory provisions to be inserted in contracts with redevelopers prescribing the remedies of obligees of redevelopment authorities conferring certain duties upon local planning commissions the governing bodies of cities and counties and on certain State officers boards and departments" by clarifying the provisions of said section with respect to the power of Redevelopment Authorities to purchase read property

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1669, entitled:



An Act to amend section one thousand three hundred ten point one of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" by providing for the sale of escheatable property by the Secretary of Revenue

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1698, entitled:

An Act to provide revenue by imposing a State tax upon certain documents prescribing and regulating the method and manner of evidencing the payment of such tax conferring powers and imposing duties upon certain persons partnerships associations and corporations recorders of deeds and the Department of Revenue serving certain local taxes and authorizing amendments extensions and supplements to the ordinances and resolutions relating thereto and providing penalties

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1699, entitled:

An Act to further amend the title and the act approved the twentieth day of June one thousand nine hundred nineteen (P. L. 521) entitled as amended "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death defining and taxing transfers made in contemplation of death defining as a transfer and taxing the right of survivorship in property as to which such right exists and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing

in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal" by imposing duties on surviving parties and banks or other institutions or depositories of joint accounts or accounts in trust and by adding a new section pertaining to the opening and examining of safety deposit boxes of decedents and providing penalties

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1715, entitled:

An Act making an appropriation to The Brandywine Battlefield Park Commission for the payment of necessary expenses

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

#### SENATE BILL No. 571 CALLED UP FROM POSTPONED CALENDAR

Mr. WALKER. Mr. President, I call up from the Second Reading Postponed Calendar Senate Bill No. 571 for consideration at this time.

The PRESIDENT. Is there objection? The Chair hears none.

#### BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 571, entitled:

An Act making an appropriation to the Department of Property and Supplies for the payment of rates, rentals and other charges that may become due on leases and other contracts executed by such department with The General State Authority, for the use and occupancy by the Commonwealth of various projects, structures, building and facilities of the Authority, or for the services rendered by the Authority or its projects.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

#### SPECIAL ORDER OF BUSINESS ON HOUSE BILL No. 1416, HOUSE BILL No. 1698, HOUSE BILL No. 840, AND HOUSE BILL No. 1699

Mr. DENT. Mr. President, I move that House Bill No. 1416, House Bill No. 1698, House Bill No. 840, and House Bill No. 1699, be made a Special Order of business tomorrow afternoon at 3 o'clock Eastern Standard Time, in the order that they have been mentioned.

On the question,

Mr. HALUSKA. Mr. President, I second the motion.

Will the Senate agree to the motion?

(A voice vote having been taken the question was determined in the affirmative.)



## REPORTS FROM COMMITTEES

Mr. CHAPMAN. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CHAPMAN, from the Committee on Appropriations, reported as committed, House Bill No. 1721, entitled:

An Act making an appropriation to the State Treasurer for the purpose of paying salaries and wages of State Officers and employes and other ordinary and general expenses in the interim between the thirty-first day of May one thousand nine hundred fifty-one and such time as the funds provided by the General Appropriation Act become available and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred fifty-one.

He also, from the Committee on Appropriations reported as committed, House Bill No. 1720, entitled:

An Act making an appropriation to the Department of Property and Supplies for the payment of rates rentals and other charges that may become due on leases and other contracts executed by such department with The General State Authority for the use and occupancy by the Commonwealth of various projects structures buildings and facilities of the Authority or for the service rendered by the Authority or its projects.

He also, from the Committee on Appropriations reported as committed, House Bill No. 1703, entitled:

An Act making an appropriation to the Senate and to the House of Representatives of the General Assembly and to the Legislative Reference Bureau for the payment of mileage compensation of employes and contingent expenses.

He also, from the Committee on Appropriations reported as amended, Senate Bill No. 572, entitled:

An Act making an appropriation to the State Veterans' Commission for the expenses of the commission, furnishing certain assistance to needy Pennsylvania veterans of any war or their dependents, for participation in certain defense activities, for the rehabilitation and care of veterans, including the acquisition of land by purchase, condemnation or gift, and construction of buildings for such purpose.

He also, from the Committee on Appropriations reported as amended, Senate Bill No. 735, entitled:

An Act making an appropriation to the Department of Welfare for the conversion and maintenance of the Oak-bourne Colony Hospital to a psychiatric hospital for children.

He also, from the Committee on Appropriations reported as committed, Senate Bill No. 754, entitled:

An Act making an appropriation to the trustees of Pennsylvania State College for the establishment and maintenance of a research laboratory for the study of animal and poultry diseases of economic concern to the poultry and livestock raisers of the Commonwealth.

He also, from the Committee on Appropriations reported as amended, Senate Bill No. 561, entitled:

An Act making an appropriation to the Department of Welfare for the purpose of administering the "Pennsylvania Hospital Survey and Construction Act of 1947."

He also, from the Committee on Appropriations reported as committed, Senate Bill No. 309, entitled:

An Act making an appropriation to the Pennsylvania State College of Optometry, Philadelphia, Pennsylvania.

He also, from the Committee on Appropriations reported as amended, Senate Bill No. 285, entitled:

An Act making an appropriation to the Elwyn Training School at Elwyn, Delaware County to provide adequate school building facilities and providing for a lien against the property improved thereby.

He also, from the Committee on Appropriations reported as committed, Senate Bill No. 764, entitled:

An Act making an appropriation to the Department of Forests and Waters for the use of the Valley Forge Park Commission for purchase of lands and for the necessary expenses incurred incident thereto.

He also, from the Committee on Appropriations reported as committed, Senate Bill No. 865, entitled:

An Act making an appropriation to the Department of Forests and Waters for a survey and research study of the extent of infection of woodlands of Pennsylvania by the oak wilt disease, and the determination of measures for control and eradication.

He also, from the Committee on Appropriations reported as committed, Senate Bill No. 825, entitled:

An Act making an appropriation to the State Planning Board for the purpose of aiding local governmental agencies in solving certain regional planning problems.

He also, from the Committee on Appropriations reported as committed, Senate Bill No. 732, entitled:

An Act making an appropriation to the Department of Military Affairs for the payment of certain moral claims; providing for the hearing adjustment and paying of moral claims growing out of property damages to certain persons as a result of accidents occurring through negligence in the operation of airplanes of or under the control of the Pennsylvania National Guard.

He also, from the Committee on Appropriations reported as amended, Senate Bill No. 557, entitled:

An Act making an appropriation to the Department of Mines for the purpose of administering the provisions of "The Coal Mine Sealing Act of 1947."

Mr. McGINNIS. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. McGINNIS, from the Committee on State Government, reported as committed, Senate Bill No. 867, entitled:

An Act to add section 2315.2 to the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards and commissions; and prescribing the manner in which the



number and compensation of the deputies and all other assistants and employes of certain departments, boards, and commissions shall be determined," by authorizing the Department of Welfare to enter into certain contracts for utility services at State institutions; and providing for the payment of services furnished and for the Commonwealth's share of expenses and charges incurred.

He also, from the Committee on State Government reported as committed, Senate Bill No. 868, entitled:

An Act to amend section 1 of the act approved the sixth day of April, one thousand nine hundred fifty-one (P. L. 68), entitled "An act authorizing the Department of Welfare, the Department of Health, or any departmental administrative board, commission or officer of either department to proceed by injunction or other process in the court of common pleas in any county where an alleged unauthorized activity is committed, to prohibit and restrain any unlicensed person, association, copartnership or corporation from engaging in an activity for which a license is required to be issued by either department and setting out the method of procedure therefor," by clarifying the provisions thereof to include periods when licenses are revoked, and periods after violation of laws, rules and regulations governing private institutions.

Mr. BERGER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BERGER, from the Committee on Labor and Industry, reported as committed, House Bill No. 1607, entitled:

An Act providing for the marking of liquified petroleum gas containers and prohibiting the refilling or use of such containers without authorization by the owner thereof authorizing the Department of Labor and Industry after public hearing to prescribe uniform regulations for safety in the design construction location installation and operation of equipment for storing handling transporting by tank truck or tank trailer and utilizing liquified petroleum gases for fuel purposes and for the odorization of said gases used therewith prohibiting the adoption by municipalities or other political subdivisions of ordinances or regulations in conflict with this act providing for prosecutions for violations of this act by summary proceedings and prescribing the penalty therefor.

#### STATEMENT BY MAJORITY LEADER

Mr. WALKER. Mr. President, I would like to state for the information of the gentlemen of the Senate that I have requests at this time from the chairmen of eight different Senate committees, asking for short recesses to hold five-minute meetings of their committees. Now, we all appreciate the time element involved and, Mr. President, in the sincere attempt to get through with these, I respectfully ask the cooperation of the gentlemen of the Senate. The order in which these committee meetings was requested was Highways, Labor and Industry, Public Health, Elections, Local Government, Banking, Law and Order and, last but not least, Rules.

Now, Mr. President, in light of the time element. I withdraw the request for a meeting of the Rules Committee and ask that the Senate do now take a five-minute recess to permit a meeting of the Senate Committee on Highways, with the full understanding, and with the cooperation of the Senate, that as soon as the Highways Committee is completed, I will call a meeting of the Labor Committee, Public Health and Welfare, Elections, Local Government, Banking, Law and Order, in that order, so that it will only be necessary to hold one committee meeting at

a time. The meeting on Highways is to be held in the conference room to the rear of the Senate Chamber.

Mr. President, before I make the motion, I yield to the gentleman from Lehigh.

#### POINT OF INFORMATION

Mr. FREED. Mr. President, I rise to a point of information.

The PRESIDENT. The gentleman from Lehigh, Mr. Freed, will state his point of information.

Mr. FREED. Mr. President, I would like to know if it is possible to get an amendment to House Bill No. 1698 on Second Reading?

The PRESIDENT. The Chair would say that it would not be a physical impossibility, but at the moment the bill has passed Second Reading and it is now being prepared for the Third Reading Calendar.

#### MOTION TO RECONSIDER HOUSE BILL No. 1698

Mr. FREED. Mr. President, may I ask to have the vote by which it went on Third Reading be referred back to Second Reading for the purpose of putting in an amendment?

The PRESIDENT. Does the Senator propose to make a motion that the vote by which House Bill No. 1698 passed Second Reading be reconsidered?

Mr. FREED. Yes, Mr. President.

The PRESIDENT. How did the gentleman vote?

Mr. FREED. With the majority, Mr. President.

The PRESIDENT. Is there a seconder to the motion?

Mr. STEVENSON. Mr. President, I will second that motion.

The PRESIDENT. How did the Senator vote?

Mr. STEVENSON. In the affirmative, Mr. President.

(The Senate was at ease).

#### MOTION TO RECONSIDER HOUSE BILL No. 1698 WITHDRAWN

Mr. FREED. Mr. President, I wish to withdraw my motion or request.

Mr. STEVENSON. Mr. President, I withdraw my seconding of the motion.

Mr. PEELOR. Mr. President. I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. PEELOR, from the Committee on Elections, reported as committed, House Bill No. 1640, entitled:

An Act to amend subsection (b) of Section 1403 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying and revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by further providing for the composition of the return board.

He also, from the Committee on Elections reported as committed, House Bill No. 1648, entitled:



An Act to further amend the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county board of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by further regulating the date of the primary election.

### RECESS

Mr. WALKER. Mr. President, I move that the Senate do now take a recess for five minutes, to permit a meeting of the Committee on Highways.

Mr. BERGER. Mr. President, I second th emotion.

The motion was agreed to.

### AFTER RECESS

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

### RECESS

Mr. WALKER. Mr. President, I move that the Senate do now take a recess for five minutes, to permit a meeting of the Committee on Banking.

Mr. CROWE. Mr. President, I second the motion.

The motion was agreed to.

### AFTER RECESS

The PRESIDING OFFICER (Fred P. Hare) in the Chair.

The PRESIDING OFFICER. The time of recess having elapsed the Senate will be in order.

### RECESS

Mr. WALKER. Mr. President, I move that the Senate do now take a recess for five minutes, to permit a meeting of the Committee on Local Government.

Mr. WATSON. Mr. President, I second the motion.

The motion was agreed to.

### AFTER RECESS

The PRESIDING OFFICER (A. Evans Kephart) in the Chair.

The PRESIDING OFFICER. The time of recess having elapsed the Senate will be in order.

### REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1370

Mr. STEVENSON. Mr. President, I submit the report of the Committee of Conference on House Bill No. 1370, entitled:

An Act to further amend Section 2004 of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "Third Class City Law," by limiting to forty hours the work week of police officers in certain cases.

The PRESIDING OFFICER. The report will lie over for printing under the rules.

### REPORTS FROM COMMITTEES

Mr. BLASS. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. BLASS, from the Committee on Highways, reported as committed, House Bill No. 744, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by requiring overhead exhaust outlets on diesel motor vehicles.

He also, from the Committee on Highways reported as committed, House Bill No. 1331, entitled:

An Act authorizing the Department of Highways to erect and maintain toll bridges over the Susquehanna River at certain points and to provide the necessary approaches and connections with State highways empowering counties to pay certain damages providing for the collection of tolls and making an appropriation.

He also, from the Committee on Highways reported as committed, House Bill No. 1585, entitled:

An Act to amend Section 9 of the act approved the eighteenth day of April one thousand nine hundred forty-nine (P. L. 604) entitled "An act to promote the welfare of the people of the Commonwealth creating a State Highway and Bridge Authority as a body corporate and politic with power to construct reconstruct improve maintain equip furnish and operate highway and bridge projects and roadside rests and to lease the same and to fix and collect fees rentals and charges for the use thereof authorizing and regulating the issuance of bonds by said Authority and providing for the payment of such bonds and the rights of the holders thereof and to enter into agreements with the Government of the United States or any Federal agency and authorizing the Department of Highways to grant assign convey or lease to the Authority lands easements or rights of way of the Commonwealth and interests therein and to acquire lands therefor authorizing said Authority and the Department of Highways to enter into agreements providing for mutual cooperation in furtherance of the construction of any project hereby authorized granting the rights of eminent domain empowering said Authority to sell and convey projects and property to the Commonwealth and providing that no debt of the Commonwealth or any of its political subdivisions shall be incurred in the exercise of any of the powers granted by this act and making an appropriation" by further providing for examination of the accounts and books of the Authority.

He also, from the Committee on Highways reported as committed, House Bill No. 1660, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine



(P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by requesting that logs carried on certain vehicles and trailers be securely fastened.

He also, from the Committee on Highways reported as committed, House Bill No. 1664, entitled:

An Act to amend Article VIII of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by further fixing fees for annual registration and chassis and maximum gross weights of certain commercial vehicles.

He also, from the Committee on Highways reported as committed, House Bill No. 1671, entitled:

An Act to amend Section 902 of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1242) entitled "An act relating to road streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto" by requiring the supervisors of townships of the second class to furnish the Department of Highways copies of petitions ordinances agreements and resolutions laying out or vacating public roads.

He also, from the Committee on Public Health and Welfare, reported as committed, House Bill No. 1428, entitled:

An Act to further amend the act approved the seventeenth day of May one thousand nine hundred seventeen (P. L. 208) entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words

"drug" and "poison" and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity" by defining "prescription" further providing for meetings of the board and examination of pharmacists by the board further regulating experience requirements of applicants for examination and registration as pharmacists exempting physicians from certain requirements of the act.

He also, from the Committee on Public Health and Welfare, reported as committed, House Bill No. 1429, entitled:

An Act to amend Section 1 of the act approved the twenty-seventh day of April one thousand nine hundred twenty-five (P. L. 299) entitled "A supplement to an act approved the seventeenth day of May one thousand nine hundred seventeen (P. L. 208) entitled 'An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words "drug" and "poison" and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity' providing for the registration of apprentices in pharmacy requiring employers of such apprentices to see that they are registered and imposing penalties" by requiring persons entering reputable and properly chartered colleges of pharmacy to apply to the State Board of Pharmacy for registration and certification as registered apprentices.

Mr. LETZLER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. LETZLER, from the Committee on Law and Order, reported as committed, House Bill No. 1503, entitled:

An Act to amend the title and to further amend sections two four five seven and fifteen of the act approved the twenty-seventh day of April one thousand nine hundred twenty-seven (P. L. 465) entitled "An act to provide for the safety of persons employed housed or assembled in certain buildings and structures not in cities of the first class second class and second class A by requiring certain construction and ways of egress equipment and maintenance providing for the licensing of projectionists requiring the submission of plans for examination and approval providing for the promulgation of rules and regulations for the enforcement of this act providing for the enforcement of this act by the Department of Labor and Industry and in certain cases by the chiefs of fire departments in cities of the third class providing penalties for violations of the provisions of this act and repealing certain acts" by excluding cities of the first class and second class and including cities of the second class A for the licensing of projectionists covering in Class I buildings not formerly covered and authorizing the increase of ways of egress.

Mr. FLEMING. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. FLEMING, from the Committee on Local Government, reported as amended, House Bill No. 1641, entitled:

An Act to add Section 599-A to Article V subdivision (j) of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act



concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by authorizing the appointment of special school police and defining their powers and duties.

He also, from the Committee on Local Government, reported as committed, House Bill No. 1680, entitled:

An Act to further amend the act approved the fifth day of May one thousand nine hundred eleven (P. L. 198) entitled "An act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" by conferring exclusive jurisdiction on the county court of Allegheny County in cases of appeals from decisions of the collector of mercantile taxes imposed by political subdivisions within the territorial limits of its jurisdiction.

### BILL INTRODUCED AND REFERRED

Mr. FLEMING. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. FLEMING read in place and presented to the Chair Senate Bill No. 869, entitled:

An Act to further amend Section 322 of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending, and consolidating the laws relating thereto," by clarifying the provisions of said section as to the minimum and maximum retirement allowance payments to be made from the employees retirement fund in counties of the second class to beneficiaries having heretofore retired.

Which was committed to the Committee on Local Government.

### REPORTS FROM COMMITTEE

Mr. WAGNER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WAGNER, from the Committee on Banking, reported as committed, Senate Bill No. 149, entitled:

An Act to amend section three of the act approved the twenty-sixth day of May, one thousand nine hundred forty-nine (P. L. 1828), entitled "An act concerning the investment powers and duties of guardians, committees, trustees, and other fiduciaries, except personal representatives, and prescribing the nature and kind of investments which may be made and retained by such fiduciaries" by adding a new paragraph (4) to authorize such fiduciaries to invest in bonds, notes or other obligations issued, assumed or guaranteed by International Bank for Reconstruction and Development.

He also, from the Committee on Banking, reported as committed, House Bill No. 1287, entitled:

An Act to further amend subsection B of section one thousand nine of the act, approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 624), entitled as amended "An Act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private bankers and employees' mutual banking associations; defining the rights, powers, duties, liabilities,

and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers and employees' mutual banking associations, and of the officers, directors, trustees, shareholders, attorneys, and other employees of all such corporations, employees' mutual banking associations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by and other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts," by further limiting the amount which may be invested in shares of other banking institutions.

He also, from the Committee on Banking, reported as committed, House Bill No. 1553, entitled:

An Act to further amend section twenty-seven of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 748) entitled as amended "An act relating to and regulating the purchase and sale of securities providing for the registration and regulation of certain individuals and entities selling contracting to sell or dispose of attempting or offering to dispose of soliciting offers to buy or inducing holders thereof to exchange securities defined herein including securities issued by them or engaging in the business of inducing holders of securities to effect the sale thereof in order to produce funds to pay for other investments sold by them or in the business of buying securities directly from individuals who are not registered hereunder or in the business of advising others as to the value or investment qualifications of securities and the management of investment accounts and the solicitors of such investment advisors providing for the revocation and suspension of registrations conferring powers and imposing duties on the Pennsylvania Securities Commission and otherwise providing for the administration of this act providing for appeals to the Court of Common Pleas of Dauphin County and to the Supreme Court of Pennsylvania conferring jurisdiction upon the several courts of common pleas to issue injunctions against violations of this act and to appoint receivers and prescribing fees and penalties" by increasing the fees charged by the Pennsylvania Securities Commission.

He also, from the Committee on Banking, reported as amended, Senate Bill No. 148, entitled:

An Act to further amend section one of the act approved the twenty-fifth day of April, one thousand nine hundred twenty-nine (P. L. 723), entitled "An act regulating the investment of funds by administrative departments, boards, commissions, and officers of the State Government," as last amended by the act approved the ninth day of June, one thousand nine hundred thirty-nine (P. L. 274) by adding a new paragraph (g) to authorize the investment of such funds in bonds, notes or other obligations issued, assumed or guaranteed by International Bank for Reconstruction and Development.

He also, from the Committee on Banking, reported as amended, House Bill No. 623, entitled:

An Act to amend subsection (f) of section two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 748) entitled as amended "An act relating to and regulating the purchase and sale of securities providing for the registration and regulation of certain individuals and entities selling contracting to sell or dispose of attempting or offering to dispose of soliciting offers to buy or inducing holders thereof to exchange securities defined herein including securities issued by them or engaging in the business of inducing holders of securities to effect the sale thereof in order to



produce funds to pay for other investments sold by them or in the business of buying securities directly from individuals who are not registered hereunder or in the business of advising others as to the value or investment qualifications of securities and the management of investment accounts and the solicitors of such investment advisors providing for the revocation and suspension of registrations conferring powers and imposing duties on the Pennsylvania Securities Commission and otherwise providing for the administration of this act providing for appeals to the Court of Common Pleas of Dauphin County and to the Supreme Court of Pennsylvania conferring jurisdiction upon the several courts of common pleas to issue injunctions against violations of this act and to appoint receivers and prescribing fees and penalties" by changing the exemptions of certain corporations the number of whose stockholders does not exceed twenty-five to companies the number of whose security holders does not exceed twenty-five by exempting certain offerings to directors officers and employees of the issuing company and certain private offerings by companies without any selling commission or fee by extending to companies certain exemptions now available only to corporations by eliminating the requirement that certain exemptions are not available until five days after a claim therefor is mailed or filed.

### COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

### APPROVED AND SIGNED SENATE CONCURRENT RESOLUTION RECALLING SENATE BILL No. 739 FROM THE GOVERNOR

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, September 25, 1951.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Concurrent Resolution recalling from the Governor Senate Bill No. 739, Printer's No. 546, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

JOHN S. FINE.

The PRESIDING OFFICER. The bill will be laid on the table.

### HOUSE MESSAGE

### RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 1505

The Clerk of the House of Representatives being introduced presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, September 25, 1951.

Resolved (If the Senate concur), That House Bill No. 1505, Printer's No. 805, entitled:

An Act to amend the act approved the twelfth day of June, one thousand nine hundred thirty-one (P. L. 510), entitled "An act providing for the licensure and regulation of certain private nursing homes and private hospitals; conferring certain powers and duties upon the Department of Welfare; and providing penalties," by further providing for the licensure and regulation of such nursing homes and hospitals.

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

### SENATE RESOLUTION

### BIRTHDAY CONGRATULATIONS TO CHARLES W. ETTINGER

Mr. YOSKO. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. YOSKO offered the following resolution which was twice read, considered and agreed to:

In the Senate, September 25, 1951.

Whereas today, Tuesday, September 25th, is the Anniversary of the birth of Charles W. Ettinger, Veteran Staff Writer for the Allentown Newspapers, and

Whereas, Charles W. Ettinger is one of the most erudite and perspicacious members of the journalistic profession in Pennsylvania, therefore

Be It Resolved, that the Senate of the Commonwealth of Pennsylvania do hereby felicitate Charles W. Ettinger on the anniversary of his birthday and wish him continued health and happiness, and

Be It Further Resolved that a copy of this resolution be dispatched to Charles W. Ettinger by the Secretary of the Senate.

### HOUSE MESSAGE

### HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 955

The Clerk of the House of Representatives being introduced, presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 955, entitled:

An Act to amend section 10 of the act approved the twenty-third day of May one thousand nine hundred forty-five (P. L. 903) entitled "An act authorizing cities of the third class to establish an optional retirement system for officers and employees independently of any pension system or systems existing in such cities" by removing the limitations on contributions by the city.

### HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1286

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1286, entitled:

An Act authorizing the Commonwealth to negotiate temporary emergency loans to defray current and other expenses of the State government during any fiscal biennium evidenced by tax anticipation notes, secured by and payable from current revenues of any current biennium levied, assessed, collectible and accruing during such fiscal biennium defining the powers and duties of the Governor, the Auditor General and the State Treasurer in relation thereto; providing for the payment of interest on and the repayment of such loans and making an appropriation.

### HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1402

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1402, entitled:



An Act providing for appeals to the court of common pleas from the decisions, rulings and findings of Civil Service Boards and Commissions in cities.

### REPORT FROM COMMITTEE

Mr. FLEMING. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. FLEMING, from the Committee on Local Government, reported as committed, Senate Bill No. 869, entitled:

An Act to further amend section 322 of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending, and consolidating the laws relating thereto," by clarifying the provisions of said section as to the minimum and maximum retirement allowance payments to be made from the employes retirement fund in counties of the second class to beneficiaries having heretofore retired.

### BILLS ON FIRST READING

Mr. WALKER. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 148, entitled:

An Act to further amend section one of the act approved the twenty-fifth day of April one thousand nine hundred twenty-nine (P. L. 723) entitled "An act regulating the investment of funds by administrative departments boards commissions and officers of the State Government" by authorizing the investment of such funds in bonds notes or other obligations issued assumed or guaranteed by International Bank for Reconstruction and Development.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 149, entitled:

An Act to amend section three of the act approved the twenty-sixth day of May, one thousand nine hundred forty-nine (P. L. 1828), entitled "An act concerning the investment powers and duties of guardians, committees, trustees, and other fiduciaries, except personal representatives, and prescribing the nature and kind of investments which may be made and retained by such fiduciaries" by adding a new paragraph (4) to authorize such fiduciaries to invest in bonds, notes or other obligations issued, assumed or guaranteed by International Bank for Reconstruction and Development.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 285, entitled:

An Act making an appropriation to the Elwyn Training School at Elwyn Delaware County to provide adequate school building facilities and providing for a lien against the property improved thereby

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 309, entitled:

An Act making an appropriation to the Pennsylvania State College of Optometry, Philadelphia, Pennsylvania

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 557, entitled:

An Act making an appropriation to the Department of Mines for the purpose of administering the provisions of "The Coal Mine Sealing Act of 1947".

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 561, entitled:

An Act making an appropriation to the Department of Welfare for the purpose of administering the "Pennsylvania Hospital Survey and Construction Act of 1947".

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 572, entitled:

An Act making an appropriation to the State Veterans' Commission for the expenses of the commission furnishing certain assistance to needy Pennsylvania veterans of any war or their dependents for participation in certain defense activities for the rehabilitation and care of veterans including the acquisition of land by purchase condemnation or gift and construction of buildings for such purpose.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 623, entitled:

An Act to amend subsection (f) of section two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 748) entitled as amended "An act relating to and regulating the purchase and sale of securities providing for the registration and regulation of certain individuals and entities selling contracting to sell or dispose of attempting or offering to dispose of soliciting offers to buy or inducing holders thereof to exchange securities defined herein including securities issued by them or engaging in the business of inducing holders of securities to effect the sale thereof in order to produce funds to pay for other investments sold by them or in the business of buying securities directly from individuals who are not registered hereunder or in the business of advising others as to the value or investment qualifications of securities and the management of investment accounts and the solicitors of such investment advisors providing for the revocation and suspension of registrations conferring powers and imposing duties on the Pennsylvania Securities Commission and otherwise providing for the administration of this act providing for



appeals to the Court of Common Pleas of Dauphin County and to the Supreme Court of Pennsylvania conferring jurisdiction upon the several courts of common pleas to issue injunctions against violations of this act and to appoint receivers and prescribing fees and penalties" by changing the exemptions of certain corporations the number of whose stockholders does not exceed twenty-five to companies the number of whose security holders does not exceed twenty-five by exempting certain offerings to directors officers and employes of the issuing company and certain private offerings by companies without any selling commission or fee by extending to companies certain exemptions now available only to corporations by eliminating the requirement that certain exemptions are not available until five days after a claim therefor is mailed or filed.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 732, entitled:

An Act making an appropriation to the Department of Military Affairs for the payment of certain moral claims; providing for the hearing, adjustment and paying of moral claims growing out of property damages to certain persons as a result of accidents occurring through negligence in the operation of airplanes of or under the control of the Pennsylvania National Guard

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 735, entitled:

An Act making an appropriation to the Department of Welfare for the conversion and maintenance of the Oakbourne Colony Hospital to a psychiatric hospital for children.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 744, entitled:

An Act to amend Article VIII of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by requiring overhead exhaust outlets on diesel motor vehicles.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 754, entitled:

An Act making an appropriation to the trustees of Pennsylvania State College for the establishment and maintenance of a research laboratory for the study of animal and poultry diseases of economic concern to the poultry and livestock raisers of the Commonwealth.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 764, entitled:

An Act making an appropriation to the Department of Forests and Waters for the use of the Valley Forge Park Commission for purchase of lands and for the necessary expenses incurred incident thereto.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 825, entitled:

An Act making an appropriation to the State Planning Board for the purpose of aiding local governmental agencies in solving certain regional planning problems.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 854, entitled:

An Act to add sections 324.1 and 324.2 to the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by providing for credit for years of service for certain former state employes and for the furnishing of information and the transfer of certain monies by the board to the State Employees' Retirement Board.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 855, entitled:

An Act to add Sections 11.1 and 11.2 to the act, approved the twenty-eighth day of May, one thousand nine hundred fifteen (P. L. 596), entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities, and regulating the administration and the payment of such pensions," by providing for credit for years of service for certain former State employes and for the furnishing of information and the transfer of certain monies by the pension board to the State Employees' Retirement Board.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,



The Senate proceeded to the first reading and consideration of Senate Bill No. 856, entitled:

An Act to add sections 10.2 and 10.3 to the act approved the fourth day of June, one thousand nine hundred thirty-seven (P. L. 1625), entitled "An act providing for the creation, maintenance and operation of a county employees retirement system in counties of the third class; and imposing certain charges on counties," by providing for credit for years of service for certain former state employees and for the furnishing of information and the transfer of certain monies by the board to the State Employees' Retirement Board.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 857, entitled:

An Act to add sections 10.1 and 10.2 to the act approved the fifth day of August, one thousand nine hundred forty-one (P. L. 803) entitled as amended "An act providing for the creation, maintenance and operation of a county employees' retirement system in counties of the fifth, sixth, seventh, and eighth class; imposing certain charges on counties, and prescribing penalties," by providing for credit for years of service for certain former state employees and for the furnishing of information and the transfer of certain monies by the board to the State Employees' Retirement Board.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 858, entitled:

An Act to add sections 11.1 and 11.2 to the act, approved the eighth day of July, one thousand nine hundred forty-one (P. L. 298), entitled "An act authorizing the creation of, and providing for, and regulating the maintenance and operation of a county employees' retirement system, in counties of the fourth class, imposing certain charges on counties, and fixing penalties," by providing for credit for years of service for certain former state employees and for the furnishing of information and the transfer of certain monies by the board to the State Employees' Retirement Board.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 859, entitled:

An Act to add Sections 10.1 and 10.2 to the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employees' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employees, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employees serve; excepting annuities, allowances; returns, benefits, and rights from taxation and judicial process; and providing penalties," by providing for credit for years of service for certain former employees of counties and municipalities and for the furnishing of information and the transfer of certain moneys by the board to the retirement boards of counties and municipalities.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 860, entitled:

An Act to add subdivision (d) to Article XLIII of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," by providing for credit for years of service for certain former State employees and for the furnishing of information and the transfer of certain monies by pension boards to the State Employees' Retirement Board.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 861, entitled:

An Act to add Sections 10.1 and 10.2 to the act, approved the fourth day of June, one thousand nine hundred forty-three (P. L. 886), entitled as amended "An act creating a Municipal Employees' Retirement System for the payment of retirement allowances to officers and employees of political subdivisions and municipal authorities and of institutions supported and maintained by political subdivisions, and providing for the administration of the same by a board composed of certain state officers and others appointed by the Governor; imposing certain duties on the State Employees' Retirement Board and the actuary thereof; providing the procedure whereby political subdivisions and municipal authorities may join such system, and imposing certain liabilities and obligations on such political subdivisions and municipal authorities in connection therewith, and as to certain existing retirement and pension systems, and upon officers and employees of such political subdivisions; institutions supported and maintained by political subdivisions, and upon municipal authorities; providing certain exemptions from taxation, execution, attachment, levy and sale; and making an appropriation," by providing for credit for years of service for certain former state employees and for the furnishing of information and the transfer of certain monies by the board to the State Employees' Retirement Board.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 862, entitled:

An Act to add Sections 11.1 and 11.2 to the act, approved the twentieth day of May, one thousand nine hundred fifteen (P. L. 566), entitled "An act requiring cities of the first class to establish a pension fund for employees of said cities, and all county or other public employees, if any, paid by appropriation of the city councils thereof, and out of the treasury of said cities, and regulating the administration and the payment of such pensions," by providing for credit for years of service for certain former State employees and for the furnishing of information and the transfer of certain monies by the Board of Pensions to the State Employees' Retirement Board.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 865, entitled:



An Act making an appropriation to the Department of Forests and Waters for a survey and research study of the extent of infection of woodlands of Pennsylvania by the oak wilt disease, and the determination of measures for control and eradication.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 867, entitled:

An Act to add section 2315.2 to the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employees in certain departments, boards and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments, boards, and commissions shall be determined," by authorizing the Department of Welfare to enter into certain contracts for utility services at State institutions; and providing for the payment of services furnished and for the Commonwealth's share of expenses and charges incurred.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 868, entitled:

An Act to amend section 1 of the act approved the sixth day of April, one thousand nine hundred fifty-one (P. L. 68), entitled "An act authorizing the Department of Welfare, the Department of Health, or any departmental administrative board, commission or officer of either department to proceed by injunction or other process in the court of common pleas in any county where an alleged unauthorized activity is committed, to prohibit and restrain any unlicensed person, association, copartnership or corporation from engaging in an activity for which a license is required to be issued by either department, and setting out the method of procedure therefor," by clarifying the provisions thereof to include periods when licenses are revoked, and periods after violation of laws, rules and regulations governing private institutions.

And said bill having been read at length the first time  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 869, entitled:

An Act to further amend section 322 of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending, and consolidating the laws relating thereto," by clarifying the provisions

of said section as to the minimum and maximum retirement allowance payments to be made from the employees' retirement fund in counties of the second class to beneficiaries having heretofore retired.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1116, entitled:

An Act to further amend Sections 1 and 2 of the act approved the twenty-fourth day of July one thousand nine hundred thirteen (P. L. 965) entitled "An act defining commodities regulating the sale thereof and providing penalties for violation hereof" by defining further words and terms and regulating the sale of certain additional commodities.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1287, entitled:

An Act to further amend subsection B of section one thousand nine of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled as amended "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers and employees' mutual banking associations defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and employees' mutual banking associations and of the officers directors trustees shareholders attorneys and other employees of all such corporations employees' mutual banking associations or private bankers or of affiliated corporation associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by further limiting the amount which may be invested in shares of other banking institutions.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1331, entitled:

An Act authorizing the Department of Highways to erect and maintain toll bridges over the Susquehanna River at certain points and to provide the necessary approaches and connections with State highways empowering counties to pay certain damages providing for the collection of tolls and making an appropriation.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1428, entitled:



An Act to further amend the act approved the seventeenth day of May one thousand nine hundred seventeen (P. L. 208) entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words "drug" and "poison" and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity" by defining "prescription" further providing for meetings of the board and examination of pharmacists by the board further regulating experience requirements of applicants for examination and registration as pharmacists exempting physicians from certain requirements of the act.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1429, entitled:

An Act to amend Section 1 of the act approved the twenty-seventh day of April one thousand nine hundred twenty-five (P. L. 299) entitled "A supplement to an act approved the seventeenth day of May one thousand nine hundred seventeen (P. L. 208) entitled 'An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words "drug" and "poison" and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity' providing for the registration of apprentices in pharmacy requiring employes of such apprentices to see that they are registered and imposing penalties" by requiring persons entering reputable and properly chartered colleges of pharmacy to apply to the State Board of Pharmacy for registration and certification as registered apprentices

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1503, entitled:

An Act to amend the title and to further amend sections two four five seven and fifteen of the act approved the twenty-seventh day of April one thousand nine hundred twenty-seven (P. L. 465) entitled "An act to provide for the safety of persons employed housed or assembled in certain buildings and structures not in cities of the first class second class and second class A by requiring certain construction and ways of egress equipment and maintenance providing for the licensing of projectionists requiring the submission of plans for examination and approval providing for the promulgation of rules and regulations for the enforcement of this act providing for the enforcement of this act by the Department of Labor and Industry and in certain cases by the chiefs of fire departments in cities of the third class providing penalties for violations of the provisions of this act and repealing certain acts" by excluding cities of the first class and second class and including cities of the second class A for the licensing of projectionists covering in Class I buildings not formerly covered and authorizing the increase of ways of egress

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1533, entitled:

An Act to further amend Section 28 of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 414) entitled "An act relating to vital statistics and to make uniform the law with reference thereto" by further providing for payment of the compensation of local registrars.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1550, entitled:

An Act to further amend Section 1 of the act approved the twenty-fifth day of April one thousand nine hundred twenty-nine (P. L. 723) entitled "An act regulating the investment of funds by administrative departments boards commissions and officers of the State Government" by expanding the investment powers of State administrative departments boards commissions or officers.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1553, entitled:

An Act to further amend section twenty-seven of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 748) entitled as amended "An act relating to and regulating the purchase and sale of securities providing for the registration and regulation of certain individuals and entities selling contracting to sell or dispose of attempting or offering to dispose of soliciting offers to buy or inducing holders thereof to exchange securities defined herein including securities issued by them or engaging in the business of inducing holders of securities to effect the sale thereof in order to produce funds to pay for other investments sold by them or in the business of buying securities directly from individuals who are not registered hereunder or in the business of advising others as to the sale or investment qualifications of securities and the management of investment accounts and the solicitors of such investment advisors providing for the revocation and suspension of registrations conferring powers and imposing duties on the Pennsylvania Securities Commission and otherwise providing for the administration of this act providing for appeals to the Court of Common Pleas of Dauphin County and to the Supreme Court of Pennsylvania conferring jurisdiction upon the several courts of common pleas to issue injunctions against violations of this act and to appoint receivers and prescribing fees and penalties" by increasing the fees charged by the Pennsylvania Securities Commission.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1585, entitled:

An Act to amend Section 9 of the act approved the eighteenth day of April one thousand nine hundred forty-nine (P. L. 604) entitled "An act to promote the welfare of the people of the Commonwealth creating a State Highway and Bridge Authority as a body corporate and politic with power to construct reconstruct improve maintain equip furnish and operate highway and bridge projects and roadside rests and to lease the same and to



fix and collect fees rentals and charges for the use thereof authorizing and regulating the issuance of bonds by said Authority and providing for the payment of such bonds and the rights of the holders thereof and to enter into agreements with the Government of the United States or any Federal agency and authorizing the Department of Highways to grant assign convey or lease to the Authority lands easements or rights of way of the Commonwealth and interests therein and to acquire lands therefor authorizing said Authority and the Department of Highways to enter into agreements providing for mutual cooperation in furtherance of the construction of any project hereby authorized granting the rights of eminent domain empowering said Authority to sell and convey projects and property to the Commonwealth and providing that no debt of the Commonwealth or any of its political subdivisions shall be incurred in the exercise of any of the powers granted by this act and making an appropriation" by further providing for examination of the accounts and books of the Authority.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1587, entitled:

An Act to amend section 8 of the act approved the thirty-first day of March one thousand nine hundred forty-nine (P. L. 372) entitled "An act to promote the welfare of the people of the Commonwealth creating The General State Authority as a body corporate and politic with power to construct improve equip furnish and operate projects and to lease the same and to fix fees rentals and charges for the use thereof authorizing and regulating the issuance of bonds for said Authority and providing for the payment of such bonds and the rights of the holders thereof and to enter into agreements with the Government of the United States or any Federal agency and authorizing the Department of Property and Supplies to grant assign convey or lease to the Authority lands of the Commonwealth and interests therein and to acquire lands therefor granting the right of eminent domain empowering The General State Authority to sell and convey projects and property to the Commonwealth and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act" by further providing for examination of the accounts and books of the Authority

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1603, entitled:

An Act to further amend Section 4 to amend subsection (d) of Section 4.1 to add Section 4.2 and 4.3 and to amend paragraph (1) of Section 14 of the act approved the twentieth day of May one thousand nine hundred fifteen (P. L. 566) entitled "An act requiring cities of the first class to establish a pension fund for employees of said cities and all county or other public employees if any paid by appropriation of the city councils thereof and out of the treasury of said cities and regulating the administration and the payment of such pensions" by clarifying the amount of contributions by certain pensioners and the method of computing lessers pensions changing date of completing certain payments and the age to which pension increments may be computed fixing minimum pensions and providing benefits for surviving spouse

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1607, entitled:

An Act providing for the marking of liquified petroleum gas containers and prohibiting the refilling or use of such containers without authorization by the owner thereof authorizing the Department of Labor and Industry after public hearing to prescribe uniform regulations for safety in the design construction location installation and operation of equipment for storing handling transporting by tank truck or tank trailer and utilizing liquified petroleum gases for fuel purposes and for the odorization of said gases used therewith prohibiting the adoption by municipalities or other political subdivisions of ordinances or regulations in conflict with this act providing for prosecutions for violations of this act by summary proceedings and prescribing the penalty thereof

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1640, entitled:

An Act to amend subsection (b) of Section 1403 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by further providing for the composition of the return board

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1641, entitled:

An Act to add Section 599-A to Article V subdivision (j) of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by authorizing the appointment of special school police and defining their powers and duties.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1644, entitled:

An Act declaring the Communist Party and similar Revolutionary Organizations illegal making membership in or participation in the revolutionary activities of the Communist Party or any organization furthering the revolutionary conspiracy by force and violence a felony and providing penalties.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1648, entitled:



An Act to further amend the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by further regulating the date of the primary election

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1660, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by requiring that logs carried on certain vehicles and trailers be securely fastened.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1664, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of

fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by further fixing fees for annual registration and chassis and maximum gross weights of certain commercial vehicles

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1671, entitled:

An Act to amend Section 902 of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1242) entitled "An act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto" by requiring the supervisors of townships of the second class to furnish the Department of Highways copies of petitions ordinances agreements and resolutions laying out or vacating public roads.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1678, entitled:

An Act to further amend the act approved the twenty-first day of January one thousand nine hundred forty-seven (P. L. 3) entitled "An act relating to officers and employes of the General Assembly fixing the number qualifications compensation mileage and duties of the officers and employes of the Senate and of the House of Representatives providing for their election or appointment term of office or of service removal and manner of filling vacancies and making appropriations to the Senate House of Representatives and Legislative Reference Bureau" by providing for compensation on a daily basis for certain employes of the General Assembly when a regular biennial session of the General Assembly remains in session beyond the fifteenth day of June making appropriations

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1680, entitled:

An Act to further amend the act approved the fifth day of May one thousand nine hundred eleven (P. L. 198) entitled "An act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" by conferring exclusive jurisdiction on the county court of Allegheny County in cases of appeals from decisions of the collector of mercantile taxes imposed by political subdivisions within the territorial limits of its jurisdiction

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1703, entitled:

An Act making an appropriation to the Senate and to the House of Representatives of the General Assembly and to the Legislative Reference Bureau for the payment of mileage compensation of employes and contingent expenses



And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1720, entitled:

An Act making an appropriation to the Department of Property and Supplies for the payment of rates rentals and other charges that may become due on leases and other contracts executed by such department with The General State Authority for the use and occupancy by the Commonwealth of various projects structures buildings and facilities of the Authority or for the service rendered by the Authority or its projects

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1721, entitled:

An Act making an appropriation to the State Treasurer for the purpose of paying salaries and wages of State Officers and employes and other ordinary and general expenses in the interim between the thirty-first day of May one thousand nine hundred fifty-one and such time as the funds provided by the General Appropriation Act becomes available and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred fifty-one

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

### ADJOURNMENT

Mr. WALKER. Mr. President, I move that the Senate do now adjourn until Wednesday, September 26, 1951, at 12:30 o'clock, p. m., Eastern Standard Time.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 4:40 o'clock, p. m., Eastern Standard Time, until Wednesday, September 26, 1951, at 12:30 o'clock p. m., Eastern Standard Time.

## HOUSE OF REPRESENTATIVES

TUESDAY, September 25, 1951

The House met at 10:00 a. m. EST.

The SPEAKER (Herbert P. Sorg) in the Chair.

### PRAYER

The Chaplain, Reverend William Hugh Fryer, offered the following prayer:

Lord God, Ruler of all the earth, receive our prayer, we beseech Thee for our State. We pray Thee that Thy power and mercy may rule those who guide, and order those who legislate. Let all seek the good of all people and not of self. Let them govern in the fear of God and not the fear of man or for personal advantage of their own, O Lord bless us, cleanse us and defend us and revive Thy work in this Nation, that we may indeed be a people fearing Thee and doing righteousness; through Jesus Christ our Lord. Amen.

## JOURNAL APPROVED

The SPEAKER. Are there any corrections to the Journal of Monday, September 24, 1951? If not, and without objection, the Journal is approved.

### BILLS INTRODUCED AND REFERRED

By Mr. WOOD.

HOUSE BILL No. 1738.

An Act making an appropriation to the State Public School Building Authority for payment of the costs and expenses incurred in the work of the Authority.

Referred to the Committee on Appropriations.

By Mr. WOOD.

HOUSE BILL No. 1739.

An Act making an appropriation to the Department of Property and Supplies to conduct a service for photographing correspondence, records, reports and other papers; and for studying and recommending filing systems or the use of space by departments, boards and commissions.

Referred to the Committee on Appropriations.

### PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. HELM asked and obtained permission for the Committee on Labor Relations to meet during the session of the House.

## SENATE MESSAGES

### CONCURRENCE IN HOUSE RESOLUTION

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, September 24, 1951.

Resolved (if the Senate concur), That House Bill No. 1057, Printer's No. 667, entitled "An act to add Section 6.1 to the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1216) entitled 'An act to define real estate brokers and real estate salesmen and providing for the licensing regulation and supervision of resident and nonresident real estate brokers and real estate salesmen and their business' by authorizing the issuance of limited real estate brokers' and salesmen's licenses exclusively within the limited field or branch of the real estate business applying to cemetery lots plots and mausoleum spaces or openings and conferring powers and imposing duties upon the Department of Public Instruction and the State Real Estate Commission with respect to examination for and the issuance of such licenses" be recalled from the Governor for the purpose of amendment.

### SENATE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON BILL No. 757

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the differences existing between the two Houses on House Bill numbered and entitled as follows:

HOUSE BILL No. 757.

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 757, entitled: "An



act to add Article XVI-A to the act, approved the seventh day of March, one thousand nine hundred one (P. L. 20) entitled 'An act for the government of cities of the second class,' by providing for the establishment of a municipal traffic court in cities of the second class."

Respectfully submit the following bill as our report:

ROBERT D. FLEMING,  
JOHN M. WALKER,  
JOSEPH M. BARR,  
(Committee on the part of the Senate.)  
JOSEPH P. RIGBY,  
DANIEL A. VERONA,  
GEORGE W. COOPER,  
(Committee on the part of the  
House of Representatives.)

#### AMENDED HOUSE BILLS RECALLED FROM GOVERNOR CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

##### HOUSE BILL No. 548.

An Act to amend Subsection (c) of Section 823, and to add Section 823.1 and 823.2 to the act, approved, the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims, registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by providing penalties for removal or transfer of certificates of inspection from vehicles and official inspection stations

Said bill having been recalled from the Governor for the purpose of amendment, the vote had on final passage and third reading on said bill was reconsidered in the House and the bill amended, in which amendments the Senate has concurred.

#### SENATE MESSAGE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

##### HOUSE BILL No. 815.

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof

upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by providing that the Department of Revenue shall furnish one registration plate for every registered vehicle.

Said bill having been recalled from the Governor for the purpose of amendment, the vote had on final passage and third reading on said bill was reconsidered in the House and the bill amended, in which amendments the Senate has concurred.

#### SENATE MESSAGE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

##### HOUSE BILL No. 1348.

An Act to amend Section 1 of the act approved the eighth day of May one thousand nine hundred one (P. L. 150) entitled "An act providing for the raising of revenue for State purposes by imposing upon certain foreign corporations limited partnership and joint-stock associations a bonus of one-third of one per centum upon the capital actually employed in Pennsylvania and requiring the filing of certain reports in the office of the Auditor General" by exempting from the provisions thereof foreign nonprofit corporations

Said bill having been recalled from the Governor for the purpose of amendment, the vote had on final passage and third reading on said bill was reconsidered in the House and the bill amended, in which amendments the Senate has concurred.

#### HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

##### HOUSE BILL No. 28.

An Act to further amend section 703 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by changing the compensation paid to township commissioners.

##### HOUSE BILL No. 274.

An Act to further amend Section 1001 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by increasing the compensation of the township auditors

##### HOUSE BILL No. 1335.

An Act to further amend Section 11 of the act approved



the twentieth day of May one thousand nine hundred fifteen (P. L. 566) entitled "An act requiring cities of the first class to establish a pension fund for employees of said cities and all county or other public employees if any paid by appropriation of the city councils thereof and out of the treasury of said cities and regulating the administration and the payment of such pensions" by providing for credit or service with a school district of the first class for members of a first class city pension fund in certain cases

#### HOUSE BILL No. 1599.

An Act providing for an expense allowance for members of the board of inspectors of the Berks County Prison.

With the information that the Senate has passed the same without amendment.

### REPORTS FROM COMMITTEES

Mr. BLAIR from the Committee on Municipal Corporations, reported as amended, Senate Bill No. 753, entitled:

An Act providing for an enumeration of persons subject to per capita and occupational taxes in counties wherein are situated school districts of the second third and fourth class placing the expense thereof on taxing districts levying such taxes conferring powers and imposing duties on boards of school directors of such school districts county commissioners and chief county assessors in such counties.

Mr. LOVETT from the Committee on Labor Relations, reported as amended, Senate Bill No. 769, entitled:

An Act requiring all buildings under construction or alteration which are to be five stories or more in height to be equipped with a temporary hoist or hoisting device or equipment for the use of building construction workmen imposing certain duties upon the Department of Labor and Industry and providing penalties.

### BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

#### HOUSE BILL No. 28.

An Act to further amend section 703 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by changing the compensation paid to township commissioners.

#### HOUSE BILL No. 274.

An Act to further amend Section 1001 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by increasing the compensation of the township auditors.

#### HOUSE BILL No. 757.

An Act to add Article XVI-A to the act approved the seventh day of March one thousand nine hundred one (P. L. 20) entitled "An act for the government of cities of the second class" by providing for the establishment of a municipal traffic court in cities of the second class.

#### HOUSE BILL No. 815.

An Act to further amend the act approved the first day

of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by providing that the Department of Revenue shall furnish one registration plate for every registered vehicle

#### HOUSE BILL No. 1335.

An Act to further amend Section 11 of the act approved the twentieth day of May one thousand nine hundred fifteen (P. L. 566) entitled "An act requiring cities of the first class to establish a pension fund for employees of said cities and all county or other public employees if any paid by appropriation of the city councils thereof and out of the treasury of said cities and regulating the administration and the payment of such pensions" by providing for credit for service with a school district of the first class for members of a first class city pension fund in certain cases.

#### HOUSE BILL No. 1348.

An Act to amend Section 1 of the act approved the eighth day of May one thousand nine hundred one (P. L. 150) entitled "An act providing for the raising of revenue for State purposes by imposing upon certain foreign corporations limited partnership and joint-stock associations a bonus of one-third of one per centum upon the capital actually employed in Pennsylvania and requiring the filing of certain reports in the office of the Auditor General" by exempting from the provisions thereof foreign nonprofit corporations.

#### HOUSE BILL No. 1599.

An Act providing for an expense allowance for members of the board of inspectors of the Berks County Prison.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

### ANNOUNCEMENTS

The SPEAKER. The Chair informs the Members that there will be a Republican caucus and a Democratic caucus in their respective caucus rooms during a recess about to be called, if there are no objections.

Mr. SMITH. Mr. Speaker, during the recess I would like to call a caucus in the Republican Caucus Room at 1 o'clock daylight saving time. I would ask the Members to be in the Caucus Room at that time so that we can finish our caucus and be on the floor in due time.

Mr. ANDREWS. Mr. Speaker, immediately upon the calling of the recess, the minority group will hold a caucus in the Minority House Caucus Room. We will caucus and be finished with that business and there will be plenty of time then for the Members to go to lunch.



## RECESS

The SPEAKER. If there is no objection, the Chair will declare a recess for one hour and a half. The Chair hears none, and a recess is declared.

## AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Herbert P. Sorg) in the Chair.

PERMISSION GRANTED COMMITTEES TO  
MEET DURING SESSION

Mr. McKINNEY asked and obtained permission for the Committee on Judiciary to meet during the session of the House.

Mr. WOOD asked and obtained permission for the Committee on Appropriations to meet during the session of the House.

## BILL INTRODUCED AND REFERRED

By Messrs. EWING and HAUDENSHIELD.

HOUSE BILL No. 1740.

An Act making an appropriation to the Department of Forests and Waters for flood control and stream clearance work and the diversion of certain waters in Allegheny County, and to carry into effect the provisions of existing laws relating thereto.

Referred to the Committee on Appropriations.

## SENATE MESSAGE

## SENATE BILL FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bill numbered and entitled as follows:

SENATE BILL No. 652.

An Act to further amend the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by providing credit for retirement purposes for our-of-state service in certain cases.

Referred to the Committee on Education.

REPORT OF COMMITTEE OF CONFERENCE  
ON HOUSE BILL NO. 1102

Mr. KENT. Mr. Speaker, I desire to submit the report of the Committee of Conference on House Bill No. 1102.

The SPEAKER. The report will lie over for printing under the rules.

COMMUNICATION AND BILL TAKEN FROM  
TABLE

Mr. TOOMEY. Mr. Speaker, I move that House Bill No. 269, Printer's No. 184 together with communication from the Governor be taken from the table.

The motion was agreed to.

## COMMUNICATIONS FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE CONCURRENT RESOLUTION  
RECALLING HOUSE BILL No. 269.

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, August 17, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania: :

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 269, Printer's No. 184, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

JOHN S. FINE.

## RECONSIDERATION OF VOTE

Mr. TOOMEY. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

Mr. SWOPE. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Perry, Mr. Toomey vote on the final passage of this bill?

Mr. TOOMEY. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Berks, Mr. Swope vote on the final passage of this bill?

Mr. SWOPE. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. TOOMEY. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question,

Will the House agree to the bill on third reading?

Mr. TOOMEY. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Section 1519, page 3, line 9, by striking out at the end of the line after the word "therefor" the following: "Any such school district."

Amend Section 1519, page 3, by striking out lines 10 and 11.

Amend Section 1519.1, page 4, line 1, by striking out after the word "Preparation" and before the word "and" the following: "publishing," and inserting in lieu thereof the following: "publication."

Amend Section 1519.1, page 4, by striking out lines 6 to 12, inclusive.

Amend Section 1519.1, page 4, line 14, by striking out after the word "school" and before the numerals "1951-52" the following: "term," and inserting in lieu thereof the following: "year."

Amend Section 1519.1, page 4, line 15, by striking out after the word "school" and before the word "thereafter" the following: "term," and inserting in lieu thereof the following: "year."

Amend Section 1519.1, page 4, line 18, by striking out at the end of the line after the word "after" the following: "expenditures enumerated in clause (3) of."

Amend Section 1519.1, page 4, line 19, by striking out at the beginning of the line before the word "for" the following: "subsection (b) of this section have been covered," and inserting in lieu thereof the following: "payment of the following which shall not exceed during each school year a sum equal to ten (10) cents for each



motor vehicle learner's permit issued subsequent to the fifteenth day of October one thousand nine hundred fifty-one, namely (1) traveling expenses of employes of the Department of Public Instruction essential to the program (2) purchase of visual training aids and psycho-physical testing equipment and (3) costs of preparation publication and distribution of driver training instructional material."

Amend Section 1519.1, page 5, line 1, by striking out after the word "daily" and before the syllable "mem-" the following: "pupil."

Amend Section 1519.1, page 5, line 2, by inserting after the syllables "bership" and before the word "in" the following: "of pupils over fifteen (15) years of age."

Amend Section 1519.1, page 5, line 3, by striking out after the word "daily" and before the word "membership" the following: "pupil."

Amend Section 1519.1, page 5, line 3, by inserting after the word "membership" and before the word "in" the following: "of pupils over fifteen (15) years of age."

Amend Section 1519.1, page 5, line 4, by inserting after the word "Commonwealth" and before the word "Allocations" the following: "Provided That the payment shall not exceed the sum of ten (\$10) dollars for each such pupil per school year."

Amend page 5 by striking out lines 8 and 9.

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

## COMMUNICATION AND BILL TAKEN FROM TABLE

Mr. TOOMEY. Mr. Speaker, I move that House Bill No. 1338, Printer's No. 780, together with communication from the Governor be taken from the table.

The motion was agreed to.

## COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

## APPROVAL OF HOUSE CONCURRENT RESOLUTION RECALLING HOUSE BILL No. 1338

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, August 17, 1956.  
To the Honorable, the House of Representatives of the  
Commonwealth of Pennsylvania::

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 1338, Printer's No. 780, for proposed amendments.

Accordingly, the original bill is herewith returned.

JOHN S. FINE.

## RECONSIDERATION OF VOTE

Mr. TOOMEY. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

Mr. SWOPE. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Perry Mr. Toomey vote on the final passage of this bill?

Mr. TOOMEY. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Berks Mr. Swope vote on the final passage of this bill?

Mr. SWOPE. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. TOOMEY. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question,

Will the House agree to the bill on third meeting?

Mr. TOOMEY. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Title, page 2, line 15, by inserting at the end of the line after the word "for" the following: "the."

Amend Title, page 2, line 16, by inserting after the word "teaching" and before the word "of" the following: "in the public schools."

Amend Section 1, page 4, line 18, by striking out after "(d)" and before the word "of" the following: "Two (\$2) dollars" and inserting in lieu thereof the following: "As much."

Amend Section 1, page 4, line 19, by inserting after the word "permit" and before the word "is" the following: "as may be necessary but not more than two (\$2.00) dollars."

Amend Section 1, page 5, line 1, by inserting after the word "paying" and before the word "expenses" the following: "authorized."

Amend Section 1, page 5, line 3, by inserting at the end of the line after the word "making" the following: "authorized."

Amend Section 1, page 5, line 5, by striking out after the word "be" and before the word "out" the following: "transferred from time to time" and inserting in lieu thereof the following: "paid."

Amend Section 1, page 5, line 6, by striking out after the word "Fund" the following: "to the General Fund shall be credited to the."

Amend Section 1, page 5, line 7, by striking out at the beginning of the line before the word "the" the following: "current appropriation out of the General Fund to" and inserting in lieu thereof the following: "upon the warrant of the Auditor General drawn after requisition by."

Amend Section 1, page 5, line 8, by striking out after the word "Instruction" the following: "and shall be available for the purpose indicated in this section."

Amend page 5, line 10, by inserting a new section to read as follows: "Section 2. This act shall become effective on the fifteenth day of October, one thousand nine hundred fifty-one."

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

## SENATE MESSAGES

### AMENDED HOUSE BILLS RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 955.

An Act to amend section 10 of the act approved the twenty-third day of May one thousand nine hundred forty-five (P. L. 903) entitled "An act authorizing cities of the



third class to establish an optional retirement system for officers and employes independently of any pension system or systems existing in such cities" by changing the limitations on contributions by the city

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments. The Clerk read the amendments as follows:

Amend the title, page 1, line 5, by striking out at the end of the line the part-word "re-" and at the beginning of line 6 the part-word "moving" and inserting in lieu thereof the word "changing."

Amend Section 1, Section 10, page 2, line 11 by inserting after the words in brackets "(three-tenths)" the words "one-half"; line 12, by striking out the bracket after the word "purposes."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. JOHNSON. I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—205

Amarando,	Graybill,	Mazza,	Royer,
Andrews,	Greenwood,	McConnell,	Rubin,
Banker,	Greer,	McCormack,	Sarra,
Barkdoll,	Guarnieri,	McDermitt,	Sax,
Baumunk,	Gutendorf,	McGee,	Scanlon,
Bear,	Guthrie,	McCullough,	Schmidt,
Beaver,	Hagerty,	McInroy,	Schuster,
Beech,	Hall,	McKinney,	Scott,
Berkstresser,	Hamilton, R. K.,	McMillen,	Seyler,
Blair,	Hamilton, W. H.,	McNally,	Shoemaker,
Boles,	Harney,	Metz,	Shotwell,
Bolton,	Haudenschild,	Mihm,	Smith,
Bomberger,	Headlee,	Mikula,	Snider,
Boorse,	Helm,	Miller, H. G.,	Sollenberger,
Bower,	Hersch,	Miller, J. C.,	Spencer,
Breisch,	Hewitt,	Mills,	Stank,
Breth,	Hocker,	Mintess,	Stimmel,
Brown,	Hoggard,	Monroe,	Stoner,
Bucchin,	Hunter,	Moore, C. E.,	Swartz,
Byrne,	Jenkins,	Moore, H. A.,	Swope,
Cella,	Johnson,	Moran,	Tahl,
Clapper,	Jones, G. E.,	Muldowney,	Taylor,
Clendenling,	Jones, J. M.,	Munley,	Thompson, E. F.,
Cochran,	Jones, P. F.,	Murray,	Thompson, R. L.,
Conway,	Jones, T. H. W.,	Musto,	Toll,
Cooper,	Kamyk,	Najaka,	Tompkins,
Corr,	Keller,	Naugle,	Toomey,
Costa,	Kent,	Needham,	VanSant,
Coyle,	Kline,	Olsen,	Varallo,
Dalrymple,	Kohl,	Penglase,	Varnier,
Davis,	Kolankiewicz,	Peta,	Verona,
Dennison,	Kornick,	Petrosky,	Wachhaus,
Dougherty,	Kratz,	Pettigrew,	Wargo,
Dowling,	Kubacki,	Pfaff,	Waterhouse,
Duffy,	Lafore,	Pichney,	Watkins,
Dunn,	Lederer,	Pitzer,	Weldner,
Erb,	Leisey,	Polaski,	Welsh,
Ewing,	Leonard, L.,	Polen,	Wescott,
Fenrich,	Leonard, W. C.,	Price, H. W. Jr.,	Westrick,
Ferster,	Leven,	Price, R. A.,	Whalley,
Filip,	Light,	Readinger,	Wheeler,
Filo,	Limper,	Reagan,	White,
Firmstone,	Loftus,	Reese,	Williams,
Flack,	Lopresti,	Reidenbach,	Wilt,
Frost,	Lovett,	Reilly, J. M.,	Wood,
Gaffney,	Lutty,	Rigby,	Yeakel,
Geer,	Lyons,	Riley, R. L.,	Yester,
Gibson,	Madden,	Robertson,	Yetzer,
Gleason,	Madigan,	Rose,	Young,
Good,	Markley,	Rosen,	Ziegler,
Goodling,	Maxwell,	Rovanse,	Sorg,

Speaker

NAYS—0

## NOT VOTING—2

Bloom,

DuBois,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 1286.

An Act authorizing the Commonwealth to negotiate temporary emergency loans to defray current and other expenses of the State government during any fiscal biennium evidenced by tax anticipation notes secured by and payable from current revenues of any current biennium levied assessed collectible and accruing during such fiscal biennium defining the powers and duties of the Governor the Auditor General and the State Treasurer in relation thereto providing for the payment of interest on and the repayment of such loans and making an appropriation

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 2, line 13, by striking out after the word "biennium" the following "whenever any such loan or loans are about to be sought it shall be the duty of the governor the auditor general and the state treasurer to notify all lending institutions in the Commonwealth of the amount or amounts sought inviting participation and requesting commitments of the amount such institution will lend and the rate or interest it will charge therefor it shall be the duty of the governor the auditor general and the state treasurer to borrow from such institutions offering sums in amounts of not less than \$300,000 at the lowest rate of interest."

Amend Section 2, Page 3, line 18, by inserting after line 17 the following "When such loans evidenced by tax anticipation notes are so issued they shall be offered for sale by the governor the auditor general and state treasurer to the highest or best bidder after due public advertisement and open competitive bidding on such terms and conditions as the governor auditor general and state treasurer shall direct the manner and character of such advertisement and the times of advertising shall be prescribed by the governor the auditor general and the state treasurer.

No commission shall be allowed or paid for the sale of any notes issued under the authority of this act."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. JOHNSON. I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—205

Amarando,	Graybill,	Maxwell,	Royer,
Andrews,	Greenwood,	Mazza,	Rubin,
Banker,	Greer,	McConnell,	Sarra,
Barkdoll,	Guarnieri,	McCormack,	Sax,
Baumunk,	Gutendorf,	McCullough,	Scanlon,
Bear,	Guthrie,	McDermitt,	Schmidt,
Beaver,	Hagerty,	McGee,	Schuster,
Beech,	Hall,	McInroy,	Scott,
Berkstresser,	Hamilton, R. K.,	McKinney,	Seyler,
Blair,	Hamilton, W. H.,	McMillen,	Shoemaker,



Boles,	Harney,	McNally,	Shotwell,
Bolton,	Haudenshield,	Metz,	Smith,
Bomberger,	Headlee,	Mihm,	Snider,
Boorse,	Helm,	Mikula,	Sollenberger,
Bower,	Hersch,	Miller, H. G.,	Spencer,
Brelsch,	Hewitt,	Miller, J. C.,	Stank,
Breth,	Hocker,	Mills,	Stimmel,
Brown,	Hoggard,	Mintess,	Stoner,
Bucchin,	Hunter,	Monroe,	Swartz,
Byrne,	Jenkins,	Moore, C. E.,	Swope,
Cella,	Johnson,	Moore, H. A.,	Tahl,
Clapper,	Jones, G. E.,	Moran,	Taylor,
Clendenning,	Jones, J. M.,	Muldowney,	Thompson, E. F.,
Cochran,	Jones, P. F.,	Munley,	Thompson, R. L.,
Conway,	Jones, T. H. W.,	Murray,	Toll,
Cooper,	Jump,	Musto,	Tompkins,
Corr,	Kamyk,	Najaka,	Toomey,
Costa,	Keller,	Naugle,	VanSant,
Coyle,	Kent,	Needham,	Varallo,
Dalrymple,	Kline,	Olsen,	Varner,
Davis,	Kohl,	Penglase,	Verona,
Dennison,	Kolankiewicz,	Peta,	Wachhaus,
Dougherty,	Kornick,	Petrosky,	Wargo,
Dowling,	Kratz,	Pettigrew,	Waterhouse,
Duffy,	Kubacki,	Pfaff,	Watkins,
Dunn,	Lafore,	Pichney,	Weldner,
Erb,	Lederer,	Pitzer,	Welsh,
Ewing,	Leisey,	Polaski,	Wescott,
Fenrich,	Leonard, L.,	Polen,	Westrick,
Ferster,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley,
Fillip,	Leven,	Price, R. A.,	Wheeler,
Filo,	Light,	Readinger,	White,
Firmstone,	Limper,	Reagan,	Williams,
Flack,	Loftus,	Reese,	Wilt,
Frost,	Lopresti,	Reidenbach,	Wood,
Gaffney,	Lovett,	Reilly, J. M.,	Yeakel,
Geer,	Lutty,	Rigby,	Yester,
Gibson,	Lyons,	Riley, R. L.,	Yetzer,
Gleason,	Madden,	Robertson,	Young,
Good,	Madigan,	Rose,	Ziegler,
Goodling,	Markley,	Rosen,	Sorg,
		Rovansek,	Speaker

NAYS—0

NOT VOTING—2

Bloom, DuBois,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1402.

An Act providing for appeals from the decisions of Civil Service Boards and Commissions in cities

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the title, page 1, line 1, by striking out after the word "appeals" the words "to the court of common pleas"; line 2, by striking out at the beginning of the line the words "ruling and findings."

Amend Section 1, page 1, line 1, by striking out after the word "decisions" the words "rulings and findings"; line 3, by inserting after the word "pleas" the words "or the county court"; page 2, line 2, by striking out after the word "decision" the words "ruling or finding."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. JOHNSON, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—205

Amarando,	Graybill,	Maxwell,	Royer,
Andrews,	Greenwood,	Mazza,	Rubin,
Banker,	Greer,	McConnell,	Sarra,
Barkdoll,	Guarnieri,	McCormack,	Sax,
Baumunk,	Gutendorf,	McCullough,	Scanlon,
Bear,	Guthrie,	McDermitt,	Schmidt,
Beaver,	Hagerty,	McGee,	Schuster,
Beech,	Hall,	McInroy,	Scott,
Berkstresser,	Hamilton, R. K.,	McKinney,	Seyler,
Blair,	Hamilton, W. H.,	McMillen,	Shoemaker,
Boles,	Harney,	McNally,	Shotwell,
Bolton,	Haudenshield,	Metz,	Smith,
Bomberger,	Headlee,	Mihm,	Snider,
Boorse,	Helm,	Mikula,	Sollenberger,
Bower,	Hersch,	Miller, H. G.,	Spencer,
Brelsch,	Hewitt,	Miller, J. C.,	Stank,
Breth,	Hocker,	Mills,	Stimmel,
Brown,	Hoggard,	Mintess,	Stoner,
Bucchin,	Hunter,	Moore, C. E.,	Swartz,
Byrne,	Jenkins,	Moore, H. A.,	Swope,
Cella,	Johnson,	Moran,	Tahl,
Clapper,	Jones, G. E.,	Muldowney,	Taylor,
Clendenning,	Jones, J. M.,	Munley,	Thompson, E. F.,
Cochran,	Jones, P. F.,	Murray,	Thompson, R. L.,
Conway,	Jones, T. H. W.,	Musto,	Toll,
Cooper,	Jump,	Najaka,	Tompkins,
Corr,	Kamyk,	Naugle,	Toomey,
Costa,	Keller,	Needham,	VanSant,
Coyle,	Kent,	Olsen,	Varallo,
Dalrymple,	Kline,	Penglase,	Varner,
Davis,	Kohl,	Peta,	Verona,
Dennison,	Kolankiewicz,	Petrosky,	Wachhaus,
Dougherty,	Kornick,	Pettigrew,	Wargo,
Dowling,	Kratz,	Pfaff,	Waterhouse,
Duffy,	Kubacki,	Pichney,	Watkins,
Dunn,	Lafore,	Pitzer,	Weldner,
Erb,	Lederer,	Polaski,	Welsh,
Ewing,	Leisey,	Polen,	Wescott,
Fenrich,	Leonard, L.,	Price, R. A.,	Westrick,
Ferster,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley,
Fillip,	Leven,	Readinger,	Wheeler,
Filo,	Light,	Reagan,	White,
Firmstone,	Limper,	Reese,	Williams,
Flack,	Loftus,	Reidenbach,	Wilt,
Frost,	Lopresti,	Reilly, J. M.,	Wood,
Gaffney,	Lovett,	Rigby,	Yeakel,
Geer,	Lutty,	Riley, R. L.,	Yester,
Gibson,	Lyons,	Robertson,	Yetzer,
Gleason,	Madden,	Rose,	Young,
Good,	Madigan,	Rosen,	Ziegler,
Goodling,	Markley,	Rovansek,	Sorg,
			Speaker

NAYS—0

NOT VOTING—2

Bloom, DuBois,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

#### REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 238

Mr. GIBSON. Mr. Speaker, I desire to submit the report of the Committee of Conference on House Bill No. 238.

The SPEAKER. The report will lie over for printing under the rules.

#### PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. WATKINS asked and obtained permission for the Committee on State Government to meet during the session of the House.



## RESOLUTION

## RECALLING HOUSE BILL No. 1505 FROM THE GOVERNOR

Mr. DALRYMPLE offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, September 24, 1951.

Resolved (if the Senate concur), that House Bill No. 1505, Printer's No. 805, entitled "An act to amend the act approved the twelfth day of June one thousand nine hundred thirty-one (P. L. 510) entitled 'An act providing for the licensure and regulation of certain private nursing homes and private hospitals conferring certain powers and duties upon the Department of Welfare and providing penalties' by further providing for the licensure and regulation of such nursing homes and hospitals," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

## BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

HOUSE BILL No. 1402.

An Act providing for appeals from the decisions of Civil Service Boards and Commissions in cities

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

## BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1398, entitled:

An Act to amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" by adding to the Department of Labor and Industry an Advisory Council on Affairs of the Handicapped and providing for its organization powers and duties.

The first section was read.

On the question,

Will the House agree to the section?

## BILL RECOMMITTED

Mr. WACHHAUS. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations for the purpose of further study.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1731, entitled:

An Act to further amend the act approved the second day of June one thousand nine hundred and thirty-seven (P. L. 1998) entitled "An act relating to employes and organizations thereof defining labor disputes prescribing the procedure by which and the conditions under which injunctions may be granted in such disputes and the scope thereof declaring certain undertakings and promises between employers and employes contrary to public policy and void prescribing the nature of proof necessary in actions arising out of labor disputes against persons or associations prescribing the terms and conditions for bonds to be furnished prior to the issuance of injunctions prescribing the procedure in case of appeal from granting injunctions limiting the duration of temporary and permanent injunctions in case of labor disputes and providing for the payment of costs and repealing all acts or part of acts inconsistent herewith" providing further conditions upon the issuance of injunctions in labor disputes.

The first section was read and agreed to.

The second section was read.

On the question,

Will the House agree to the section?

Mr. KENT offered the following amendments.

Amend Section 16, page 7, line 8, by inserting after the word "Every" and before the word "temporary" the following: "such".

Amend Section 16, page 7, line 9, by striking out at the end of the line the following: "issued in a case involving or growing out of".

Amend Section 16, page 7, line 10, by striking out at the beginning of the line the following: "a labor dispute as defined in this act."

Amend Section 16, page 7, line 10, by striking out after the word "shall" and before the word "expire" the following: "by its terms" and inserting in lieu thereof the following: "further provide that in any event it shall."

They were agreed to.

The section was agreed to as amended.

The third section and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

## BILLS PASSED OVER

There being no objection,

Senate Bill No. 27, Printer's No. 562, and

Senate Bill No. 188, Printer's No. 534,

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 718, entitled:

An Act to further amend section thirteen of the act, approved the fourth day of June, one thousand nine hundred and thirty-seven (P. L. 1625), entitled "An act providing for the creation, maintenance and operation of a county employes' retirement system in counties of the third class; and imposing certain charges on counties," by extending and further regulating such retirement systems.



And said bill having been read at length the second time and agreed to  
Ordered, To be transcribed for third reading.

#### BILLS PASSED OVER

There being no objection  
House Bill No. 788, Printer's No. 464  
was passed over at the request of Mr. READINGER.  
There being no objection  
Senate Bill No. 816, Printer's No. 556  
was passed over at the request of the SPEAKER.

#### BILL ON FINAL PASSAGE RECALLED FROM GOVERNOR

Agreeably to order,  
The House proceeded to the consideration on final passage of House Bill No. 1404, entitled:

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing the reassessment of certain property in school districts of the third and fourth class in certain cases and imposing liability for school taxes upon the owners thereof

On the question,  
Shall the bill pass finally?

#### RECONSIDERATION OF VOTE

Mr. KELLER. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. YEAKEL. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Bucks Mr. Keller vote on the third reading of this bill?

Mr. KELLER. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Bucks Mr. Yeakel vote on the third reading of this bill?

Mr. YEAKEL. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

It was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. KELLER. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Sec. 1 (Sec. 677.1), page 2, lines 8 and 9, by striking out the words "Five or more family units are occupied in new housing developments" and inserting in lieu thereof "there is any construction of a building or buildings."

Amend Sec. 1 (Sec. 677.1), page 2, line 10, by striking out the words "units are" and inserting in lieu thereof "building is."

Amend Sec. 1 (Sec. 677.1), page 2, line 12, by inserting after the word "city" the following: "borough, township."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

#### BILL ON FINAL PASSAGE POSTPONED

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. WILBUR H. HAMILTON.

The House resumed the consideration on final passage of Senate Bill No. 636, as follows:

An Act to amend subsection (a) of Section 9 of the act approved the twenty-sixth day of May one thousand nine hundred forty-nine (P. L. 1828) entitled "An act concerning the investment powers and duties of guardians committees trustees and other fiduciaries except personal representatives and prescribing the nature and kind of investments which may be made and retained by such fiduciaries" by authorizing investments in common stocks and similar securities of unincorporated associations meeting certain qualifications and eliminating the requirement that stock and similar securities must be listed on an exchange as to the stock and securities of banks and insurance and investment companies

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (a) of Section 9 of the act approved the twenty-sixth day of May one thousand nine hundred forty-nine (P. L. 1828) entitled "An act concerning the investment powers and duties of guardians committees trustees and other fiduciaries except personal representatives and prescribing the nature and kind of investments which may be made and retained by such fiduciaries" is hereby amended to read as follows

#### Section 9 Stocks

(a) Preferred and Common Stock Preferred and common stock of any corporation organized under the laws of the United States or of any commonwealth or state thereof or of the District of Columbia shall be an authorized investment if

(1) purchase in the exercise of that degree of judgment and care under the circumstances then prevailing which men of prudence discretion and intelligence exercise in the management of their own affairs not in regard to speculation but in regard to the permanent disposition of their funds considering the probable income to be derived therefrom as well as the probable safety of their capital

(2) in the case of preferred stock the corporation issuing the stock has earned a net profit in eight of the preceding ten fiscal years as reflected in its statements and during each of the preceding ten fiscal years has paid dividends in the specified amounts upon all its preferred stock if any outstanding during such year [and]

(3) in the case of common stock the corporation issuing the stock has earned a net profit in twelve of the preceding sixteen fiscal years as reflected in its statements and during each of the preceding sixteen fiscal years has paid dividends in the specified amounts upon all its preferred stock if any outstanding during said year and in each of at least twelve of the preceding sixteen fiscal years has paid dividends in some amount upon all its common stock if any outstanding during such year and

(4) in the case of any stock other than stock of a bank or insurance company or of an investment company (as hereinafter defined) the stock is listed or traded (or if unlisted or not entitled to trading privileges shall be eligible for listing and application for such listing shall have been made) on the New York Stock Exchange or any other exchange approved by the Secretary of Banking

No investment in common stock shall be made which at that time would cause the market value of the investments in common stocks to exceed one third of the market value of the estate not including in such market value the value



of any participation in a common trust fund No sale or other liquidation of any investment shall be required solely because of any change in market values whereby the percentages of stocks hereinabove set forth are exceeded In determining the market value of an estate a fiduciary may rely upon published market quotations as to those investments for which such quotations are available and upon such valuations of other property as in his best judgment seem fair and reasonable according to available information

When a corporation has acquired a substantial part of its property within sixteen years immediately preceding the investment by consolidation or merger or by the purchase of a substantial part of the property of any other corporation or corporations the earnings of the predecessor or constituent corporations shall be consolidated so as to ascertain whether the requirements of this section have been satisfied

"Corporation" as used in this section shall include a voluntary association a joint-stock association or company a business trust a Massachusetts trust a common-law trust and any other organization organized and existing for any lawful purpose and which like a corporation continues to exist notwithstanding changes in the personnel of its members or participants and conducts its affairs through a committee a board or some other group acting in a representative capacity

"Investment company" as used in this section shall mean a corporation which is registered as an investment company under the Federal Investment Act of 1940 as from time to time amended and which has no preferred stock bonds loans or any other outstanding securities having preference or priority as to assets or earnings over its common stock

"Common stock" as used in this section shall include the stock certificates of beneficial interests or trust participation certificates issued by any corporation or unincorporated association included under the definition of "corporation" in the preceding paragraph

Section 2 The provisions of this act shall become effective immediately upon final enactment

On the question recurring,

Shall the bill pass finally?

Mr. WILBUR H. HAMILTON. Mr. Speaker, it is not my desire to engage in a prolonged debate regarding the merits of Senate Bill 636 due to the fact that we discussed the merits of this bill on several previous occasions, and in addition to that, I am quite certain that the Members have given very serious consideration to the important features of this particular measure.

However, I would like to call your attention to several salient facts concerning mutual trust funds, as they are operated, the kind of investment companies they are and their methods and soundness in doing business.

I would like to acquaint each Member with this situation so they are thoroughly familiar with the investment companies. No investment company that is eligible under this bill has ever failed. Each and every one is solvent and in splendid financial condition as far as every measuring rod of investments is concerned.

No investment company eligible under this bill has ever failed to pay the dividend when it was due, and in the amount it was supposed to be paid. No investment company has failed to redeem any of its shares when presented for payment through any source and they have always paid the current market value.

I believe if the Members will examine the situation very carefully they will find that there are 1,500,000 people investing their funds in this type of investment. In addition to that the average mutual trust fund is less than

\$2,000. Sixty percent of the money invested in mutual trust funds are less than \$1,000. Therefore, this method of investing funds conservatively and with the highest degree of safety is for the benefit of the small investor and the small estates.

Under Senate Bill 636 no trustee is compelled to invest funds if they are acting in the capacity of a trustee in the mutual companies. It merely gives the opportunity for a trustee to take advantage of equity, diversification and soundness in investments. Also, the organizations behind the mutual trust services are financial experts and adhere to every sound measuring rod in picking the investments for these mutual trust shares.

Mr. Speaker, I recommend to the Members of this House that they give favorable consideration to Senate Bill 636.

Mr. LORPRESTI. Mr. Speaker, I listened with interest to the remarks of the gentleman from Philadelphia. He made the statement that none of the companies eligible under this bill have failed to redeem certificates when presented, but he was also careful to say at the current market value.

As has been pointed out here a number of times, this bill is designed for the small trust, the small estate or the small investor. With regard to the small trust in many instances, in fact in most instances, it is not so much, or should not be so much concerned with the rate of income, because in most cases whether it is 5, 6, 7, 8, or 10 percent it would not be enough to support the person or the ward involved. So principally, a small trust should be concerned with the safety of the corpus of the estate.

If you have \$3,000 or \$4,000 or \$5,000 coming in at a certain time, that is a lot of money. But the interest rate on \$3,000 or \$4,000 or \$5,000 over a period of a year, whether it is five or six percent, means very little in dollars and cents. In this same situation, if man were endowed with the memory of an elephant—unfortunately we are not—in days of depression trust funds fluctuated, their values went way up and came way down, and they went fast when they were going down. A great many investors could not get out fast enough to save the corpus of their fund or at least a great portion of it.

Then, after that, we proceeded to put up the protective wall around trusts. We proceeded to regulate investments and we proceeded to place limitations upon trustees, guardians and persons entrusted with the funds of individuals. We are now starting on a course with Senate Bill 11 and following it by Senate Bill 636 to tear down all the real safety measures that we put in to protect the things which people were unable to protect themselves.

I say that this is a step in the wrong direction because the valuation of their certificates fluctuates with the market and they fluctuate up and down mightily rapidly at some times.

The corpus of small estates should be invested in funds which retain their value year in and year out, so that if you have a \$1,000 bond in bad times or good times, that \$1,000 remains practically the same.

We are not so much interested in these small estates in the income, as I say, because the additional percentage gained on a \$5,000 or a \$10,000 estate does not make the difference between that individual starving or living under decent circumstances. The most he could hope to realize



would be a difference of \$200 or \$300 a year and that is not enough to risk the corpus of the estate itself.

As I say, I think this is a bad precedent. It is opening the doors to open speculation. And I say it will continue. We started with Senate Bill 11 and Senate Bill 636, and just as sure as we let the bars down on 636, we will in the next session endeavor to allow those who we are now taking out, we will endeavor to allow them to come in also and to share in this particular thing.

It seems significant to me that the State Banking Department, the Secretary of Banking of this Commonwealth is opposed to Senate Bill 636. It is also significant to me that every bank in my neighborhood has contacted me either directly or indirectly asking me not to vote for this bill.

For the reasons set forth I believe it is bad legislation and I urge the Members to vote it down.

Mr. JOHNSON. Mr. Speaker, no one is infallible. I know that I am not. I know there are those who favored Senate Bill 11 and not 636. As you know Senate Bill 11 is now Act No. 340 of this Commonwealth of this session.

Personally I am a small town banker. I think Senate Bill 11 was a bad thing for the small town banker. I shudder to think of my trust officer investing in common stocks. I think Senate Bill 636 is his life saver. It will give him a chance to invest in these mutual fund shares which have an element of great diversification. In the event of the loss of a single common stock that trust officer who thought he was doing the right thing under Senate Bill 11 may see the trust fund exhausted by an unwise investment in common stock. I say a good many common stocks in themselves are really investment trusts or mutual fund shares.

You take General Motors Corporations, that is one of the biggest investment trusts, you might say, in the world. The portfolio of General Motors consists of all kinds of stocks; motor boat stocks, refrigeration stocks, turbines, automobiles and airplanes, and that is one advantage General Motors has, a great diversification of its portfolio.

That is one of the advantages of 636. It permits the small town banker who does not have the advice of an investment counselor to choose a good sound investment trust or mutual fund share company that has a wide diversification of stocks. Common sense will tell you that in a large portfolio a drop in the market in a few of the shares would not affect the security as a whole.

Therefore because of this diversification and because of this aid, shall I say, to the small banker, I think we should vote in and make the law of this state Senate Bill 636.

I think Senate Bill 11, while it might be fine for the large banker, gives him a chance to buy control, shall I say, in a big corporation of common stock, it is not a good thing for we country bankers.

Therefore, we would like to see the members support Senate Bill 636 in its present form.

Mr. ANDREWS. Mr. Speaker, I had not intended to enter into this debate. But the gentleman who has just addressed the House has stated what was on my mind in such impressive fashion that I felt I must rise to express a word of approval.

My understanding of Senate Bill 11 was that under

its provisions, the gentlemen at the head of the banks which have recently come before the public by reason of the fact that their executive heads had stolen all the way from three hundred thousand to a million and a half, under the Berger bill would have been empowered to invest trust funds in those banks themselves.

As I understand the Berger bill opens the door to the investment in shares in banks and in markets.

I am in thorough agreement with the position the gentleman has taken with reference to the trust officer in a small bank, who is not required to rely solely upon his own judgment in investing trust funds, but can summon to his assistance whatever wisdom the major investment trust concerns have managed to accumulate by reason of their experienced staffs.

I conclude by saying what I said some weeks ago on this floor, that a House that could swallow the Berger bill has no excuse for drawing the line at 636.

Mr. LOPRESTI. Mr. Speaker, all I want to say at this time is that if we have swallowed one dose of poison is no excuse for swallowing the second dose of poison.

Mr. WATERHOUSE. Mr. Speaker, I believe maybe the former speakers on this bill missed one thing that should have been brought out, and that is that no mutual fund has ever missed a dividend. No mutual fund has ever been forced out of business. That is something that cannot be said for a lot of companies, neither can it be said about a lot of banks.

Any fund that would be eligible for these trustees to invest in would necessarily have had to have earned money twelve of the last sixteen years and would have had to have paid a dividend each one of those years. I, myself, believe that this is worthy legislation. I think it is safe and I believe that it should receive favorable consideration.

Mr. TOLL. Mr. Speaker, the House in its wisdom a couple of weeks ago passed Senate Bill 11. That was an advancement on the right of fiduciaries in the Commonwealth to make investments in certain stocks which previously had been prohibited by statute.

That did not constitute an abandonment of the prudent man rule. Even though this House now permits a fiduciary to make such investments the prudent man rule is still in force.

The only thing that happened a couple of weeks ago when we came to Senate Bill 636 is that the Members of the House did not realize that Senate Bill 636 was a better bill than Senate Bill 11. The Senate realized it because the Senate passed Senate Bill 636 by a vote of 46 to 3 and they only passed Senate Bill 11 by a vote of 29 to 9. Yet Senate Bill 636 in the House fell.

If Members in the House examined both bills, they would find that Senate Bill 636 is word for word exactly as Senate Bill 11 with the exception of the last page in which it is set forth that mutual funds must comply with the Federal Investment Act of 1940. It can have no loans, no debts, no liens. The severe restrictions which have been imposed in Senate Bill 636 to make the mutual funds unusually safe limits practically the mutual fund sources to 38 institutions which are so safe as to constitute the safest sort of investment for a fiduciary going into the stock field.

How can we possibly compare Senate Bill 11 with Sen-



ate Bill 636? The only thing it possibly involves is the question of competition; competition between the banks and the mutual funds. On that score I suggest that you take a cue from our Minority Leader who said that this great Commonwealth is big enough to stand for both types of institutions, a great banking institution and a great source of investment in mutual funds.

You will be doing a favor for the trustees of the Commonwealth by permitting them to invest in mutual funds because they are definitely safer than those which are permitted under Senate Bill 11.

I ask you to support the bill.

Mr. LOPRESTI. Mr. Speaker, I desire to interrogate the gentleman from Erie, Mr. Waterhouse.

The SPEAKER. Will the gentleman from Erie, Mr. Waterhouse, permit himself to be interrogated?

Mr. WATERHOUSE. Mr. Speaker, I shall.

Mr. LOPRESTI. Mr. Speaker, I believe the gentleman from Erie made the statement that none of these mutual funds have ever failed, am I correct in that?

Mr. WATERHOUSE. Mr. Speaker, that is right.

Mr. LOPRESTI. Mr. Speaker, I will ask the gentleman from Erie, Mr. Waterhouse, to tell us whether there has been a fluctuation in the value of certificates issued by the investment companies?

Mr. WATERHOUSE. Mr. Speaker, I do not believe that is pertinent to this bill, because we know there has been wide fluctuation in values of everything over the past twenty or thirty years.

Mr. LOPRESTI. Mr. Speaker, was there a fluctuation in the value of government bonds?

Are the \$1,000 government bonds still worth a \$1,000 year in and year out?

Mr. WATERHOUSE. Mr. Speaker, no, I believe there have been times that you could not get face for a government bond.

Mr. LOPRESTI. Mr. Speaker, in other words that fluctuates too? Does the gentleman from Erie know the extent to which these certificates have fluctuated since 1925 up until the present time?

Mr. WATERHOUSE. Mr. Speaker, I would not know about these but I sold General Motors for \$15 a share.

Mr. LOPRESTI. Mr. Speaker, if the value of the trust certificate fluctuates and the value decreases rather suddenly, does not a \$1,000 investment become an investment of a much smaller size perhaps?

Mr. WATERHOUSE. Mr. Speaker, would the gentleman please repeat that question?

Mr. LOPRESTI. Mr. Speaker, if the values were to fluctuate with the stock market, which he doubts they do, would it not be possible for a certificate which is worth a \$1,000 today to be worth only \$500 a month from now?

Mr. WATERHOUSE. Mr. Speaker, well a fund would not fluctuate nearly as much as the market itself due to the diversified lines they hold. In other words, they have so many different interests, if you get a fluctuation of one, you are apt to get the exact opposite from the other so they are very stable.

Mr. LOPRESTI. Mr. Speaker, when we go into a general deflation or a general period of depression do not they all go down so that all of the stocks held by the fund go down in the same proportion?

Mr. WATERHOUSE. Mr. Speaker, that is true of any-

thing. If the gentleman has watched the papers in recent weeks he will find that railways, oils and many others have been showing a lot of strength while some show some losses. With your trust funds you pretty much get an even keel.

Mr. LOPRESTI. Mr. Speaker, I do not believe perhaps that I made my point clear in the beginning. The point that I am trying to make is that in periods of depression, not in normal times, not in times of particular activity like we have now when the market is good—when the market is good any investment is good—any investment that you make today you would consider safe,—but in periods of depression, that is the time that the persons we are concerned about need protection. Not now.

Any investment fund that cannot show a profit is certainly a very loose, uncontrolled investment. But in times of depression these investment funds, the stock market generally takes a tumble and the common stocks, the securities, the investments take a serious tumble; there are certain things which do not tumble so fast such as government bonds, such as first mortgages and a great many other safe investments. They do not pay the return that you get now, that is true, but they do not tumble as fast come depressions.

That is why I object to opening the door, not for the present time, but I am trying to look into the future when another 1929 may come upon us and the values of these securities may be seriously affected.

Mr. JOHNSON. Mr. Speaker, in answer to the gentleman in regard to deflation in the value of investment fund shares, one advantage of the investment fund share is the flexibility of the operation of the fund.

As I pointed out, the idea back of it is to have skilled men in the investment world running these large funds. They have that flexibility which permits their getting out of the market, shall I say, when storm signs appear.

I think you will find that in investigating the balance sheets or portfolio of the 38 or 40 some funds that would presently be authorized for investment under this bill, you will find that they are presently holding a large number of government bonds in their portfolio and other gilt edge securities which might not be as speculative as they would have been several years ago. That is to say they have unloaded as I understand it, a good many stocks which a few years ago looked very fine, which today are speculative, and are filling their portfolios with government bonds. That is an advantage of mutual fund shares, shut flexibility of investment.

Mr. TOLL. Mr. Speaker, I want to make this observation taken from a statement made by the late Justice Brandise, "capital is a risk no matter where you place it."

In my own experience during the 1930's, I had the occasion to receive a number of bonds of a large hotel in Philadelphia. First mortgage bonds. I would say, at that time, the largest hotel in Philadelphia. A \$1,000 bond was of the value of \$250 and that is the only cash you could acquire or receive for it.

Now my answer to the gentleman from Cambria on the question of the reduction of the value of mutual funds as against stocks: in the worst period in American history where the stocks were reduced during the years from 1929 to 1932, the worst bear market in history, the best stocks listed on the New York Stock Exchange declined



73 percent. No mutual fund declined that much. The average decline in these funds being 47 percent. That you can see is simply due to the fact that the diversification is better whereas individual stocks would decline.

The early war market from 1939 to 1943 is another interesting period to test the ability of mutual funds. The increase during these war years, the best stocks on the Stock Exchange as reported by Dow-Jones averages, increased 22 percent while for the same period, the average mutual funds increased 38 percent. They are better going up and they are slower going down. They are a better investment all around.

Mr. REAGAN. Mr. Speaker, I would just like to call the attention of the House to the fact that our Secretary of Banking recently wrote us a letter on this subject in which he was decidedly against this bill.

Mr. ROBERTSON. Mr. Speaker, I would like to interrogate one of the proponents of this bill, as to the workings of these mutual funds. I do not know whether anyone knows or not but I would like to find out something about it.

Mr. WILBUR H. HAMILTON. I shall, Mr. Speaker.

Mr. ROBERTSON. Mr. Speaker, will the gentleman tell me under what regulation these mutual funds are accorded any regulation at all as to the type and the manner of investment?

Mr. WILBUR H. HAMILTON. Mr. Speaker, that is an excellent question, and I would like to reply to the gentleman from Delaware by saying that mutual trust funds are now carefully regulated by the United States government through the Securities and Exchange Commission, and the securities and Exchange Commission sets up many safeguards even to the extent of publicly advertising the statements and operations of mutual trust funds.

Mr. ROBERTSON. Mr. Speaker, a further question, may I ask the gentleman if the Securities and Exchange Commission tells the trust funds as to the amount and the proportion of the various types of investments which the trust fund can have in its portfolio?

Mr. WILBUR H. HAMILTON. Mr. Speaker, the Securities and Exchange Commission makes absolutely certain that the investments in the portfolio are in their judgment, the soundest kind of investments at the present time. Whether or not they specifically tell them to invest their money in certain companies I do not know. But there are so many companies of various kinds involved, and the scope is so wide, providing the diversification necessary and covering the basic industries and businesses of the United States, that I presume the Securities and Exchange Commission are interested in seeing that those portfolios measure up to their expectations.

Mr. ROBERTSON. Mr. Speaker, a further question. In other words if I understand the gentleman from Philadelphia if the Securities and Exchange Commission thought it proper, the trust funds themselves could invest their entire capital in common stocks?

Mr. WILBUR H. HAMILTON. Mr. Speaker, in connection with Senate Bill 636, the trustees can only invest one third of the estate in mutual trust funds.

Mr. ROBERTSON. Frankly the gentleman misunderstood my question Mr. Speaker. My question was directed to him because I believe the gentleman stated the Securities and Exchange Commission controlled the in-

vestment of mutual trust funds, which is the subject of Senate Bill 636. My question, if that is true the Securities and Exchange Commission could if it so desired permit the investment of mutual trust funds one hundred percent in common stocks, is that correct?

Mr. WILBUR H. HAMILTON. I do not know, Mr. Speaker, but I believe the gentleman from Delaware, Mr. Robertson, is familiar with the handling of trust funds and has undoubtedly acted in the capacity of a trustee, and would arrange a portfolio not to invest all the funds in any particular kind of investment; and to use the old expression in economics, not to carry all your eggs in one basket.

Mr. ROBERTSON. Mr. Speaker, the question I want answered, is there anything in law which would prevent, other than the whims of the Securities and Exchange Commission which would prevent a particular mutual fund from investing all of its funds in one particular type of investment.

Mr. WILBUR H. HAMILTON. Mr. Speaker, I am not a lawyer, I am not a member of the Securities and Exchange Commission. We could be here all afternoon if I were to read a printed statement of one of the leading mutual trust funds in America, to tell you the kind of investments, the amount of investments, and the various industries that they represent.

If this pamphlet would enlighten the gentleman from Delaware I would certainly like to give it to him, and that might answer his question. But I am not a lawyer, I am not on the Securities and Exchange Commission, and I am not a financial expert, so I might not be giving him the proper answer to his specific question, but I believe it has been covered here this afternoon in the discussion of the bill.

Mr. ROBERTSON. I wish to thank the gentleman.

Mr. Speaker, I will admit that I am a lawyer but I am not a member of the Securities and Exchange Commission. As far as I can determine the mutual trust fund as such is a fairly recent development in the field of investment. When I say "fairly recent" I mean in comparison with the corporate structure.

But in all the debate, Mr. Speaker, which I have heard today on this bill, apparently there is on person who happens to be the forgotten man. He is the man whose money you are kicking around. My position on this bill is the same as on Senate Bill 11. Any who dies and leaves a will or who dies and does not leave a will, of course, is foolish—but those who do leave a will, they can in their will authorize a trust and authorize the trustee and give him the power to invest the funds in anything he desires. The only thing that he is responsible for is to follow the prudent man rule.

Mr. Speaker, I say to you as I said on Senate Bill 11 I do not feel that this House or this Legislature should tell the person who has passed on that no matter what his desires are we are still going to permit his trustee to go out and beyond what he has set forth in his will, and permit him to invest in common stocks and now in the mutual trust funds.

I will say this, so there is no question about it, I have recommended to clients to invest in trust funds of this type because I feel it is a good investment, but at the same time my position is the same, that we should not dictate to the decedent whose will we are handling how



his funds should be invested if he has the opportunity to state it in the instrument itself.

Mr. WILBUR H. HAMILTON. Mr. Speaker, one brief statement in connection with a reference that was made by the gentleman from Cambria Mr. Lopresti concerning the banks in his particular area. I would like to say that the banks in our area,—and I am acquainted with quite a number of the officials of those institutions,—have not registered any complaint with me, or with anyone on our side of the House concerning the merits of this bill, and we do have some mighty strong banks in the city of Philadelphia.

Mr. TOLL. Mr. Speaker, I merely would like to call the attention of the House to one statement made by the learned gentleman from Delaware County about the matter of dictating to a fiduciary on what investments he is to make. There is nothing in Bill 636 which dictates how a fiduciary is to invest the money. It gives him permission, he is authorized to, if he wants to, if in his prudent judgment it is as good as the investment which he makes of his own funds, because the prudent man rule, either as to Senate Bill 11 or 636 has not been abandoned. The trustee or fiduciary is still responsible for the investment of the money. He is given permission to invest one third in this type of fund. If he does not want to, nobody makes him do it.

Mr. ROBERTSON. Just a brief reply to the gentleman from Philadelphia, Mr. Toll. That is the point I made, that the decedent in his will can stipulate that the trustee can invest in other types of securities not presently known as legal. An attorney drawing a will should properly discuss that. My position is that if the will is quiet and says nothing about investment in other types of securities you must assume that the trustee is bound by the decedent's desires and that it is to be invested in bonds and mortgages. That is the point I want to make.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—108

Amarando,	Guthrie,	McCormack,	Sarra,
Andrews,	Hagerty,	McCullough,	Sax,
Baumunk,	Hall	McNally,	Scanlon,
Bear,	Hamilton, W. H.,	Metz,	Schmidt,
Blair,	Haudenshield,	Mihm,	Shotwell,
Bolton,	Helm,	Mikula,	Smith,
Boorse,	Hewitt,	Miller, H. G.,	Spencer,
Bucchin,	Johnson,	Miller, J. C.,	Stank,
Cella,	Jones, G. E.,	Mintess,	Stimmel,
Clapper,	Jones, J. M.,	Monroe,	Swartz,
Conway,	Jones, P. F.,	Muldowney,	Swope,
Corr,	Jones, T. H. W.,	Najaka,	Taylor,
Costa,	Jump,	Needham,	Thompson, E. F.,
Coyle,	Kamyk,	Penglase,	Toll,
Dalrymple,	Keller,	Peta,	Toomey,
Dougherty,	Kline,	Petrosky,	VanSant,
Dunn,	Kohl,	Pettigrew,	Varallo,
Erb,	Kornick,	Pichney,	Wargo,
Ewing,	Kratz,	Price, R. A.,	Waterhouse,
Fenrich,	Kubacki,	Readinger,	Weidner,
Firmstone,	Lafore,	Reidenbach,	Welsh,
Flack,	Limper,	Reilly, J. M.,	White,
Gaffney,	Loftus,	Rigby,	Wilt,
Geer,	Lutty,	Riley, R. L.,	Yeakel,
Gleason,	Madden,	Rose,	Yetzer,
Greenwood,	Markley,	Rosen,	Young,
Guarnieri,	Mazza,	Rubin,	Sorg,

Speaker

#### NAYS—78

Banker,	Gibson,	McDermitt,	Rovanssek,
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Barkdoll,	Goodling,	McGee,	Royer,
Beaver,	Graybill,	McInroy,	Schuster,
Berkstresser,	Greer,	McKinney,	Scott,
Boles,	Gutendorf,	McMillen,	Seyler,
Bomberger,	Hamilton, R. K.,	Moore, C. E.,	Shoemaker,
Bower,	Harney,	Moore, H. A.,	Snider,
Breisch,	Headlee,	Moran,	Sollenberger,
Breth,	Hocker,	Munley,	Stoner,
Brown,	Hunter,	Murray,	Tompkins,
Byrne,	Jenkins,	Naugle,	Wachhaus,
Clendening,	Kent,	Olsen,	Watkins,
Davis,	Kolankiewicz,	Pitzer,	Wescott,
Dennison,	Lederer,	Polaski,	Westrick,
Dowling,	Leisey,	Polen,	Whalley,
Duffy,	Leonard, L.,	Price, H. W. Jr.,	Williams,
Ferster,	Light,	Reagan,	Wood,
Filip,	Lopresti,	Reese,	Yester,
Filo,	Lyons,	Robertson,	Ziegler,
Frost,	Madigan,		

#### NOT VOTING—21

Beech,	Good,	Lovett,	Pfaff,
Bloom,	Hersch,	Maxwell,	Tahl,
Cochran,	Hoggard,	McConnell,	Thompson, R. L.,
Cooper,	Leonard, W. C.,	Mills,	Varner,
DuBois,	Leven,	Musto,	Verona,
			Wheeler,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

#### BILLS ON FINAL PASSAGE

Agreeably to order.

The House proceeded to the consideration on final passage of House Bill No. 1676, as follows:

An Act to further amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by empowering boards of school directors with the approval of the Superintendent of Public Instruction to alter the prescribed number hours and days of classes in certain emergencies for a limited period of time. The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Article V of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" is hereby amended by adding immediately after Section 520 a new section to read as follows

Section 520.1 Temporary Emergency Provisions (a) Whenever an emergency shall arise which the board of school directors of any school district in the performance of its duties could not anticipate or foresee and which emergency shall result in any such school district being unable to provide for the attendance of all pupils during the prescribed length of school days number of days per week or usual hours of classes it shall be found as a fact by the school directors of any school district and so recorded on the minutes of a regular or special meeting of such board and certified to the Superintendent of Public Instruction and such board of school directors subject to the approval of the Superintendent of Public Instruction shall have power to put into operation in such school district any one or more of the temporary provisions hereinafter provided for but in no event shall such temporary provisions remain in effect for a period of more than four years after they are first put into effect



(b) Subject to the foregoing provisions any board of school directors may

(1) Keep the schools of the district in session such days and number of days per week as they shall deem necessary or desirable but the provisions of this act requiring a minimum of one hundred eighty (180) session days as a school year shall not be affected thereby

(2) Reduce the length of time of daily instruction for various courses and classes

(c) Any school district by invoking the powers herein granted shall not thereby forfeit its right to reimbursement by the Commonwealth or other State-aid as otherwise provided for by this act

Section 2 The provisions of this act shall become effective immediately upon final enactment

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—205

Amarando,	Graybill,	Maxwell,	Royer,
Andrews,	Greenwood,	Mazza,	Rubin,
Banker,	Greer,	McConnell,	Sarrafi,
Barkdoll,	Guarnieri,	McCormack,	Sax,
Baumunk,	Gutendori,	McCullough,	Scanlon,
Bear,	Guthrie,	McDermitt,	Schmidt,
Beaver,	Hagerty,	McGee,	Schuster,
Beech,	Hall,	McInroy,	Scott,
Berkstresser,	Hamilton, R. K.,	McKinney,	Seyler,
Blair,	Hamilton, W. H.,	McMillen,	Shoemaker,
Boles,	Harney,	McNally,	Shotwell,
Bolton,	Haudenschild,	Metz,	Smith,
Bomberger,	Headlee,	Mihm,	Snider,
Boorse,	Helm,	Mikula,	Sollenberger,
Bower,	Hersch,	Miller, H. G.,	Spencer,
Breisch,	Hewitt,	Miller, J. C.,	Stank,
Breth,	Hocker,	Mills,	Stimmel,
Brown,	Hoggard,	Mintess,	Stoner,
Bucchin,	Hunter,	Monroe,	Swartz,
Byrne,	Jenkins,	Moore, C. E.,	Swope,
Cella,	Johnson,	Moore, H. A.,	Tahl,
Clapper,	Jones, G. E.,	Moran,	Taylor,
Clendening,	Jones, J. M.,	Muldowney,	Thompson, E. F.,
Cochran,	Jones, P. F.,	Munley,	Thompson, R. L.,
Conway,	Jones, T. H. W.,	Murray,	Toll,
Cooper,	Jump,	Musto,	Tompkins,
Corr,	Kamyk,	Najaka,	Toomey,
Costa,	Keller,	Naugle,	VanSant,
Coyle,	Kent,	Needham,	Varallo,
Dalrymple,	Kline,	Olsen,	Varnier,
Davis,	Kohl,	Penglase,	Verona,
Dennison,	Kolankiewicz,	Peta,	Wachhaus,
Dougherty,	Kornick,	Petrosky,	Wargo,
Dowling,	Kratz,	Pettigrew,	Waterhouse,
Duffy,	Kubacki,	Pfaff,	Watkins,
Dunn,	Lafore,	Pichney,	Weidner,
Erb,	Lederer,	Pitzer,	Welsh,
Ewing,	Leisey,	Polaski,	Wescott,
Fenrich,	Leonard, L.,	Polen,	Westrick,
Ferster,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley,
Filip,	Leven,	Price, R. A.,	Wheeler,
Filo,	Light,	Readinger,	White,
Firmstone,	Limper,	Reagan,	Williams,
Flack,	Loftus,	Reese,	Willt,
Frost,	Lopresti,	Reidenbach,	Wood,
Gaffney,	Lovett,	Reilly, J. M.,	Yeakel,
Geer,	Lutty,	Rigby,	Yester,
Gibson,	Lyons,	Riley, R. L.,	Yetzer,
Gleason,	Madden,	Robertson,	Young,
Good,	Madigan,	Rose,	Ziegler,
Goodling,	Markley,	Rosen,	Sorg,
		Rovansek,	Speaker

#### NAYS—0

#### NOT VOTING—2

Bloom, DuBois,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

#### BILLS PASSED OVER

There being no objection

Senate Bill No. 41, Printer's No. 570 and

Senate Bill No. 104, Printer's No. 571

were passed over at the request of the SPEAKER.

Agreeably to order

The House proceeded to the consideration on final passage of Senate Bill No. 654, as follows:

An Act to further amend the act approved the seventh day of July one thousand nine hundred forty-seven (P. L. 1368) entitled "An act amending revising and consolidating the laws relating to delinquent county city except of the first and second class and second class A borough town township school district except of the first class and school districts within cities of the second class A and institution district taxes providing when how and upon what property and to what extent liens shall be allowed for such taxes and return and entering of claims therefor the collection and adjudication of such claims sales of real property including seated and unseated lands subject to the lien of such tax claims the disposition of the proceeds thereof including State taxes and municipal claims recovered and the redemption of property providing for the discharge and divestiture by certain tax sales of all estates in property and of mortgages and liens on such property and the proceedings therefor creating a Tax Claim Bureau in each county except a county of the first class to act as agent for taxing districts defining its powers and duties including sales of property the management of property taken in sequestration and the management sale and disposition of property heretofore sold to the county commissioners taxing districts and trustees at tax sales providing a method for the service of process and notices imposing duties on taxing districts and their officers and on tax collectors and certain expenses on counties and for their reimbursement by taxing districts and repealing existing laws" by providing for the collection and distribution of said taxes by the bureau further regulating the sale of properties turned over to the bureau by county commissioners and taxing districts and of properties purchased at tax sales by county commissioners under the provisions of said act imposing certain costs upon the taxing districts and further providing for the execution of deeds

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The definition of "owner" in Section 102 of the act approved the seventh day of July one thousand nine hundred forty-seven (P. L. 1368) entitled "An act amending revising and consolidating the laws relating to delinquent county city except of the first and second class and second class A borough town township school district except of the first class and school districts within cities of the second class A and institution district taxes providing when how and upon what property and to what extent liens shall be allowed for such taxes the return and entering of claims therefor the collection and adjudication of such claims sales of real property including seated and unseated lands subject to the lien of such tax claims the disposition of the proceeds thereof including State taxes and municipal claims recovered and the redemption of property providing for the discharge and divestiture by certain tax sales of all estates in property and of mortgages and liens on such property and the proceedings therefor creating a Tax Claim Bureau in each county except a county of the first class to act as agent for taxing districts defining its powers and duties including sales of property the management of property taken in sequestration and the management sale and disposition of property heretofore sold to the county com-



missioners taxing districts and trustees at tax sales providing a method for the service of process and notices imposing duties on taxing districts and their officers and on tax collectors and certain expenses on counties and for their reimbursement by taxing districts and repealing existing laws" as amended by the act approved the twentieth day of May one thousand nine hundred forty-nine (P. L. 1602) is hereby further amended to read as follows

Section 102 Definitions As used in this act the following words shall be construed as herein defined unless the context clearly indicates otherwise

\* \* \* \* \*

"Owner" the person in whose name the property is last registered if registered according to law and in all other cases means any person in open peaceable and notorious possession of the property as apparent owner or owners thereof or the reputed owner or owners thereof in the neighborhood of such property as to property having been turned over to the bureau by any county "owner" shall mean the county

\* \* \* \* \*

Section 2 Section 204 and 205 of said act are hereby amended to read as follows

Section 204 County Bureau to [Certify Returns to County Treasurer for Collection] Collect Taxes Each county bureau shall [certify to the county treasurer a copy of all returns of tax claims filed in its office and it shall be the duty of the county treasurer to receive and collect such taxes and give proper receipt therefor when payment is offered and to make distribution of the moneys received therefor as provided by this act [A record of all taxes collected by him shall be certified to the bureau in the manner to be established under the provisions of the following section]

Section 205 System of Accounting and Payment Over In each county bureau a system of accounting [certifying of claims and collections] and payment over of all moneys collected or received under the provisions of this act [between the bureau and the county treasurer] shall be established in the bureau as may be determined by the county commissioners the county controller if any and county treasurer

All taxes and municipal claims recovered in full by the bureau [or by the county treasurer] under the provisions of this act whether by payment by the owner before sale payment by a purchaser who has bid the upset price at a sale by redemption or through sequestration shall be paid over to the taxing districts entitled thereto In all other cases including net moneys received through sequestration or from the management or through public or private sale of property the moneys received shall be paid over first to the respective taxing districts in proportion to the taxes due them second the municipal claims against such property due any taxing district third mortgages and other liens in order of their priority and fourth except in cases of property purchased by a taxing district prior bureau for sale the balance remaining shall be paid to the owner of the property sold Such payments shall in all cases be less the percentage to which the county is entitled in accordance with this act Provided however That where by the sale or redemption of property tax liens of the Commonwealth are recovered payment shall first be made of the tax liens of the Commonwealth to the State Treasurer through the Department of Revenue and in the case of the public or private sale of property by the bureau after the continuance of a former sale because of insufficient bid the purchase price received shall first be applied to the satisfaction of the tax liens of the Commonwealth and shall be paid over in like manner

Moneys received on account of costs fees and expenses advanced by the county or any other taxing district shall be repaid to the taxing district making the advance

The bureau shall keep an accurate account of all moneys received by it [or by the county treasurer] under the provisions of this act and a separate account for each property

All payments out of moneys recovered shall be made

by the [county treasurer under the system of accounting established] bureau at stated intervals but not less frequently than once every three (3) months

Section 3 Section 207 of said act as amended by the act approved the twentieth day of May one thousand nine hundred forty-nine (P. L. 1579) is hereby further amended to read as follows

Section 207 Reimbursement of County In order to reimburse the county for the actual costs and expenses of operating the bureau created by this act for a period of four years after this one thousand nine hundred forty-nine amendment becomes effective the county shall receive and retain out of all moneys collected or received under the provisions of this act four per centum (4%) thereof and thereafter shall receive and retain two per centum (2%) thereof which percentage shall be deducted by the [county treasurer] bureau before paying over moneys to the respective taxing districts entitled thereto and shall be [retained in] paid into the county treasury for the use of the county The reimbursement herein provided for shall be in addition to the costs fees and expenses advanced by the county which upon recovery are payable to the county as provided by the preceding section of this act

Section 3 Sections 404 and 608 of said act are hereby amended to read as follows

Section 404 Powers of Sequestator A sequestator shall have power to retain possession of the property as sequestator until all taxes owing to the several taxing districts shall have been collected or paid He shall have power (a) to lease the property for a period not exceeding one (1) year with the usual privilege of renewal or termination thereof upon three (3) months' notice [but not for the purpose of extracting any minerals or oil or the cutting of timber] (b) to make such repairs to the property as may be reasonably necessary to restore and maintain it in a tenable condition and to carry insurance on such property (c) to advertise the property for rent (d) to collect the costs of repairs advertising and commissions of rental agents from rentals collected or from a redeeming owner (e) to sell and dispose of growing crops and (f) to appoint a licensed real estate broker or agent as agent to collect the rentals of the property and pay such agents the customary commissions for rent collection. The bureau shall not in any case without prior approval of the county commissioners or in case of cities of the first class the city council incur any expense for the maintenance repair or alteration of any property in excess of eight per centum (80%) of the amount of rental to be received from such property within a period of one (1) year under a lease entered into at or before the time such expense is incurred All commissions costs and necessary expenses shall be deducted from the rents collected before paying the net balance towards taxes

Section 608 Deed When the purchaser has paid the amount of his bid it shall be the duty of the bureau to make to the said purchaser his or their heirs or assigns a deed in fee simple for the property sold Each such deed shall be in the name of the bureau as trustee grantor and shall be executed and duly acknowledged before the prothonotary by the director and a notation of such deed and acknowledgment shall be duly entered on the proper records The deed shall before delivery be recorded in the office for the recording of deeds at the cost of the purchaser

Section 5 Section 612.1 of said act as added by the act approved the twentieth day of May one thousand nine hundred forty-nine (P. L. 1579) is hereby amended to read as follows

Section 612.1 County Commissioners May Bid and Purchase Property [When No Bids Offered] Costs Paid by Taxing Districts Whenever any property shall be put up for public sale upon order of court as provided in section six hundred twelve the county commissioners are hereby authorized to bid [the sum of one dollar (\$1)] up to and including one dollar over and above all costs as prescribed in section six hundred twelve for said property at such sale and if the property is sold to them for the county the county shall take and have an absolute title free and clear of all tax and municipal claims mortgages liens and



charges and estates of whatsoever kind except ground rents separately taxed in the same manner and to the same extent as a private purchaser would have taken. In such cases the proportionate share of said costs shall be paid to the county by the respective taxing districts in proportion to the taxes due them on such property. An amount equal to such costs due the county from any taxing district may be deducted from any tax moneys thereafter payable to such district under the provisions of this act. Upon the sale thereafter of such property by the county the proceeds from the sale shall be distributed to the taxing authorities in proportion to the taxes due them on such property at the time of the last tax sale.

Any property purchased at such sale by the county may thereafter by the county commissioners be (1) leased to any taxing district to be used for public purposes (2) used for any suitable public purpose by the county [or] (3) sold in the same manner as any other real property owned in fee simple by the county or (4) sold upon petition to the Court of Common Pleas which shall fix a day not more than thirty (30) days thereafter for a hearing and sale. At least five (5) days notice of such hearing and sale shall be given to all the taxing authorities having an interest therein and notice shall also be given by publication at least two times with approximately ten (10) days intervening in at least one (1) newspaper of general circulation published in the county setting forth the location of the property that was acquired at a public tax sale giving the date and place the terms of the proposed sale and that the property will be sold clear and free of all liens and charges (except ground rents if any) and the lowest amount which the county is prepared to accept for the sale of the property.

If after such hearing the court is satisfied that the proposed sale is proper and to the advantage of the county and the other taxing districts interested it shall allow any person to offer more than the minimum price fixed by the county or other price as the court may find proper and enter a decree approving such sale and directing a conveyance of such property to the person or persons purchasing the same upon the payment of the purchase price and all costs of the proceedings. The title conveyed shall be free and clear of all tax and municipal claims mortgages liens and charges and estates of whatever kind except ground rents separately taxed.

Section 6 Sections 615 and 702 of said act are hereby amended to read as follows:

Section 615 Deeds. When the price for the private sale of any said property has been finally approved or confirmed as hereinbefore provided the bureau shall upon payment over of the purchase price less the option money if any make to the purchaser his or their heirs or assigns a deed in fee simple for the property sold. Each such deed shall be in the name of the bureau as trustee grantor and shall be executed and duly acknowledged before the prothonotary by the director. Such deed shall convey title to the purchaser free clear and discharged of all tax claims and tax judgments whether or not returned filed or entered as provided by this or any other act.

Section 702 Powers and Duties of Bureau as Agent. The property turned over to it as provided in the preceding section shall not be subject to redemption and until finally sold as hereinafter provided the bureau shall manage and control the property for the trustee county with power (a) to lease the property for a period not exceeding one (1) year with the usual privilege of renewal on termination thereof upon three (3) months' notice [but not] and any such lease may be on a royalty basis for the purpose of extracting any minerals or oil or the cutting of timber (b) to make such repairs to the property as may be reasonably necessary to restore and maintain it in a tenable condition and to carry insurance on such property (c) to advertise the property for sale or for rent (d) to appoint an agent or agents who shall be a licensed real estate broker or agent to collect the rentals and pay such agents the customary commission for rent collection (e) to harvest and sell the crops or produce of the property (f) to sell any scrap or salvage resulting from repairs or

alterations to buildings on the property or from the demolition of buildings no longer safe for occupancy (g) to recover the cost of advertising repairs alterations or demolition of buildings the harvesting of crops and the commissions of rental agents from the rental or sale of the property or any crops or salvage therefrom and (h) to sell the property at private sale or give options thereon and receive option money and to make deeds for such property when sold in the same manner as provided in Article VI.

The bureau shall not in any case incur any expense for the maintenance repair or alteration of any such property in excess of eighty per centum (80%) of the amount of rental to be received for such property within a period of one (1) year under a lease entered into at or before the time such expense is incurred.

Section 7 Section 703 of said act as amended by the acts approved the twentieth day of May one thousand nine hundred forty-nine (P. L. 1579) and the twentieth day of May one thousand nine hundred forty-nine (P. L. 1602) is hereby further amended to read as follows:

Section 703 Such Properties to be Sold Under Provisions of Article VI. (a) All properties so turned over to the bureau which have not been sold at private sale as hereinbefore provided with the exception of such properties leased to a previous owner or other member of his family dwelling therein and receiving or within the preceding sixty (60) days having received assistance from any public agency [shall be sold by the bureau at public sale held not later than the first day of June one thousand nine hundred fifty-one or at a public sale held not later than two years after this act becomes effective as to such taxing district. Such sales shall be made if requested by the county commissioners taxing district or trustee which delivered possession thereof to the bureau in the same manner as if said property was being sold at a first sale on a tax claim as provided in Articles III and VI and if no such request is made] may be sold at public sale by the bureau upon written request of any taxing authorities having any tax claims or tax judgments against the property. Such sale shall be made at the time specified in the request and in the same manner as if the property was being sold at a first sale on a tax claim as provided in Articles III and VI except that it shall be a simple public sale with no upset price and shall divest only the lien of tax claims and tax judgments. The purchaser of any such property shall be given a deed executed and acknowledged as hereinbefore provided which shall convey title free clear and discharged of all tax claims and tax judgments whether or not returned filed or entered as provided by this or any other act. The notices to be given of such sale as required in Article VI shall state that there is no upset price and that the sale shall divest only the lien of taxes and tax judgments.

(b) In lieu of the public sale provided for in the preceding subsection or if such sale is held but the property is not sold due to the absence of any bid the bureau upon written request of any such interested taxing authorities may sell such property upon petition to court for an order to sell clear and free of all claims liens mortgages and estates in the same manner with like proceedings and with like effect as if said properties had been first exposed to public sale as provided in Article VI but not sold because of insufficient bid. The sale of properties turned over to the bureau under the provisions of this article shall except as herein otherwise provided be subject to all the provisions of Article VI in so far as they may be applicable and when sold at public sale by order of court as above provided such properties shall be sold free and discharged from all tax and municipal claims mortgages liens charges and estates whatsoever.

[It is the intent of this section that where said property is exposed to a first public sale at the request of the county commissioner or trustee as above provided but is not sold because of insufficient bid the property shall thereafter be sold by order of court as herein provided freed and discharged from all liens and encumbrances as provided under Article VI.]



On the question,  
Shall the bill pass finally?

Mr. ANDREWS. Mr. Speaker, if there is opposition to this bill I would like to have some of those who are in opposition state what the grounds of their opposition happens to be.

Mr. REAGAN. Mr. Speaker, in reference to the question of the Minority Floor Leader, there are four bills: 653, 654, 655 and 656. They are companion bills. 653 was defeated yesterday and they all have to do with the new assessment law. As I understand the proponents, they do not want one without the other.

Mr. ANDREWS. Mr. Speaker, I yield to the gentleman from Delaware after simply observing, I see nothing in this bill regarding the assessments, but simply a safeguarding of sales that are to be made by county commissioners. This bill was amended to safeguard them by putting in an amendment that sales could only be made with permission of the court. I cannot see personally how this ties in with some of the other bills the gentleman from Blair has in mind, and I yield to the gentleman from Delaware, Mr. Robertson, who will correct me if I am wrong.

Mr. ROBERTSON. Mr. Speaker, the gentleman from Cambria is exactly right on the bill with which we are concerned. I believe that the gentleman from Union, Mr. Reagan, is also correct insofar as 653, 654, 655 and 656 are a package which has come out of the local government commission.

As I stated yesterday, this package having passed the Senate, is presented to the House as a recommendation of the Local Government Commission after a long time and a long period of study in order to streamline the collection of real estate taxes and to accurately collect all taxes on all lands.

As far as that is concerned, it is a package, but we are proceeding in accordance with the calendar and I ask that you vote for this bill.

Mr. ANDREWS. Mr. Speaker, I would like to interrogate the gentleman from Delaware, Mr. Robertson.

The SPEAKER. Will the gentleman from Delaware, Mr. Robertson, permit himself to be interrogated?

Mr. ROBERTSON. I shall, Mr. Speaker.

Mr. ANDREWS. Mr. Speaker, is not Senate Bill 654 a bill that would stand on its own feet, independent of any other bill now pending on the calendar?

Mr. ROBERTSON. Mr. Speaker, in answer to the gentleman from Cambria that is correct.

Mr. ANDREWS. Mr. Speaker, that is the point that I wanted to emphasize, that this bill even of itself stands on its own feet and is not tied up directly or indirectly with the intent carried in the other bills that are part of the package.

This bill simply deals with the sale of lands that have been taken over by the county and safeguards them by prescribing—instead of the bill as originally framed—that the sales must be made with the sanction of the court. It is a way of disposing of property that the county has come into possession of and has nothing to do with assessments.

Mr. REAGAN. Mr. Speaker, there is a matter involved in this bill which touches very nearly on the question which the other bills contain. That is that here we have

a delinquent tax board appointed to take care of this. This is an appointed board. Previously it was handled by our County Commissioners and by the County Treasurer and handled satisfactorily. This takes it out of the hands of the elected officials and puts it in the hands of this board, which is an appointed board, and they not only have control over sales, but they handle all the money. The County Treasurer is the elected officer to handle the money of the county, but this takes the delinquent tax sales out of the hands of the Treasurer and puts it in a board which is appointed.

Mr. ROBERTSON. Mr. Speaker, I want to clear up a bit of the thinking of Mr. Reagan insofar as this is an amendment to the 1947 Act which set up your Delinquent Tax Bureau. That was appointed under the '47 Act. This does not appoint the Bureau; this merely clarifies the procedure of the disposal of the properties taken over by the County Commissioners at the Treasurer's sale. That is all it does—it appoints no new person and it appoints no new board, but merely clarifies and safeguards the disposition of the property obtained by tax sales.

Mr. REAGAN. Mr. Speaker, I would like to interrogate the gentleman from Delaware, Mr. Robertson.

The SPEAKER. Will the gentleman from Delaware, Mr. Robertson, permit himself to be interrogated?

Mr. ROBERTSON. I shall, Mr. Speaker.

Mr. REAGAN. Mr. Speaker, I would like to ask him if the money collected from delinquent tax sales is not to be turned over to this delinquent board.

Mr. ROBERTSON. Mr. Speaker, not the board; the Treasurer. If the board holds the title which is set forth in the Act, it gives the deed as trustee grantor, and on disposition of proceeds from the sale it disposes of the proceeds of the sale pro rata, if the sale is not sufficient to take care of all delinquent taxes, or it disposes of the proceeds in accordance with the amount of the tax money judged sufficient to take care of all of the back taxes which are on the property held by the County Commissioners.

Mr. REAGAN. Mr. Speaker, but does not the board take over the duties of the County Treasurer in handling the money from these sales, divide it out then to the taxing authorities as their interests appear?

Mr. ROBERTSON. Mr. Speaker, if the County Commissioners hold the title, it is handled by the Treasurer; if title is held by the Bureau it is distributed by the Bureau itself and accounted for by the Bureau to the Treasurer.

Mr. REAGAN. Mr. Speaker. I thank the gentleman.

This is another instance where the business of the County and the money of the County is taken out of the hands of the Treasurer and put into a board which distributes that money as it sees fit. We have had no difficulty with our County Treasurers and County Commissioners along this line heretofore, so why is it necessary to have a board which will take this all over and take the money which is the prerogative of the County Treasurers and give it into the hands of a board which is not elected?

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:



## YEAS—138

Amarando,	Harney,	McGee,	Scanlon,
Andrews,	Haudenschild,	McInroy,	Schmidt,
Blair,	Helm,	McMillen,	Schuster,
Bolton,	Hersch,	McNally,	Scott,
Bomberger,	Hewitt,	Metz,	Shoemaker,
Boorse,	Hunter,	Mihm,	Smith,
Bower,	Jenkins,	Mintess,	Snider,
Breisch,	Johnson,	Monroe,	Sollenberger,
Brown,	Jones, G. E.,	Moore, C. E.,	Spencer,
Bucchin,	Jones, J. M.,	Moran,	Stank,
Byrne,	Jones, P. F.,	Muldowney,	Stimmel,
Cella,	Jones, T. H. W.,	Murray,	Stoner,
Clendening,	Jump,	Najaka,	Swope,
Corr,	Kamyk,	Olsen,	Thompson, E. F.,
Costa,	Keller,	Penglase,	Toll,
Coyle,	Kline,	Peta,	Tompkins,
Dairymple,	Kohl,	Pettigrew,	Toomey,
Davis,	Kolankiewicz,	Pichney,	VanSant,
Dennison,	Kornick,	Pitzer,	Varallo,
Dougherty,	Kratz,	Polen,	Waterhouse,
Dunn,	Kubacki,	Price, H. W. Jr.,	Watkins,
Ewing,	Lafore,	Price, R. A.,	Weidner,
Fenrich,	Lederer,	Readinger,	Westrick,
Filo,	Lelsey,	Reese,	Whalley,
Firmstone,	Leonard, L.,	Reidenbach,	White,
Flack,	Leonard, W. C.,	Reilly, J. M.,	Williams,
Gaffney,	Leven,	Rigby,	Wilt,
Gleason,	Limper,	Riley, R. L.,	Wood,
Good,	Lofthus,	Robertson,	Yeakel,
Greer,	Lutty,	Rosen,	Yester,
Guarnieri,	Lyons,	Rovanseck,	Yetzer,
Gutendorf,	Madden,	Royer,	Young,
Guthrie,	Markley,	Rubin,	Sorg,
Hagerty,	Mazza,	Sarra,	Speaker
Hall,	McCormack,	Sax,	

## NAYS—43

Banker,	Ferster,	Kent,	Needham,
Barkdoll,	Filip,	Light,	Polaski,
Baumunk,	Frost,	Madigan,	Reagan,
Bear,	Gibson,	McCullough,	Seyler,
Beaver,	Goodling,	McDermitt,	Swartz,
Berkstresser,	Graybill,	Mikula,	Taylor,
Breth,	Greenwood,	Miller, H. G.,	Wachhaus,
Clapper,	Hamilton, R. K.,	Miller, J. C.,	Wargo,
Conway,	Hamilton, W. H.,	Moore, H. A.,	Wescott,
Dowling,	Headlee,	Munley,	Ziegler,
Erb,	Hocker,	Musto,	

## NOT VOTING—26

Beech,	Geer,	Mills,	Tahl,
Bloom,	Hoggard,	Naugle,	Thompson, R. L.,
Boles,	Loprestil,	Petrosky,	Varner,
Cochran,	Lovett,	Pfaff,	Verona,
Cooper,	Maxwell,	Rose,	Welsh,
DuBols,	McConnell,	Shotwell,	Wheeler,
Duffy,	McKinney,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Order, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the consideration on final passage of Senate Bill No. 655, as follows:

An Act to amend the title and act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 571) entitled "An act relating to assessment for taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects property and persons subject to and exempt from taxation for county borough town township school except in cities and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for the assessment and revision of taxes defining the powers

and duties of such boards providing for the acceptance of this act by cities regulating the office of ward borough town and township assessors abolishing the office of assistant triennial assessor in townships of the first class providing for the appointment of a chief assessor assistant assessors and other employees providing for their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the recorder of deeds and eliminating the triennial assessment" by further regulating the assessment and valuation of real property for local taxation purposes further defining the duties of assessors and chief assessors changing the time for the preparation inspection and revision of the assessment roll and duplicate assessment roll notice of appeal and hearings on appeals prescribing duties of and fees to be collected by municipal officers who issue building permits imposing duties on taxables making improvements on land and grantees of land and prescribing penalties and changing procedure on appeals to court

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1 The title and Sections 502 504 506 601 and 602 of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 571) entitled "An act relating to assessment for taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects property and persons subject to and exempt from taxation for county borough town township school except in cities and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for the assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of ward borough town and township assessors abolishing the office of assistant triennial assessor in townships of the first class providing for the appointment of a chief assessor assistant assessors and other employees providing for their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the recorder of deeds and eliminating the triennial assessment" are hereby amended to read as follows

## An Act

Relating to assessment for taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects property and persons subject to and exempt from taxation for county borough town township school except in cities and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for the assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of ward borough town and township assessors abolishing the office of assistant triennial assessor in townships of the first class providing for the appointment of a chief assessor assistant assessors and other employees providing for their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the recorder of deeds and municipal officers who issue building permits imposing duties on taxables making improvements on land and grantees of land prescribing penalties and eliminating the triennial assessment

Section 502 Oath of Assessor Before entering on the duties of his office each assessor shall take and subscribe the following oath or affirmation

"I ..... do hereby (swear or affirm) that I will as assessor for ..... (ward borough town or township) use my utmost diligence to discover and ascertain all persons and property made taxable by law and will assess rate and value all such persons and property in accordance with the law and all rules and regulations of the Board of Assessment and Revision of Taxes made pursuant thereto" and will perform to the best of my ability the duties imposed upon



me by law and keep faith with trust reposed in me by the citizens of the community I serve"

A copy of the oath of assessor duly attested by an officer empowered to administer oaths shall be filed by the assessor with the board For the purpose of this section the chief assessor the board or any member thereof shall be competent to administer the oath or affirmation

Section 504 Penalty on Assessor for [Failure to Assess for Making False or Incorrect Assessment and for] Failure to Perform Duty (a) If any assessor knowingly and intentionally omits neglects or refuses [to assess and return any property person or thing made taxable by law or knowingly and intentionally assesses rates or values the same at more or less than he knows and believes the just value thereof for purposes of taxation or neglects or refuses] to comply with any order or warrant issued to him in conformity with law or neglects or refuses to obey any valid rule or regulation of the board or neglects or refuses to secure any information or data necessary for assessment purposes reasonably and properly requested by the chief assessor he shall be guilty of a misdemeanor in office and on conviction thereof shall be fined not more than two hundred dollars and shall be removed from office

Section 506 Duties of Assessor It shall be the duty of each assessor to gather and report to the chief assessor all data and information necessary to assess rate and value all subjects or objects of local taxation within the respect ward borough town or township of which he is assessor whether for county city borough town township school poor or institution district purposes in accordance with the law and all lawful regulations prescribed by the board

Section 601 Preparation of Assessment Roll Annually on or before the first day of [September] August the chief assessor shall from the returns made by the local assessors prepare and submit to the board in the form prescribed by the board an assessment roll or list of persons and property subject to local taxation together with the value placed upon each person each parcel or tract of real property and the personal property of each person by the assessor The chief assessor shall at the same time prepare and submit a list of all property exempted by law from taxation The making of triennial assessments as provided by existing law is hereby abolished

Section 602 Valuation of Persons and Property It shall be the duty of the chief assessor to assess rate and value all subjects and objects of local taxation whether for county township town school (except in cities) county institution district poor or borough purposes according to the actual value thereof and in the case of subjects and objects of local taxation other than real property at such rates and prices for which the samewould separately bona fide sell Real property shall be assessed at a value based upon an established predetermined ratio of which proper notice shall be given not exceeding seventy-five per centum (75%) of its actual value or the price for which the same would separately bona fide sell In arriving at have been sold shall be considered but shall not be controlling Instead such selling price estimated or actual shall be subject to revision by increase or decrease to accomplish equalization with other similar property within such value the price at which any property may actually the county when assessing real property the chief assessor shall also take into consideration the value of such property as indicated by the use of cost charts and land values applied on the basis of zones and districts as well as the general adherence to the established predetermined ratio

Section 2 Said act is hereby amended by adding after Section 602 two new sections to read as follows

Section 602.1 Changes in Valuation The chief assessor may with the consent of the board change the assessed valuation on real property when (i) a parcel of land is divided and conveyed away in smaller parcels or (ii) when the economy of the county or any person thereof has depreciated or appreciated to such extent that real estate values generally in that area are affected and (iii) when improvements are made to real property or existing improvements removed from real property

The painting of a building or the normal regular repairs to a building aggregating one thousand dollars (\$1000) or less in value annually shall not be deemed cause for a change in valuation

Section 602.2 Abstracts of Building Permits and Information on Improvements to be Furnished Chief Assessor (a) The office issuing building permits in every political subdivision of each county shall keep a daily record separate and apart from all other records of every building permit issued which shall set forth the following information the date of issuance the names and addresses of the persons owning and a description sufficient to identify the property for which the permit was issued the nature of the improvements and the amount in dollars in which issued On or before the first Monday of each month such office shall file the daily record in the office of the chief assessor of the county in which it is located together with a certificate of the head of such office that its contents are correct Such office shall charge and collect from each person to whom a building permit is issued the sum of fifteen cents which sum shall be in full compensation for its services under the provisions of this act

(b) Whenever any person makes improvements other than painting of or normal regular repairs to a building aggregating one thousand dollars (\$1000) or less in value annually to any real property in any political subdivision in the county and he is not required to obtain a building permit therefor by any political subdivision within thirty days of commencing the improvements he shall furnish the following information to the chief assessor the name and address of the person owning and a description sufficient to identify the property involved the nature of the improvements made or to be made and the amount in dollars of the value of the improvements

Any person who wilfully fails to comply with the provisions of this subsection or who in furnishing such information wilfully falsifies the same shall upon conviction thereof in a summary proceedings be sentenced to pay a fine of not more than fifty dollars (\$50.00)

(c) At least once every three months the chief assessor shall forward copies of such improvement records to the assessors of the political subdivision in which such improvements are made or contemplated The assessors shall visit the site of the improvements and secure any information the chief assessor requests which may include the description and measurements type of construction degree of completion cost and probable value of the improvements

Section 3 Section 604 of said act is hereby amended to read as follows

Section 604 Assessment Roll to Be Open for Public Inspection The assessment roll shall be open to public inspection at the offices of the board at the county seat during ordinary business hours of each business day from the time of completion and delivery to the board to and including the first day of [October] September Upon receipt of the assessment roll from the chief assessor the board shall give notice by publication in at least one and not more than three newspapers published in the county that such assessment roll has been completed and the place and times when such roll will be open for inspection and shall in the same notice state that any person desiring to appeal from any assessment shall file a statement in writing designating the assessment appealed from with the board on or before the [fifteenth day of November] first day of September

Section 4 Said act is hereby amended by adding after Section 605 a new section to read as follows

Section 605.1 Grantees of Real Property to Register Deed with Chief Assessor It shall be the duty of every grantee of real property to register the deed of conveyance in the office of the chief assessor for the county in which the land or the greater portion of it in area is situated within thirty days from the date of conveyance unless such deed shall have been previously recorded in the office of the Recorder of Deeds

Any person who wilfully fails to comply with the provisions of this section shall upon conviction thereof in a



summary proceeding be sentenced to pay a fine of not less than fifty dollars (\$50) and not more than one hundred dollars (\$100)

Section 5 Sections 608 612 and 617 of said act are hereby amended to read as follows

Section 608 Assessment of Lands Divided by County Lines The chief assessor shall on all lands made the assessment in the county in which the mansion house is situated when county lines divide a tract of land Whenever the dividing line between two counties shall pass through the mansion house of any tract of land the owner of the land so divided may choose as the situs of assessment either of the counties by a written notice of his election to the commissioners of both counties The assessor of the county so chosen shall assess therein all the tract of land In the event that the owner shall refuse or fail to so choose then the county in which the larger portion of the mansion house is situated shall have the right of assessment

Section 612 Assessment of Coal Underlying Lands Divided by County Township or Borough Lines The chief assessor shall where lands underlain with coal are divided by county city township or borough lines the ownership of which coal has been severed from the ownership of the overlying strata or surface assess each division of said coal in the county city township or borough in which it actually lies

Section 617 Assessing Real Estate Subject to Ground Rent Dower or Mortgage All real estate subject to ground rent dower or mortgage shall be estimated at its full value assessed according to the provisions of section six hundred two and tax accordingly except in the case of real estate subject to ground rent where there is no provision made in the ground rent deed that the lessee shall pay the taxes on the ground rent in which cases such ground rent shall be estimated and assessed for taxes to the owners thereof

Section 6 Section 701 of said act as amended by the act approved the third day of July one thousand nine hundred forty-seven (P. L. 1229) is hereby further amended to read as follows

Section 701 Appeal Notices (a) Upon receipt of the assessment roll from the assessor or as soon thereafter as possible and not later than the first day of September the board shall examine and inquire whether the assessments and valuations have been made in conformity with the provisions of this act and shall revise the same increasing or decreasing the assessments and valuations as in their judgment may seem proper and shall add thereto such property or subjects of taxation as may have been omitted It shall thereupon cause to be mailed or delivered to each owner of property or person assessed the value of whose property or personal assessment has been changed from that fixed in the preceding assessment roll as corrected after revision at his last known address a notice of such change and the amount of such new assessment Said notice shall state that any person aggrieved by such change or by any assessment may appeal to the board for relief by filing with the board on or before the first day of [October] September a statement in writing of such intention to appeal designating the assessment or assessments by which such person is aggrieved and the address to which notice of when and where to appear for hearing of the appeal shall be mailed

(b) Any person aggrieved by any assessment may appeal to the board for relief Any person desiring to make an appeal shall on or before the first day of [October] September file with the board a statement in writing of intention to appeal setting forth

(1) The assessment or assessment by which such person feels aggrieved

(2) The address to which the board shall mail notice of when and where to appear for hearing

No person shall be permitted to appeal from any assessment in any year unless he shall first have filed the statement of intention required by this section nor shall any person be permitted to appeal as to any assessment not designated in such statement

Section 7 Sections 702 703 and 704 of said act are hereby amended to read as follows

Section 702 Appeal Hearings On the first business day following the first of [October] September the board shall meet for the hearing of appeals and shall continue to meet for such purpose from time to time until all persons who have stated their intention to appeal have been heard and the appeals acted upon but not later than the first day of [December] October The board shall notify each person who has filed a statement of intention to appeal of the time and place where he shall appear for the purpose of being heard by depositing such notice in the mail addressed to such person at the address designated in the statement of intention to appeal not later than the fifth day preceding the day designated in the notice for such appearance All hearings on appeals before the board shall be open to the public and shall be conducted in accordance with regulations prescribed by the board Any person may appear and be heard either in person or by counsel At such hearing the board shall inquire as to the equity of the assessment appealed from in relation to other similar assessments as well as to the proper value of the subject or object assessed and after such hearing shall make such order as to it seems just and equitable affirming raising or lowering the assessment appealed from The order of the board shall be entered in the minutes of the board and a copy of such order shall be delivered to the person who appealed either in person or by mail to the address shown in the statement of intention to appeal within five days after the hearing on such appeal The chief assessor and such assistant assessors as he or the board may designate shall attend each hearing and shall furnish the board with such information relating to the assessment appealed from as the board may desire Either the board or the person appealing may call such witnesses as they desire and as may be permitted under the rules of the board and the board may examine such witnesses under oath For the purpose of examining witnesses any member of the board shall be competent to administer oaths

Section 703 Correction of Assessment Roll Preparation of Duplicates When the board has completed the hearing of appeals and has in each case entered its order the chief assessor shall make such changes in the assessment roll as will make it conform to the orders of the board When such corrections have been made the chief assessor shall prepare three copies of the assessment roll and deliver them on or before the first day of [February] December with his certificate that they are a true copy of the original assessment roll to the following

(1) One copy to the chief clerk of the county commissioners

(2) One copy of such portion of the roll as contain the assessment of persons or property within each school district to the secretary of the board of school directors of the respective school district and

(3) One copy of such portion of the roll as contains the assessment of persons or property within each city accepting the provisions of this act borough town or township to the respective city clerk borough secretary town clerk or secretary or township secretary All copies of such roll so furnished shall for all purposes be considered as originals The said copies in addition to the information required to be shown on the original assessment roll shall provide space to the right of each assessment for the entry of all taxes which may be levied thereon by the respective political subdivisions The original assessment roll as corrected after appeals shall be preserved in the office of the chief assessor or of the board and shall be open to public inspection subject to such regulations as the board may prescribe for the preservation and safekeeping of such roll

On or before the fifteenth day of [December] October the chief assessor shall certify to the clerk or secretary of each political subdivision coming within the scope of this act within the county the value of real property the value of occupations and the number of persons subject



to personal taxes appearing in the assessment roll and taxable by the respective political subdivisions.

Section 704 Appeal to court from order of board collection pending appeal payment into court any person who shall have appealed to the board for relief from any assessment who may feel aggrieved by the order of the board in relation to such assessment may appeal from the order of the board to the court of common pleas of the county within which such property is situated and for that purpose may present to said court or file in the prothonotary's office within sixty days after the board entered its order on the said assessment a petition signed by him his agent or attorney setting forth the facts of the case and thereupon the court shall proceed at the earliest convenient time to be by them appointed of which notice shall be given to the board to hear the said appeal and the proofs in the case and to make such orders and decrees touching the matter complained of as to the judges of said court may seem just and equitable having due regard to the valuation and assessment made of other persons or real estate in such county as well as to the proper value of the subject or object determining from the evidence submitted at the hearing what ratio was used generally in the taxing district and the court shall direct the application of the ratio so found to the value of the property which is the subject matter of the appeal and such shall be the assessment the costs of the appeal and hearing to be apportioned or paid as the court may direct provided however that the appeal shall not prevent the collection of taxes based on the assessment complained of but in case the same shall be reduced then the excess shall be returned to the person or persons who shall have paid the same and provided further than the appellant may pay the amount of the tax alleged to be due by reason of the assessment appealed from to the tax collector under protest in writing in which case when the tax is paid over to the taxing district it shall be the duty of the tax collector to notify the taxing district of such payment under protest by delivering to it the protest in writing whereupon the taxing district shall be required to segregate twenty-five per centum of the amount of the tax paid over and shall deposit the same in a separate account in the depository in which the funds of the taxing district are deposited and shall not be permitted to expend any portion of such segregated amount unless it shall first petition the court alleging that such segregated amount is unjustly withheld thereupon the court shall have power to order the use by the taxing district of such portion of such segregated amount as shall appear to said court to be reasonably free from dispute and the remainder of the segregated amount shall be held segregated by the taxing district pending the final disposition of the appeal provided further that upon final disposition of the appeal the amount found to be due the appellant as a refund shall also be a legal set-off or credit against any future taxes assessed against the appellant by the same taxing district and where a taxing district alleges that it is unable to thus credit all of such refund in one year the court upon application of either party shall determine over what period of time such refund shall be made and shall fix the amount thereof which shall be credited in any year or years this proviso shall be construed to apply to all refunds that are now due or may hereafter become due as the result of appeals from assessments that have not been finally determined or adjusted at the time this act takes effect regardless whether there has been a payment of any moneys into court or to the tax collector under written protest

On the question,

Shall the bill pass finally?

Mr. REAGAN. Mr. Speaker, this is the principal bill in this series of assessment legislation. This bill makes the structural changes which intimately concern our county government.

In this bill the chief assessor becomes the actual as-

essor for the County. While the local assessors, both township and borough, still remain, they have no power. They will draw their pay. They might as well be dispensed with because the chief assessor and his assistants and the inquisitors and clerks and so forth will do the work.

The local assessors can be removed by action on the part of the chief assessor or by the board of taxation and revision.

This takes away a large part of our local government. It is something that many of us have insisted is highly important, the foundation of our government, township and borough. This will take out of the hands of the local assessors all power to make assessments, and place it in the court house where a bureau, the chief assessor and his assistants, will have to be accommodated in some way or another. In most of the court houses of our counties they will have to build annexes or additions in order to take care of this.

This legislation is not the product of the thinking of this House. It comes from the experts, who are so numerous and who conceive that they can manufacture a better kind of government than we have ever had before. I grant you they have spent a lot of time on it. But if we take the experts' legislation continually we will find ourselves in a great deal of trouble. We are responsible for our actions, and what we do here is our responsibility. These bills gotten up by experts and legislative engineers, while they look to be excellent in theory, I do not believe will finally meet the approbation of the people of the state, and besides, they can lead us astray in their ambition for perfection.

By this bill we do away with local government in our townships and boroughs to the extent that we will have no more local assessments. These local assessors have been in vogue since the country started one hundred and seventy-years ago. They have done a good job. They are the one instrumentality of government which has kept assessments and taxes down. They refuse to raise them, no matter what pressure is being brought to bear upon them. Our National government and now we here in the state are raising the cost of government, increasing the taxes. But these local assessors being accessible to the people with whom they associate and whose taxes they lay, realize the conditions under which the people live. They have kept the assessments down, and they ought to be proud of it.

We speak about the fact that the assessments are unequal and in this township they are much higher than in another, and in a borough. But after all does it not show that the borough or the township which is economical in running its business, is naturally getting along with less money and does not need as high assessment nor as high a taxation. Such an equalization of taxation all over the county is going to penalize those who have been economical in the management of their business.

I think in passing this bill we would bid goodbye to one of our old landmarks, the local assessor, and concentrate his duties in one man in the court house. Centralization is the thing we have always tried to avoid believing that such course was not compatible with our form of government, the way it was started.

I think I have said all that I can say in opposition to



this bill. It will be entirely up to the House as to whether they want to pass it or not. But I want to say this that in passing it you are destroying the landmark which has stood for a hundred and seventy years. You are destroying it in favor of an expert way of doing things, something that after all is not the way our government is run.

Mr. ANDREWS. Mr. Speaker, I am not greatly concerned personally about the fate of this particular measure. Quite likely rural wisdom as enunciated by the gentleman from Union may prevail. But I cannot neglect the obligation to point out some of the fallacies of his reasoning.

He talks about valuations as though they were a determining factor, and as though new assessments were an evidence of economy. It is the millage that counts, members of the House. These townships that have a thirty-five mill rate and a twenty-five percent valuation of property are not necessarily operated economically.

The third class cities and the boroughs that are well run have a vital interest in this kind of legislation. For a great many years the third class city in which I live, because it is a progressive city, because it wants to give the people the right kind of service, has assessed property at approximately seventy-five percent of its normal value. And we have a thirteen or a fifteen rate as to millage. Some of our townships and some of our boroughs, because the township and the borough assessment is likewise the county assessment, value their property at twenty-five, twenty-seven or even thirty percent sometimes, but generally below thirty; and what do they do? They raise the millage. Low valuation and high millage is the blessed tradition that the gentleman from Union praises for this chamber.

That idea is a hundred and seventy-seven years old; it is time we got rid of it and got a uniform contribution to the cost of county government from all of our various political subdivisions. It is not right, it is not moral, that in contributing to the county one township deliberately, year after year, has an assessor who holds the valuations down. He is not holding the expenses of the township down; all he is holding down is the contributions to the county. He penalizes the boroughs and the third class cities and the townships that are mindful of their honest obligation.

There is only one way of requiring the various political subdivisions to make an equitable contribution to the cost of county government, and that is to require them to have the same level, the same yardstick throughout the county by which they determine real estate values.

This bill is simply an effort to require townships and boroughs that want to cheat on county taxes to play fair with county government.

Mr. ERB. Mr. Speaker, I would like to interrogate the famous attorney from Delaware, Mr. Robertson.

The SPEAKER. Will the gentleman from Delaware, Mr. Robertson, permit himself to be interrogated?

Mr. ROBERTSON. Mr. Speaker, shall I take a bow?

Mr. ERB. Mr. Speaker, not being an attorney, there are a couple questions I would like to ask. You are very familiar with this package facing the taxpayers back home. How much in a fifth class county such as mine will your two Members of the House, two Members of the Senate, five County Commissioners of the state names,

the bureau and everything—what will that expense be to our state and our county? Will that be apportioned back to our county to pay these men, two Members of the House, two Members of the Senate, five County Commissioners who set up this bureau?

Mr. ROBERTSON. Mr. Speaker, I would suggest that gentlemen speak into the microphone. I am not exactly clear what he is saying and I am sure the other Members of the House are not.

Mr. ERB. Mr. Speaker, what I would like to know is, what will be the expense incurred in the county for these two Members of the House, two Members of the Senate and five County Commissioners to set up a board to manipulate this assessment?

Mr. ROBERTSON. Mr. Speaker, there is nothing in Senate Bill 655 that has anything to do with that. I am at a loss to know what the gentleman from Blair is referring to. Senate Bill 655 has absolutely nothing to do with that. If it is Senate Bill 653, I will be glad to explain at the proper time, but I believe the business before the House at the present time is Senate Bill 655.

Mr. ERB. Mr. Speaker, well you who said that there are five members of the county commissioners, two House Members, two Members of the Senate that constitute this board. Is that right?

Mr. ROBERTSON. Mr. Speaker, I will answer the question by saying that is Senate Bill 653. That is a committee of ten which is set up under the Bill 653 which recommends uniform procedure throughout the county. They will not have to move; they will meet anywhere at the call of the chairman. There is nothing in the bill which gives them any mileage, any expenses or anything else. There is no cost in the bill.

Mr. ERB. Mr. Speaker, that is all I wanted to know. Thank you.

Mr. LIGHT. Mr. Speaker, there are two things in this bill that I am afraid some of the Members may have missed, and I wish to call attention to them.

On page 8, lines 5 to 8 it says

When assessing real property the chief assessor shall also take into consideration the value of such property as indicated by the use of cost charts and land values applied on the basis of zones and districts as well as the general adherence to the established predetermined ratio.

I wish to state here as I stated yesterday that the measure of value in Pennsylvania law for assessing property has always been what a property would bring at an actual bona fide public sale. This bill does not adhere to that Pennsylvania plan that we have always had. What a property would bring at an actual bona fide sale has always been the measure of the value for assessment.

I would like to call attention to Section 602 beginning line 12.

The chief assessor may with the consent of the board change the assessed valuation of real property when (i) a parcel of land is divided and conveyed away in smaller parcels or (ii) when the economy of the county or any portion thereof has depreciated or appreciated to such extent that real estate values generally in that area are affected and (iii) when improvements are made to real property or existing improvements removed from real property."

And listen to this,

The painting of a building or the normal regular re-



pairs to a building aggregating one thousand dollars (\$1,000) or less in value annually shall not be deemed cause for a change in valuation.

Section 60.2 Abstracts of Building Permits and information on Improvements to be Furnished Chief Assessor (a) The office issuing building permit in every political subdivision of each county shall keep a daily record separate and apart from all other records of every building permit issued which shall set forth the following information the date of issuance, the names and addresses of the persons owning and a description sufficient to identify the property for which the permit was issued, the nature of the improvements and the amount in dollars in which issued. On or before the first Monday of each month such office shall file the daily record in the office of the chief assessor of the county in which it is located together with a certificate of the head of such office that its contents are correct. Such office shall charge and collect from each person to whom a building permit is issued the sum of fifteen cents, which sum shall be paid in full compensation for the services

(b) Whenever any person makes improvements other than painting of or normal regular repairs to a building aggregating one thousand dollars or less in value to any real property in any political subdivision in the county and he is not required to obtain a building permit therefor by any political subdivision within thirty days of commencing the improvements he shall furnish the following information to the chief assessor the name and address of the person owning and a description sufficient to identify the property involved the nature of the improvements - - -

Any person who wilfully fails to comply with the provisions of this subsection or who in furnishing such information wilfully falsifies the same shall upon conviction thereof in a summary proceeding be sentenced to pay a fine of not more than fifty dollars.

If that is the kind of legislation this House wishes to pass, why, that is your pleasure, but I want to reassert what I said yesterday, this is a distinct departure from local self government, and it is one of the things that should be frowned upon by the Legislature of this state.

May I say again too that I pointed out yesterday that real estate has already, and has always borne a greater load of taxes than it should bear. And it seems quite probable that the one percent sales tax, or the one percent transfer tax will be another added tax in addition to what is now raised through Act 408 of 1927.

I again say this bill should be defeated.

Mr. ROBERTSON. Mr. Speaker, I would like to take a few moments here to answer the statements made by the gentleman from Lebanon, Mr. Light.

He read the latter end of section 602 but he failed to read the forward end of it which reads as follows:

It shall be the duty of the chief assessor to assess, rate and value all subjects and objects of local taxation - - - according to the actual value thereof.

That is right in the bill. That is exactly what he said the bill does not do. The bill does say that the actual values shall be determined. The part which he read is a suggestion to the chief assessor to use tax charts and items of that type to arrive at the actual value.

In many cases, not necessarily in metropolitan districts, but in rural areas, sales of real estate are few and far between. The actual value as he would state it is the price which a property would bring if sold. But if property in the close proximity of similar nature, which is

the test, is not sold, how can the chief assessor or anyone else value the property unless he has certain tests which he can apply?

With regard to Section 602.1 and 602.2, there have been instances in the taxation of real estate in this Commonwealth of ours where large improvements have been made to real estate and those improvements have definitely added thousands of dollars to the value of the real estate, but the real estate valuations on the tax returns have never been changed. That is definitely prevented in the same way it was in the transfer tax which passed this House, it requires the owner, if he does not have to go to some local subdivision to obtain a building permit, to report the sale to the county, which was required under the tax transfer act.

Mr. Speaker, just as the gentleman from Cambria says, this is a method whereby an accurate valuation of real estate shall be set up, and the valuation of each individual property owner is assessed in accordance with the actual value of his investment, and he pays taxes on that investment.

#### PARLIAMENTARY INQUIRY

Mr. LOPRESTI. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. LOPRESTI. Mr. Speaker, I desire to know if a motion to place this bill on the final passage postponed calendar will be in order at this time.

The SPEAKER. For the information of the gentleman, a motion to postpone takes precedence over the question of whether the bill shall pass finally.

#### MOTION TO POSTPONE

Mr. LOPRESTI. Mr. Speaker, in view of the fact that this bill is somewhat closely allied to the bill that was defeated yesterday, and from what I gathered yesterday an effort will be made to recall or again bring back before the House for another vote that particular bill, since they are part of the package and since they both refer to chief assessors and in some way or another are connected, I believe the proper procedure would be to allow this bill to go on the final passage postponed calendar until such time as we determine what the final action will be on the other bill.

I believe there are a great many benefits in this bill, and there are many reasons why I would like to vote for it, but at the same time I do not want to be put in the position of hearing an argument a day or two from now to the effect that we passed all the other bills, so now we have to pass one which was defeated yesterday. That is the argument that will probably be brought up here in this House;—"it is part of the package—we have got the rest of the package—so now let us pass this also."

Therefore, Mr. Speaker, I move that this bill be placed upon the final passage postponed calendar.

On the question,

Will the House agree to the motion?

Mr. ROBERTSON. Mr. Speaker, for the information of the gentleman from Cambria, there will be a motion made to reconsider the vote by which Bill 653 was defeated. That motion will be made this afternoon. If he is worried about that situation, I would ask him to with-



draw his motion to place it on the final passage postponed calendar.

Mr. LOPRESTI. Mr. Speaker, I would like to have action on this particular bill delayed until after the motion to reconsider the vote on the other bill has come up. Then we can act on this bill as part of the package instead of as an individual bill.

Mr. ROBERTSON. Mr. Speaker, so as to straighten out Mr. Lopresti's thinking, I will ask that this bill instead of being placed on the postponed calendar, with leave to call it up later in today's session, be merely passed at the present time.

#### MOTION TO POSTPONE WITHDRAWN

Mr. LOPRESTI. Mr. Speaker, if the gentleman will agree to that, I will withdraw my motion to place the bill on the postponed calendar.

#### BILL PASSED OVER

The SPEAKER. Without objection this bill will be passed over temporarily.

#### RECONSIDERATION OF VOTE

Mr. ROBERTSON. Mr. Speaker, I move that the vote by which Senate Bill No. 653, Printer's No. 550 entitled:

An Act to further amend the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 571) entitled "An act relating to assessment for taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects property and persons subject to and exempt from taxation for county borough town township school except in cities and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for the assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of ward borough town and township assessors abolishing the office of assistant triennial assessor in townships of the first class providing for the appointment of a chief assessor assistant assessors and other employees providing for their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the recorder of deeds and eliminating the triennial assessment" by providing for a uniform permanent record system in the boards for the assessment and revision of taxes providing for a committee to prepare such system and conferring powers and imposing duties upon the boards for the assessment and revision of taxes the chairman of the Local Government Commission and chief assessors

was defeated on final passage on Monday, September 24, be reconsidered.

Mr. JOHNSON. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Delaware Mr. Robertson vote on the final passage of this bill?

Mr. ROBERTSON. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from McKean Mr. Johnson vote on the final passage of this bill?

Mr. JOHNSON. Mr. Speaker, I voted in the majority.

The motion was agreed to.

On the question recurring,

Shall the bill pass finally?

Mr. LOPRESTI. Mr. Speaker, I desire to interrogate the gentleman from Delaware, Mr. Robertson.

The SPEAKER. Will the gentleman from Delaware, Mr. Robertson, permit himself to be interrogated?

Mr. ROBERTSON. I shall, Mr. Speaker.

Mr. LOPRESTI. Mr. Speaker, I will frankly admit that I have not studied this bill. I do not know the provisions and do not understand what is meant to be accomplished. I would therefore like to ask the gentleman from Delaware to explain to me just what the county would be required to do if this bill were to be passed.

Mr. ROBERTSON. Mr. Speaker, in answer to the gentleman's inquiry, Senate Bill 653 amends the Act of 1943 which is your tax assessment act from fourth to eighth class counties.

Under this bill the county commissioners through the board of assessment and revision of taxes will be required to make up uniform tax maps, a card index system of the properties owned with a description and a geographical card index as to the property location and its owner.

In addition to that the bill provides that the type of planning and the type of maps shall be set up by a committee of ten. That is a committee of which five members are appointed by the Pennsylvania Association of County Commissioners, two by the Speaker of the House, two by the President pro tempore of the Senate and the actual Chairman of the Local Government Commission. They are the committee of ten which sets up the uniform tax map and tax indices which will be placed in each county.

Mr. LOPRESTI. Mr. Speaker, I desire to ask the gentleman whether he has some idea as to how much would be involved in the way of dollars and cents to the various counties in complying with the terms of the bill.

Mr. ROBERTSON. Mr. Speaker, as far as that is concerned it all depends on the counties as to the number of cities and densely populated areas as compared to a county which is very sparsely populated. If it is more densely populated, obviously the planning of these various and sundry forms on your tax maps or aerial photos will be more expensive than your smaller populated counties where there will not be quite as much work.

I would suggest as far as that is concerned that probably the employees of the county could do it or it gives the authority in this act for the county commissioners to contract for that job to be done.

To answer the gentleman's question point blank, I do not know, because there are too many different counties involved.

Mr. LOPRESTI. Mr. Speaker, pleading complete ignorance on the matter, I would like to ask whether it is a matter of five, ten, or fifteen thousand, or a matter of hundreds of thousands?

Mr. ROBERTSON. Mr. Speaker, I can assure the gentleman that it is no where near hundreds of thousands. I would imagine that in a smaller county the expense would not be over \$5,000. That however is merely an educated guess.

Mr. LOPRESTI. Mr. Speaker, I desire to know if there has been any effort made to determine what these surveys and maps would cost the county?

I realize the cards would not be too expensive, but the surveys and the maps, have there been any attempts made to uncover the amount of expense that would be involved?

Mr. ROBERTSON. Mr. Speaker, as far as that is concerned, the survey description can be taken from the deeds of the record in the County presently. As far as the



maps are concerned there are some areas of the Commonwealth of Pennsylvania which I personally know have been mapped by the U. S. Coast and Geodetic Service. How far that mapping has taken place in the Commonwealth of Pennsylvania I am not sure, but I know there are several areas which have been mapped and several areas in which there are presently existing photo maps.

Mr. LOPRESTI. Mr. Speaker, I thank the gentleman.

The ideals of this bill are certainly to be commended. In my experience in this particular type of work I find that there is a great need for the sort of thing that this bill proposes.

However, I find myself in a quandary for the simple reason that I do not know what financial burden I am going to place upon my county.

In past years the Legislature passed a law at one time requiring counties to put in voting machines. The idea was good; every county liked the idea of having voting machines, but when we came down to a practical application of the law we found that a number of counties were not financially able to buy the voting machines which the Legislature said they must buy.

I am wondering when we are acting on a bill similar to this one whether we should not first ascertain the cost of what we are about to do, and find out what the burden is that we are passing on the county before we order that county to conform to our legislative desires.

For the reason that I do not know what burden I am placing upon my county, and not because I disagree with the bill, because I have previously said the ideals behind the bill are splendid, but simply because I do not know what financial burden I am placing upon my county I will be required to vote "no" on this bill.

Mr. SEYLER. Mr. Speaker, I would like to interrogate the gentleman from Delaware.

The SPEAKER. Will the gentleman from Delaware Mr. Robertson permit himself to be interrogated?

Mr. ROBERTSON. I shall, Mr. Speaker.

Mr. SEYLER. Mr. Speaker, I would ask the indulgence of the Chair and also of the gentlemen in allowing me some leeway in this questioning because the fate of these two bills, this one and the one previously discussed seems to be tied together, and in order to make my mind up on this one I would like to pursue some question, perhaps into the realm of the bill that was previously under discussion, if that is permitted.

The SPEAKER. Without objection the Chair will permit such latitude.

Mr. SEYLER. Mr. Speaker, I would like to ask the gentleman some questions about the bill which I honestly cannot quite understand.

I understand that this bill applies to fourth, fifth, sixth, seventh and eighth class counties, as I understand the bill, and I would ask the gentleman whether my understanding is correct, if the package is passed, and particularly if the bill we discussed previously was passed, the elected assessors would no longer make the assessment upon properties, but instead that duty would be performed by the chief assessor. Is that correct?

Mr. ROBERTSON. Mr. Speaker, the basic assessment on all real estate properties in any county presently is

in the board. No matter what the assessor does, the board is the final appeal.

Mr. SEYLER. Mr. Speaker, under this bill then the role of the elected assessors would be merely to furnish information to the chief assessor by which he would make the assessments?

Mr. ROBERTSON. Mr. Speaker, the role of the local assessor would be to furnish information to the chief assessor, who would make then his recommendation to the board of tax revision, who would make the assessment.

Mr. SEYLER. Mr. Speaker, then is it true that in third class counties at the present time we have a system in which the chief assessor makes the assessment upon the properties and not the elected assessor?

Mr. ROBERTSON. Mr. Speaker, in reply to the gentleman, the same procedure applies in third class counties as in this bill. The assessment is made by the board.

Mr. SEYLER. Mr. Speaker, well then here I come to my question. If it is true that in third class counties the same procedure applies as this bill will apply to fourth, fifth, sixth, seventh and eighth class counties but in third class counties they have dispensed with the elected assessors, I would ask the gentleman why it is that in this particular bill those assessors, the elected assessors, are retained?

Mr. ROBERTSON. Mr. Speaker, I think the gentleman from York may be slightly mistaken that all third class counties have done away with the local assessors. They have not in Delaware, and we are third class.

Mr. SEYLER. Mr. Speaker, is it true that in a number of third class counties that is done?

Mr. ROBERTSON. Mr. Speaker, I cannot answer the gentleman in other than Delaware.

Mr. SEYLER. Mr. Speaker, can the gentleman tell me whether in his opinion it would be possible to dispense with the services of the elected assessors under the present law as it effects third class counties?

Mr. ROBERTSON. Mr. Speaker, I could not answer that question. I can state fully that it would be impossible in Delaware County.

Mr. SEYLER. Mr. Speaker, is it the gentleman's opinion that if this bill is successful in passing the role, or the part played by the elected assessors in fourth, fifth, sixth, seventh and eighth class counties will be reduced?

Mr. ROBERTSON. Mr. Speaker, in answer to the gentleman I would say that there is a possibility that that is true, but I feel that in the practical end of it they would not be.

Mr. SEYLER. Mr. Speaker, would the gentleman venture an opinion as to whether or not a rumor which is circulating in some areas of the Commonwealth is true, namely, that this is a thinly disguised entering wedge in an attempt to dispense with the elected assessors?

Mr. ROBERTSON. Mr. Speaker, as far as I am concerned myself, I can unequivocally say "no."

Mr. SEYLER. Mr. Speaker, I thank the gentleman.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:



## YEAS—141

Amarando,	Hall,	McDermitt,	Sarra,
Andrews,	Harney,	McGee,	Sax,
Banker,	Helm,	McInroy,	Scanlon,
Blair,	Hewitt,	McMillen,	Schmidt,
Bolton,	Hoggard,	McNally,	Schuster,
Bomberger,	Hunter,	Metz,	Scott,
Boorse,	Jenkins,	Mihm,	Shoemaker,
Bower,	Johnson,	Mikula,	Smith,
Breisch,	Jones, G. E.,	Mintess,	Snider,
Brown,	Jones, J. M.,	Monroe,	Sollenberger,
Bucchin,	Jones, P. F.,	Moore, C. E.,	Spencer,
Byrne,	Jones, T. H. W.,	Moran,	Stimmel,
Cella,	Jump,	Muldowney,	Swope,
Clapper,	Kamyk,	Munley,	Thompson, E. F.,
Clendening,	Keller,	Murray,	Toll,
Conway,	Kent,	Najaka,	Tompkins,
Corr,	Kline,	Needham,	Toomey,
Costa,	Kohl,	Olsen,	VanSant,
Coyle,	Kornick,	Penglase,	Varallo,
Davis,	Kratz,	Peta,	Varnar,
Dennison,	Kubacki,	Petrosky,	Wachhaus,
Dougherty,	Lafore,	Pettigrew,	Wargo,
Duffy,	Lederer,	Pichney,	Waterhouse,
Dunn,	Leisey,	Pitzer,	Watkins,
Ewing,	Leonard, L.,	Polen,	Welsh,
Fenrich,	Leonard, W. C.,	Price, H. W. Jr.,	Williams,
Filo,	Limper,	Price, R. A.,	Wilt,
Firmstone,	Loftus,	Readinger,	Wood,
Flack,	Lutty,	Reese,	Yeakel,
Gaffney,	Lyons,	Reidenbach,	Yester,
Geer,	Madden,	Reilly, J. M.,	Yetzer,
Gibson,	Madigan,	Rigby,	Young,
Gleason,	Markley,	Robertson,	Ziegler,
Guarnieri,	Mazza,	Royer,	Sorg,
Gutendorf,	McConnell,	Rubin,	Speaker
Guthrie,	McCormack,		

## NAYS—42

Barkdoll,	Goodling,	McCullough,	Shotwell,
Baumunk,	Graybill,	Miller, H. G.,	Stank,
Bear,	Greenwood,	Miller, J. C.,	Stoner,
Beaver,	Greer,	Moore, H. A.,	Swartz,
Berkstresser,	Hamilton, R. K.,	Naugle,	Taylor,
Dalrymple,	Hamilton, W. H.,	Polaski,	Weidner,
Dowling,	Headlee,	Reagan,	Wescott,
Erb,	Hocker,	Riley, R. L.,	Westrick,
Ferster,	Kolankiewicz,	Rovansek,	Whalley,
Filip,	Light,	Seyler,	White,
Frost,	Lopresti,		

## NOT VOTING—24

Beech,	DuBois,	Lovett,	Rose,
Bloom,	Good,	Maxwell,	Rosen,
Boles,	Hagerty,	McKinney,	Tahl,
Breth,	Haudenshield,	Mills,	Thompson, R. L.,
Cochran,	Hersch,	Musto,	Verona,
Cooper,	Leven,	Pfaff,	Wheeler,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

## BILL ON FINAL PASSAGE

The SPEAKER. Without objection, the Chair will return to the consideration of Senate Bill No. 655, Printer's No. 552.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—142

Amarando,	Guthrie,	McConnell,	Royer,
Andrews,	Hall,	McCormack,	Rubin,
Banker,	Harney,	McDermitt,	Sarra,

Blair,	Helm,	McGee,	Sax,
Bolton,	Hewitt,	McInroy,	Scanlon,
Bomberger,	Hoggard,	McMillen,	Schmidt,
Boorse,	Hunter,	McNally,	Schuster,
Bower,	Jenkins,	Metz,	Scott,
Breisch,	Johnson,	Mihm,	Shoemaker,
Brown,	Jones, G. E.,	Mikula,	Smith,
Bucchin,	Jones, J. M.,	Mintess,	Snider,
Byrne,	Jones, P. F.,	Monroe,	Sollenberger,
Cella,	Jones, T. H. W.,	Moore, C. E.,	Spencer,
Clapper,	Kamyk,	Moran,	Swope,
Clendening,	Keller,	Muldowney,	Thompson, E. F.,
Conway,	Jump,	Munley,	Toll,
Corr,	Kent,	Murray,	Tompkins,
Costa,	Kline,	Najaka,	Toomey,
Coyle,	Kohl,	Needham,	Varallo,
Davis,	Kornick,	Olsen,	Varnar,
Dennison,	Kratz,	Penglase,	Wachhaus,
Dougherty,	Lafore,	Peta,	Wargo,
Duffy,	Kubacki,	Petrosky,	Waterhouse,
Dunn,	Lederer,	Pettigrew,	Watkins,
Ewing,	Leisey,	Pichney,	Welsh,
Fenrich,	Leonard, L.,	Pitzer,	Westrick,
Filo,	Leonard, W. C.,	Polen,	Williams,
Firmstone,	Limper,	Price, H. W. Jr.,	Wilt,
Flack,	Loftus,	Price, R. A.,	Wood,
Gaffney,	Lopresti,	Readinger,	Yeakel,
Geer,	Lutty,	Reese,	Yester,
Gibson,	Lyons,	Reidenbach,	Yetzer,
Gleason,	Madden,	Reilly, J. M.,	Young,
Guarnieri,	Madigan,	Rigby,	Ziegler,
Gutendorf,	Mazza,	Robertson,	Sorg,
		Rovansek,	Speaker

## NAYS—41

Barkdoll,	Frost,	Light,	Shotwell,
Baumunk,	Goodling,	Markley,	Stank,
Bear,	Graybill,	McCullough,	Stimmel,
Beaver,	Greenwood,	Miller, H. G.,	Stoner,
Berkstresser,	Greer,	Miller, J. C.,	Swartz,
Dalrymple,	Hamilton, R. K.,	Moore, H. A.,	Taylor,
Dowling,	Hamilton, W. H.,	Naugle,	VanSant,
Erb,	Headlee,	Polaski,	Weidner,
Ferster,	Hocker,	Reagan,	Wescott,
Filip,	Kolankiewicz,	Riley, R. L.,	Whalley,
		Seyler,	White,

## NOT VOTING—24

Beech,	DuBois,	Lovett,	Rose,
Bloom,	Good,	Maxwell,	Rosen,
Boles,	Hagerty,	McKinney,	Tahl,
Breth,	Haudenshield,	Mills,	Thompson, R. L.,
Cochran,	Hersch,	Musto,	Verona,
Cooper,	Leven,	Pfaff,	Wheeler,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

## BILL ON THIRD READING

The SPEAKER. Without objection, the Chair will turn to page 27 of today's calendar, bills on third reading, Senate Bill No. 656.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 656, as follows:

An Act to amend section 401 of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 571) entitled "An act relating to assessment for taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects property and persons subject to and exempt from taxation for county borough town township school except in cities and county institution district purposes and providing for and regulating the assessment and



valuation thereof for such purposes creating in each such county a board for the assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of ward borough town and township assessors abolishing the office of assistant triennial assessors in townships of the first class providing for the appointment of a chief assessor assistant assessors and other employes providing for their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the recorder of deeds and eliminating the triennial assessment" by changing the provisions relating to the appointment of chief assessors requiring that the chief assessor devote a major portion of his time to his office providing for examinations for chief assessors and creating a committee to prepare and supervise such examinations

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 401 of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 571 entitled "An act relating to assessment for taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects property and persons subject to and exempt from taxation for county borough town township school except in cities and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for the assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of ward borough town and township assessors abolishing the office of assistant triennial assessor in townships of the first class providing for the appointment of a chief assessor assistant assessors and other employes providing for their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the recorder of deeds and eliminating the triennial assessment" is hereby amended to read as follows

Section 401 Chief Assessor Appointment Compensation

(a) In each county there shall be a chief assessor appointed by the board of assessment and revision of taxes to serve at the pleasure of said board until his successor is appointed and qualified The chief assessor shall devote the major portion of his time to the duties of his office as chief assessor until a uniform permanent records system has been established and thereafter so much of his time as the board shall determine and shall receive compensation either monthly or semi-monthly as other county employes are paid [at such rate as shall be determined by the board]

(b) Chief assessors appointed subsequent to the effective date of this mandatory act and incumbent chief assessors within two years thereafter must qualify for such position by successfully passing an examination given at Harrisburg by the committee hereinafter named which committee shall conduct at least one such examination each year Such examination shall test the applicants knowledge of the laws relating to the assessment of local taxes and the subjects which may be taxed by political subdivisions and his knowledge of the value of property which is the subject of local taxation

(c) Whenever a vacancy occurs in the office of chief assessor and there are no eligible applicants available the board may appoint a chief assessor to serve until the results of the next ensuing examination are known

(d) The examination shall be prepared by and held under the supervision of a committee consisting of ten members five of whom shall be members of the Pennsylvania State Association of County Commissioners four of whom shall be members of the General Assembly and the chairman of the local government commission

The members of the committee representing the Pennsylvania State Association of County Commissioners shall be appointed by the president thereof from each class of county subject to the provisions of this act and of the four members of the General Assembly two shall be appointed by the President pro tempore of the Senate and two shall be appointed by the speaker of the House

of Representatives and all shall serve without compensation but the members of the Pennsylvania State Association of County Commissioners and the members of the General Assembly including the chairman of the local government commission shall be reimbursed respectively by the Pennsylvania State Association of County Commissioners or the Local Government Commission for all necessary expenses incurred in attending meetings of the committee The committee shall meet at the call of the chairman of the Local Government Commission or his agent who shall serve as chairman The chairman may call a meeting at any time but shall call a meeting within thirty days after receiving a request to do so signed by all of the members of the committee other than the chairman

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. ROBERTSON. Mr. Speaker, for the information of the House This is the bill which sets up the chief assessor and although some cryicism has been made as to picking experts, this attempts to make the chief assessor an expert in his field. It requires the chief assessor before he takes office to undergo an examination, or if he is presently in office, to undergo an examination within the next two years. It also requires the chief assessor to devote the major portion of his time and effort to the job. An examination is set up under the same committee that set up in 653. There is nothing in this bill that has to do with the local assessor changing valuations or anything else. I would suggest, with consent, that we use the previous roll call.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—142

Amarando.	Hall.	McDermitt.	Rubin.
Andrews.	Harney.	McGee.	Sarrafi.
Banker.	Helm.	McInroy.	Sax.
Blair.	Hewitt.	McMillen.	Scanlon.
Bolton.	Hoggard.	McNally.	Schmidt.
Bomberger.	Hunter.	Metz.	Schuster.
Boorse.	Jenkins.	Mihm.	Scott.
Bower.	Johnson.	Mikula.	Shoemaker.
Brelsch.	Jones, G. E.	Mintess.	Smith.
Brown.	Jones, J. M.	Monroe.	Snider.
Buechin.	Jones, P. F.	Moore, C. E.	Sollenberger.
Byrne.	Jones, T. H. W.	Moran.	Spencer.
Cella.	Jump.	Muldowney.	Swope.
Clapper.	Kamyk.	Munley.	Thompson, E. F.
Clendening.	Keller.	Murray.	Toll.
Conway.	Kent.	Najaka.	Tompkins.
Corr.	Kline.	Needham.	Toomey.
Costa.	Kohl.	Olsen.	Varallo.
Coyle.	Kornick.	Penglase.	Varnier.
Davis.	Kratz.	Peta.	Wachhaus.
Dennison.	Kubacki.	Petrosky.	Wargo.
Dougherty.	Lafore.	Pettigrew.	Waterhouse.
Duffy.	Lederer.	Pichney.	Watkins.
Dunn.	Leisey.	Pitzer.	Welsh.
Ewing.	Leonard, L.	Polen.	Westrick.
Fenrich.	Leonard, W. C.	Price, H. W. Jr.	Williams.
Filo.	Limper.	Price, R. A.	Wilt.
Firmstone.	Loftus.	Readinger.	Wood.
Flack.	Lopresti.	Reese.	Yeakel.
Gaffney.	Lutty.	Reidenbach.	Yester.
Geer.	Lyons.	Relly, J. M.	Yetzer.
Gibson.	Madden.	Rigby.	Young.
Gleason.	Madigan.	Robertson.	Ziegler.
Guarnieri.	Mazza.	Rovansek.	Sorg.
Gutendorf.	McConnell.	Royer.	Speaker
Guthrie.	McCormack.		



## NAYS—41

Barkdoll,	Goodling,	McCullough,	Stank,
Baumunk,	Graybill,	Miller, H. G.,	Stimmel,
Bear,	Greenwood,	Miller, J. C.,	Stoner,
Beaver,	Greer,	Moore, H. A.,	Swartz,
Berkstresser,	Hamilton, R. K.,	Naugle,	Taylor,
Dalrymple,	Hamilton, W. H.,	Polaski,	VanSant,
Dowling,	Headlee,	Reagan,	Weidner,
Erb,	Hocker,	Riley, R. L.,	Wescott,
Ferster,	Kolankiewicz,	Seyler,	Whalley,
Fillip,	Light,	Shotwell,	White,
Frost,	Markley,		

## NOT VOTING—24

Beech,	DuBois,	Lovett,	Rose,
Bloom,	Good,	Maxwell,	Rosen,
Boles,	Hagerty,	McKinney,	Tahl,
Breth,	Haudenschild,	Mills,	Thompson, R. L.,
Cochran,	Hersch,	Musto,	Verona,
Cooper,	Leven,	Pfaff,	Wheeler,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

## BILL ON FINAL PASSAGE

## BILL PASSED OVER

There being no objection

Senate Bill No. 708, Printer's No. 575  
was passed over at the request of the SPEAKER.

## BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 550, as follows:

An Act to further amend section 33 of the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said palitical subdivisions and prescribing penalties" by changing the salaries of the tax collector in cities of the third class  
The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 33 of the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" as amended by the acts approved the second day of May one thousand nine hundred forty-nine (P. L. 791) and the seventeenth day of May one thousand nine hundred forty-nine (P. L. 1400) is hereby further amended to read as follows

Section 33 Compensation and Expenses of Tax Collector in cities of the Third Class Shared For the collection of city county institution district and school taxes in a city of the third class the city treasurer as tax collector shall be paid an annual salary which salary where not definitely fixed by this section shall be fixed before the election of the city treasurer jointly by taxing authorities other than the institution district whose taxes are collected under the provisions of this act In the case of newly created cities the said salary where not definitely fixed by this act shall be fixed by said taxing authorities before any tax dupli-

cates are delivered to the city treasurer In fixing the salary of the tax collector the taxing authorities fixing the same shall each be assigned one vote which one vote shall be divided into fractions assigning an equal fraction of one vote to each member of the same taxing authority and a majority of all the fractional votes cast shall govern.

[In cities of the third class having a population of twenty-five thousand inhabitants and less the annual salary of the tax collector shall not be less than one thousand six hundred dollars nor more than three thousand five hundred dollars

In cities of the third class having a population of more than twenty-five thousand inhabitants and not exceeding fifty thousand the annual salary of the tax collector shall not be less than three thousand five hundred dollars nor more than five thousand dollars

In cities of the third class having a population of more than fifty thousand inhabitants and not exceeding fifty-five thousand inhabitants the annual salary of the tax collector shall be six hundred dollars

In cities of the third class having a population of more than fifty-five thousand inhabitants the annual salary of the tax collector shall not exceed seven thousand five hundred dollars]

The minimum annual salary of the tax collector in cities of the third class having a population of

Less than 10,000 .....	shall be \$2500
10,000 or more but less than 20,000 .....	shall be 3500
20,000 or more but less than 35,000 .....	shall be 4500
35,000 or more but less than 50,000 .....	shall be 5500
50,000 or more but less than 75,000 .....	shall be 6500
75,000 or more but less than 100,000 .....	shall be 7500
100,000 and more .....	shall be 8500

The tax collector of each city of the third class shall appoint all necessary deputies clerks and assistants whose number and salaries shall be fixed jointly by the taxing districts in the same manner as hereinbefore provided for the fixing of the salary of the tax collector Said deputies clerks and assistants shall give fidelity bond payable to the Commonwealth for the use of the city county institution district and school district conditioned on the faithful accounting and payment over of all tax moneys received by them

Each city of the third class shall provide and furnish for the tax collector at his office as city treasurer suitable office space light heat furniture and janitor service

The salaries of the tax collector and his deputies clerks and assistants shall be paid monthly or semi-monthly in equal proportions by the city the county and the school district in the same manner as other officers of said city county and school district under such arrangement as to payment as may be agreed upon between said taxing districts

The salaries of the city treasurer as tax collector his deputies clerks and assistants as fixed under the provisions of this section shall in each case be considered as salary or compensation for purposes of any pension or retirement act in effect in such city and the taxing authorities other than the institution districts shall contribute pay or guarantee to the pension or retirement fund the amount which according to law the city is required to contribute pay or guarantee to such fund by reason of the fact that the salaries herein provided for are considered as salaries or compensation of such employes for the calculation of pension or retirement rights and liabilities Each taxing district may annually set aside apportion and appropriate out of all taxes and income a sum sufficient for such payments or guarantees

The salaries of the deputies clerk and assistants of the city treasurer as tax collector as fixed under the provisions of this section shall in each case be considered as salary or compensation paid by the city for the purposes of any pension or retirement act in effect in such city and the taxing authorities other than such city or an institution district shall pay to the said city their respective pro rata share of the amount paid by the city to said fund

The taxing authorities other than the institution district



shall be required to pay in the proportions hereinafter prescribed the premium on the bonds required to be given by law by the tax collector and his deputies clerks and assistants to the Commonwealth.

The taxing authorities other than the institution district shall in equal proportions pay the cost of stationery supplies printing notices postage telephone service office equipment and incidental expenses necessarily incurred in the conduct of the tax collector's office these expenses to be determined by a board consisting of one representative from each such taxing authority to be appointed by such taxing authority

In sharing the cost of premium on bonds the city county and school district shall each pay such portion thereof as the amount of taxes on its duplicate delivered to the city treasurer for collection bears to the total amount of the taxes on the duplicates of all said taxing districts delivered to the treasurer for collection The proportionate shares of the above costs to be paid by the said taxing districts under the provisions of this amendment shall commence on the date when this act becomes effective shall be calculated on the tax duplicates delivered to the city treasurer in the year one thousand nine hundred forty-nine and shall be paid according to such initial calculation for a period of twelve months At the end of such twelve month period and at the end of each twelve month period thereafter new pro rata shares shall be calculated on the tax duplicates delivered to the city treasurer during the calendar year in which such period ended and shall be paid for the twelve months following

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—201

Amarando.	Graybill,	Mazza,	Rubin,
Andrews,	Greenwood,	McConnell,	Sarra,
Banker,	Greer,	McCormack,	Sax,
Barkdoll,	Guarnieri,	McCullough,	Scanlon,
Baumunk,	Gutendorf,	McDermitt,	Schmidt,
Bear,	Guthrie,	McGee,	Schuster,
Beaver,	Hagerty,	McInroy,	Scott,
Beech,	Hall,	McKinney,	Seyler,
Berkstresser,	Hamilton, R. K.,	McMillen,	Shoemaker,
Blair,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Haudenschild,	Metz,	Smith,
Bolton,	Headlee,	Mihm,	Snider,
Bomberger,	Helm,	Mikula,	Sollenberger,
Boorse,	Hersch,	Miller, J. C.,	Spencer,
Bower,	Hewitt,	Mills,	Stank,
Breisch,	Hocker,	Mintess,	Stimmel,
Breth,	Hoggard,	Monroe,	Stoner,
Buechin,	Hunter,	Moore, C. E.,	Swartz,
Byrne,	Jenkins,	Moore, H. A.,	Swope,
Cella,	Johnson,	Moran,	Tahl,
Clapper,	Jones, G. E.,	Muldowney,	Taylor,
Clendening,	Jones, J. M.,	Munley,	Thompson, E. F.,
Cochran,	Jones, P. F.,	Murray,	Thompson, R. L.,
Conway,	Jones, T. H. W.,	Musto,	Toll,
Cooper,	Jump,	Najaka,	Tompkins,
Corr,	Kamyk,	Naugle,	Toomey,
Costa,	Keller,	Needham,	VanSant,
Coyle,	Kent,	Varallo,	Varner,
Dalrymple,	Kline,	Penglase,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
Duffy,	Kubacki,	Pichney,	Weidner,
Dunn,	Lafore,	Pitzer,	Welsh,
Erb,	Lederer,	Polaski,	Wescott,
Ewing,	Leonard, L.,	Polen,	Westrick,
Fenrich,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley,
Ferster,	Leven,	Price, R. A.,	Wheeler,
Fillip,	Light,	Readinger,	White,
Filo,	Limper,	Reagan,	Williams,
Firmstone,	Loftus,	Reese,	Wilt,
Flack,	Lopresti,	Reidenbach,	

Frost,  
Gaffney,  
Geer,  
Gibson,  
Gleason,  
Good,  
Goodling,

Lovett,  
Lutty,  
Lyons,  
Madden,  
Madigan,  
Markley,  
Maxwell,

Reilly, J. M.,  
Rigby,  
Riley, R. L.,  
Robertson,  
Rose,  
Rosen,  
Rovanssek,  
Royer,

Wood,  
Yeakel,  
Yester,  
Yetzer,  
Young,  
Ziegler,  
Sorg,  
Speaker

## NAYS—4

Brown,

Harney,

Lelsey,

Miller, H. G.,

## NOT VOTING—2

Bloom,

DuBois,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 992, as follows:

An Act making an appropriation to the Department of Forests and Waters for the purpose of study survey and examination of flood control conditions causes and effects in the Juniata Valley and for making designs plans and recommendations for controlling such flood conditions and saving life and property

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of twenty-five thousand dollars (\$25,000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Forests and Waters for the purpose of making or causing to be made studies surveys and examinations of flood control conditions causes and effects in the Juniata Valley and to prepare or cause to be prepared for presentation to the next regular session of the General Assembly designs plans and recommendations for bringing flood conditions in the Juniata Valley under adequate and reasonable control and for saving life and property from damage by such flood conditions

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—204

Amarando,	Graybill,	Maxwell,	Royer,
Andrews,	Greenwood,	Mazza,	Rubin,
Banker,	Greer,	McConnell,	Sarra,
Barkdoll,	Guarnieri,	McCormack,	Sax,
Baumunk,	Gutendorf,	McCullough,	Scanlon,
Bear,	Guthrie,	McDermitt,	Schmidt,
Beaver,	Hagerty,	McGee,	Schuster,
Beech,	Hall,	McInroy,	Scott,
Berkstresser,	Hamilton, R. K.,	McKinney,	Seyler,
Blair,	Hamilton, W. H.,	McMillen,	Shoemaker,
Boles,	Harney,	McNally,	Shotwell,
Bolton,	Haudenschild,	Metz,	Smith,
Bomberger,	Headlee,	Mihm,	Snider,
Boorse,	Helm,	Mikula,	Sollenberger,
Bower,	Hersch,	Miller, H. G.,	Spencer,
Breisch,	Hewitt,	Mills,	Stank,
Breth,	Hocker,	Mintess,	Stimmel,
Brown,	Hoggard,	Monroe,	Stoner,
Buechin,	Hunter,	Moore, C. E.,	Swartz,
Byrne,	Jenkins,	Moore, H. A.,	Swope,
Cella,	Johnson,	Moran,	Tahl,
Clapper,	Jones, G. E.,	Muldowney,	Taylor,
Clendening,	Jones, J. M.,	Munley,	Thompson, E. F.,
Cochran,	Jones, P. F.,	Murray,	Thompson, R. L.,
Conway,	Jones, T. H. W.,	Musto,	Toll,



Cooper,	Jump,	Najaka,	Tompkins,
Corr,	Kamyk,	Naugle,	Toomey,
Costa,	Keller,	Needham,	VanSant,
Coyle,	Kent,	Olsen,	Varallo,
Dalrymple,	Kline,	Penglase,	Varner,
Davis,	Kohl,	Peta,	Verona,
Dennison,	Kolankiewicz,	Petrosky,	Wachhaus,
Dougherty,	Kornick,	Pettigrew,	Wargo,
Dowling,	Kratz,	Pfaff,	Waterhouse,
Duffy,	Kubacki,	Pichney,	Watkins,
Dunn,	Lafore,	Pitzer,	Weidner,
Erb,	Lederer,	Polaski,	Welsh,
Ewing,	Leisey,	Polen,	Wescott,
Fenrich,	Leonard, L.,	Price, H. W. Jr.,	Westrick,
Ferster,	Leonard, W. C.,	Price, R. A.,	Whalley,
Filip,	Leven,	Readinger,	Wheeler,
Filo,	Light,	Reagan,	White,
Firmstone,	Limper,	Reese,	Williams,
Flack,	Loftus,	Reidenbach,	Wilt,
Frost,	Lopresti,	Reilly, J. M.,	Wood,
Gaffney,	Lovett,	Rigby,	Yeakel,
Geer,	Lutty,	Riley, R. L.,	Yester,
Gibson,	Lyons,	Robertson,	Yetzer,
Gleason,	Madden,	Rose,	Young,
Good,	Madigan,	Rosen,	Ziegler,
Goodling,	Markley,	Rovansek,	Sorg,

Speaker

## NAYS—1

Miller, J. C.,

## NOT VOTING—2

Bloom,

DuBois,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1051, as follows:

An Act creating a Bituminous Mine Law Study Commission for the purpose of making a study and investigation of all laws relating to bituminous coal mines and the preparation of a modern code relating thereto and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 There is hereby created a commission to be known as the "Bituminous Mine Laws Study Commission" which shall consist of seven members three of whom shall be appointed by the bargaining agent of the soft coal mining industry three by the mine owners or their association and one by the other members of the commission upon their organization The commission shall organize at the call of the Governor by electing a chairman and a secretary The secretary need not be a member of the commission The members of the commission shall serve without compensation but shall be reimbursed for all expenses incurred in the discharge of their duties Vacancies occurring in the membership of the commission shall be filled by appointment by the authority who appointed the members whose place is vacated

Section 2 It shall be the duty of the Commission to make a complete study and investigation of the existing laws of the Commonwealth relating to the production and mining of bituminous coal for the purpose of revising codifying and modernizing said laws to the end that miners employed in bituminous coal mines are afforded the greatest degree of protection and safety consistent with modern methods and machinery available in such industry

Section 3 The commission shall have power to employ and fix the compensation of such engineers experts assistants clerks stenographers and other employes as may be deemed necessary to carry out the work of the commission The commission shall require and secure the cooperation of the Department of Mines and all State officials who are charged with any duties and responsibilities relating to the administration and enforcement of the existing laws relating to bituminous coal mines

Section 4 The commission shall make a final report to the Governor and the General Assembly on or before the fifteenth day of January one thousand nine hundred fifty-three together with such proposed legislation as it deems necessary to carry its recommendations into effect

Section 5 The sum of twenty thousand dollars (\$20,000) or so much thereof as may be necessary is hereby specifically appropriated to the Bituminous Mine Law Study Commission for the payment of the expenses of the members of the commission for the payment of the compensation and expenses of the secretary engineers experts assistants clerks stenographers and other employes of the commission for the purchase of supplies material and equipment for printing postage telephone telegraph rent and miscellaneous expenses and generally for the purposes of carrying into effect the provisions of this act

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—200

Amarando,	Greenwood,	McConnell,	Rubin,
Andrews,	Greer,	McCormack,	Sarraff,
Barkdoll,	Guarnieri,	McCullough,	Sax,
Baumunk,	Gutendorf,	McDermitt,	Scanlon,
Bear,	Guthrie,	McGee,	Schmidt,
Beaver,	Hagerty,	McInroy,	Schuster,
Beech,	Hall,	McKinney,	Scott,
Berkstreaser,	Hamilton, R. K.,	McMillen,	Seyler,
Blair,	Hamilton, W. H.,	McNally,	Shoemaker,
Boles,	Harney,	Metz,	Shotwell,
Bolton,	Haudenshield,	Mihm,	Smith,
Bomberger,	Headlee,	Mikula,	Snider,
Boorse,	Helm,	Miller, H. G.,	Sollenberger,
Bower,	Hersch,	Mills,	Spencer,
Brelsch,	Hocker,	Mintess,	Stank,
Breth,	Hoggard,	Monroe,	Stimmel,
Brown,	Hunter,	Moore, C. E.,	Stoner,
Bucchin,	Jenkins,	Moore, H. A.,	Swartz,
Byrne,	Johnson,	Moran,	Swope,
Cella,	Jones, G. E.,	Muldowney,	Tahl,
Clapper,	Jones, J. M.,	Munley,	Taylor,
Clendenen,	Jones, P. F.,	Murray,	Thompson, E. F.,
Cochran,	Jump,	Musto,	Thompson, R. L.,
Conway,	Kamyk,	Najaka,	Toll,
Cooper,	Keller,	Naugle,	Tompkins,
Corr,	Kent,	Needham,	Toomey,
Costa,	Kline,	Olsen,	VanSant,
Coyle,	Kohl,	Penglase,	Varallo,
Dalrymple,	Kolankiewicz,	Peta,	Varner,
Davis,	Kornick,	Petrosky,	Verona,
Dennison,	Kratz,	Pettigrew,	Wachhaus,
Dougherty,	Kubacki,	Pfaff,	Wargo,
Dowling,	Lafore,	Pichney,	Waterhouse,
Duffy,	Lederer,	Pitzer,	Watkins,
Dunn,	Leisey,	Polaski,	Weidner,
Erb,	Leonard, L.,	Polen,	Welsh,
Fenrich,	Leonard, W. C.,	Price, H. W. Jr.,	Wescott,
Ferster,	Leven,	Price, R. A.,	Westrick,
Filip,	Light,	Readinger,	Whalley,
Filo,	Limper,	Reagan,	Wheeler,
Firmstone,	Loftus,	Reese,	White,
Flack,	Lopresti,	Reidenbach,	Williams,
Frost,	Lovett,	Reilly, J. M.,	Wilt,
Gaffney,	Lutty,	Rigby,	Wood,
Geer,	Lyons,	Riley, R. L.,	Yeakel,
Gibson,	Madden,	Robertson,	Yester,
Gleason,	Madigan,	Rose,	Yetzer,
Good,	Markley,	Rosen,	Young,
Goodling,	Maxwell,	Rovansek,	Ziegler,
Graybill,	Mazza,	Royer,	Sorg,

Speaker

## NAYS—5

Banker,  
Ewing.

Hewitt,

Jones, T. H. W., Miller, J. C.,

## NOT VOTING—2

Bloom,

DuBois,



The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

#### BILL PASSED OVER

There being no objection

House Bill No. 1097, Printer's No. 1016  
was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1206, as follows:

An Act to further amend the act approved the fourth day of June one thousand nine hundred thirty-seven (P. L. 1625) entitled "An act providing for the creation maintenance and operation of a county employes retirement system in counties of the third class and imposing certain charges on counties" by further defining "final salary" authorizing the transfer from the one one-hundred-twentieth (1-120) to the one one-hundredth (1-100) class of members contributions at option of the board and adjusting the county annuity on superannuation retirement upon such transfers and providing for minimum retirement allowance in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1 of the act approved the fourth day of June one thousand nine hundred thirty-seven (P. L. 1625) entitled "An act providing for the creation maintenance and operation of a county employes retirement system in counties of the third class and imposing certain charges on counties" as last amended by the act approved the fifteenth day of May one thousand nine hundred forty-five (P. L. 524) and the act approved the eighteenth day of May one thousand nine hundred forty-five (P. L. 688) is hereby further amended to read as follows

Section 1 Be it enacted &c That the following words and phrases as used in this act shall be construed to have the following meanings

"Board" the county retirement board created by this act

"County Employee" any person whether elected or appointed who is employed by the county by the county institution district or its predecessor the county poor board or any independent poor district thereof and employed by the county by the county prison authorities by the county house of detention authorities or by the county retirement system whose salary or compensation is paid in regular periodic installments but shall not except as hereinafter provided include any person who is employed on a per diem basis

"Fund" the county employes' retirement fund created by this act

"Accumulated Deductions" the total of the amounts deducted from the salary of a contributor and paid into the fund created by this act and standing to the credit of the members' annuity reserve account together with the regular interest thereon

"Contributor" any person who has accumulated deductions in the fund created by this act standing to the credit of the members' annuity reserve account

"Beneficiary" any person in receipt of a retirement allowance under this act

"Prior Service" all service as a county employe served not later than December thirty-first preceding the year the retirement system shall be established in any county.

"Original Member" a member who was a county employe on the date of establishment of the retirement system in said county

"New Member" a member who shall have become a member of the retirement system after the establishment of the retirement system in said county

"Superannuation Retirement Age" as applied to a contributor means sixty years of age or upwards

"Final Salary" the highest average annual salary received by contributor for [the] any five consecutive years of service [immediately] preceding retirement or in the event a member has not served five years the total salary received divided by the number of years served

"Regular Interest" interest at the rate of three and one-half per centum compounded annually

"County Annuity" payments for life or during disability derived from contributions made by the county

"Member's Annuity" payments for life or during disability derived from contributions made by the contributor

"Retirement Allowance" the county annuity plus the member's annuity

Section 2 Section 5 of said act as amended by the act approved the fifth day of August one thousand nine hundred forty-one (P. L. 840) is hereby further amended by adding at the end thereof a new paragraph to read as follows

Section 5 County Employes' Retirement Fund \* \* \* \* \*

The board may at any time by rule authorize members of the retirement system whether original or new members to transfer from the one one-hundred-twentieth (1-120) class to the one one-hundredth (1-100) class and whenever such transfer shall be authorized salary deductions applicable to such transferred members shall be based upon the same age of the contributor as was used in determining the per centum of salary deduction applicable while in the one one-hundred-twentieth (1-120) class

Section 3 Section 11 of said act is hereby amended to read as follows

Section 11 Superannuation Retirement Allowance Any contributor who has reached superannuation retirement age may retire for superannuation by filing with the board a written statement duly signed by the contributor setting forth at what time he desires to be retired Said application shall retire said contributor at the time so specified

On retirement for superannuation a beneficiary shall receive a retirement allowance which shall consist of (a) a member's annuity which shall be the actuarial equivalent members' annuity reserve account and (b) a county annuity of his accumulated deductions standing to his credit in the annuity equal to one one-hundred-twentieth (1-120) of his final salary multiplied by each year of total service and in addition thereto in the case of an original member one one-hundred-twentieth (1-120) of his final salary multiplied by each year of prior service At any time the board by rule may by increasing the county annuity authorize the payment of a minimum retirement allowance of one hundred dollars (\$100) per month to every beneficiary who has retired for superannuation after twenty (20) years service but the total county annuity shall never exceed fifty per centum of the final salary

Whenever the board shall by rule authorize members of the retirement system to transfer from the one one-hundred-twentieth (1-120) class to the one one-hundredth (1-100) class the county annuity shall be calculated as follows

(a) For service prior to the time of transfer at the one one-hundred-twentieth (1-120) rate

(b) For service subsequent to the time of transfer to the time of retirement at the one one-hundredth (1-100) rate

(c) For all service prior to the time of commencing contribution as the time he contributed at the one one-hundred-twentieth (1-120) rate bears to the total time of contribution and as the time he contributed at the one one-hundredth (1-100) rate bears to the total time of contribution

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:



## YEAS—205

Amarando,	Greenwood,	McConnell,	Rubin,
Andrews,	Greer,	McCormack,	Sarra,
Banker,	Guarnieri,	McCullough,	Sax,
Barkdoll,	Gutendorf,	McDermitt,	Scanlon,
Baumunk,	Guthrie,	McGee,	Schmidt,
Bear,	Hagerty,	McInroy,	Schuster,
Beaver,	Hall,	McKinney,	Scott,
Beech,	Hamilton, R. K.,	McMillen,	Seyler,
Berkstresser,	Hamilton, W. H.,	McNally,	Shoemaker,
Blair,	Harney,	Metz,	Shotwell,
Boies,	Haudenshield,	Mihm,	Smith,
Bolton,	Headlee,	Mikula,	Snider,
Bomberger,	Helm,	Miller, H. G.,	Sollenberger,
Boorse,	Hersch,	Miller, J. C.,	Spencer,
Bower,	Hewitt,	Mills,	Stank,
Breisch,	Hocker,	Mintess,	Stimmel,
Breth,	Hoggard,	Monroe,	Stoner,
Brown,	Hunter,	Moore, C. E.,	Swartz,
Bucchin,	Jenkins,	Moore, H. A.,	Swope,
Byrne,	Johnson,	Moran,	Tahl,
Cella,	Jones, G. E.,	Muldowney,	Taylor,
Clapper,	Jones, J. M.,	Munley,	Thompson, E. F.,
Glendenning,	Jones, P. F.,	Murray,	Thompson, R. L.,
Cochran,	Jones, T. H. W.,	Musto,	Toll,
Conway,	Jump,	Najaka,	Tompkins,
Cooper,	Kamyk,	Naugle,	Toomey,
Corr,	Keller,	Needham,	VanSant,
Costa,	Kent,	Olsen,	Varallo,
Coyle,	Kline,	Penglase,	Varner,
Dalrymple,	Kohl,	Peta,	Verona,
Davis,	Kolankiewicz,	Petrosky,	Wachhaus,
Dennison,	Kornick,	Pettigrew,	Wargo,
Dougherty,	Kratz,	Piaff,	Waterhouse,
Dowling,	Kubacki,	Pichney,	Watkins,
Duffy,	Lafore,	Pitzer,	Weidner,
Dunn,	Lederer,	Polaski,	Welsh,
Erb,	Leisey,	Polen,	Westcott,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Westrick,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Whalley,
Ferster,	Leven,	Readinger,	Wheeler,
Filip,	Light,	Reagan,	White,
Filo,	Limper,	Reese,	Williams,
Firmstone,	Loftus,	Reldenbach,	Wilt,
Flack,	Lopresti,	Reilly, J. M.,	Wood,
Frost,	Lovett,	Rigby,	Yeakel,
Gaffney,	Lutty,	Riley, R. L.,	Yester,
Geer,	Lyons,	Robertson,	Yetzer,
Gibson,	Madden,	Rose,	Young,
Gleason,	Madigan,	Rosen,	Ziegler,
Good,	Markley,	Rovansek,	Sorg,
Goodling,	Maxwell,	Royer,	Speaker
Graybill,	Mazza,		

## NAYS—0

## NOT VOTING—2

Bloom, DuBois,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1215, as follows:

An Act fixing the fees or costs to be charged by aldermen magistrates and justices of the peace and imposing liability therefore upon the county in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Shore Title Scope (a) This act shall be known and may be cited as the "Minor Judiciary Fee Bill"

(b) After the effective date of this act the fees to be charged by aldermen justices of the peace and magistrates hereinafter referred to as "the minor judiciary" shall be as fixed by this act

Section 2 Criminal Cases (a) The fees to be charged by the minor judiciary in every criminal case except as hereinafter provided shall be as follows

- (1) Summary conviction except motor vehicle cases. \$ 9
- (2) Summary conviction motor vehicle cases .... \$ 6
- (3) Misdemeanor ..... \$11
- (4) Felony ..... \$15

(b) Such fees shall include all charges including when called for the costs of postage and registered mail and the costs of giving a transcript to the prosecutor or defendant or both if requested

#### Section 3 Payment of Summary Conviction Costs by County

(a) In every case of summary conviction in which the evidence is not sufficient to convict and the defendant is dismissed the costs or fees thereof shall be paid by the county

(b) In every case of summary conviction in which the defendant is convicted and sentenced to jail in default of the payment of the fine and costs or fees imposed the costs or fees of prosecution shall be paid by the county

#### Section 4 Civil Cases (a) The fees to be charged by the minor judiciary in every civil case except as hereinafter provided shall be as follows

- (1) Assumpsit or trespass involving \$100 or less. \$ 7.50
- (2) Assumpsit or trespass involving more than \$100 ..... \$10.00
- (3) Landlord and tenant proceeding ..... \$15.00
- (4) Attachment in execution proceeding after judgment ..... \$ 5.00

(b) such fees shall include all charges including when called for the costs relating to depositions and interrogatories and the costs of postage and registered mail except the costs of a transcript of every proceeding on appeal or certiorari (including affidavit bail and certificate) which shall be \$2.50 per transcript

#### Section 5 Unclassified Fees or Charges The fees to be charged by the minority judiciary in the following instances not readily classifiable shall be as follows

- (1) Order for relief or removal of pauper ..... \$1.25
- (2) Order to seize goods for maintenance of wife or children ..... \$1.25
- (3) Order for premium for wolf fox or other scalps to be paid by the county ..... \$1.25
- (4) Entering transcript of judgment from another member of the minor judiciary ..... \$1.25
- (5) Every acknowledgment of deed or other instrument of writing first name ..... \$ .75  
each additional name ..... \$ .25
- (6) Certificate to obtain land warrant ..... \$1.25
- (7) Marrying each couple making record thereof and certificate to the parties ..... \$5.00
- (8) Swearing and affirming county township or other public officer each officer ..... \$1.00
- (9) Probating accounts ..... \$1.25
- (10) Writing affidavits or affirmations ..... \$1.25

#### Section 6 Federal Cases The fees to be charged by the minor judiciary for services under the laws of the United States shall be as follows

- (1) For certificate of protection ..... \$1.00
- (2) For certificate of lost protection ..... \$ .75
- (3) Warrant ..... \$ .75
- (4) Commitment ..... \$ .75
- (5) Summons for seamen in admiralty case ..... \$ .75  
hearing thereon ..... \$1.00
- (6) For certificate to clerk of the district court to issue admiralty process ..... \$ .75
- (7) For affidavit of claims and copies thereof ..... \$1.25
- (8) Affidavit of defense ..... \$1.25

#### Section 7 Repeals (a) The following acts and parts of acts and their amendments are hereby repealed absolutely

(1) The act approved the twenty third day of May one thousand eight hundred ninety-three (P. L. 117) entitled "An act to regulate and establish the fees to be charged by justices of the peace aldermen magistrates and constables in this Commonwealth"

(2) The act approved the twenty-third day of April one thousand nine hundred nine (P. L. 160) entitled "An act to regulate and establish the fees to be charged by justices of the peace aldermen and magistrates in this Commonwealth"



(3) The act approved the fifth day of April one thousand nine hundred twenty-nine (P. L. 170 Act 171) entitled "An act to regulate and establish the fees to be charged by justices of the peace and aldermen in this Commonwealth and imposing liability for costs upon the county in certain cases"

(4) The act approved the fifteenth day of May one thousand nine hundred forty-five (P. L. 527 Act No 208) entitled "An act increasing the fees of justices of the peace and aldermen in cases of summary conviction relating to motor vehicles"

(b) All other acts or parts of acts general local or special are hereby repealed in so far as inconsistent with the provisions of this act

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. ANDREWS. Mr. Speaker, I rise for the purpose of inquiring the rate of increase in the fees that this bill carries.

Mr. STIMMEL. Mr. Speaker, any attempt to make a comparison with the law presently in affect and this bill would be far beyond my ability. I attempted to do just that, but the old law is written so that it is almost un-understandable when you try to make that comparison.

If the gentleman from Cambria and the Members of this House will take my word for it, I would say that the average increase over all is approximately 50 percent.

Mr. ANDREWS. Mr. Speaker, I suggest to the Members of this House since the fees charged by aldermen are by and large a tax upon the miseries of the poor, that it is inexpedient that we pass a bill increasing those fees in an amount that it is impossible to determine properly.

A reasonable increase in the fees charged by aldermen would be all very well, but a 50 percent or a 60 percent increase across the board, I submit to the Members of this House is inexpedient, and until such a time as it can be determined just what we are legislating I suggest that either this bill be passed over until we can get additional information, or that we oppose the measure.

Mr. STIMMEL. Mr. Speaker, I do not believe anything would be gained by the length of time we would take, because of the voluminous amount of material we would have to get together to present to this House to make an adequate comparison with the fee bill that is presently on the statute books.

Let me cite an example as a layman: you may have a fee for a felony; then you have a fee for this and a fee for that until you have five or six fees, so that the magistrate who is to collect those fees can charge almost any price from a minimum fee under the present bill to a graduated fee that will be considerably more.

May I point this out, that in many instances unequal-our fee law that was chaotic heretofore is corrected by a good bill that sets forth clearly and understandingly the fees that can be read by the membership of this House very readily. I want you to bear this in mind.

Remember too that despite the fact that this does give an average over all increase, that you are speaking in small money terms. You are not speaking of thousands of dollars but a few dollars and then, of course, our economy has progressed since the original fee bill was put on the statute books of the Commonwealth. This merely brings it up to date—not excessive by any stretch of the im-

agination,—costs of the magistrates, and in many cases it will reduce actually the costs made by some magistrates who charge what I consider an excessive payment.

Mr. ANDREWS. Mr. Speaker, however chaotic the present fee bill may be, it is only excelled in its chaos by the explanation of it offered by the gentleman from Lehigh.

He says it is small matters that are concerned. It makes a great deal of difference whether the cost of bringing a suit in an alderman's court for \$25.00 is \$4.00 or \$6.00. The same principle applies clear across the board. He admits that it is 50 percent, at least, but he does not know. So, I submit to the Members of this House that if you want to pass on to the poor litigant, the ones who are concerned with small sums which are of great moment to them, that it is better to give more consideration to this bill than is being accorded it. If you want to hand a present to the alderman, why, that is a different proposition.

Mr. STIMMEL. Mr. Speaker, I regret that I have to take issue with the learned gentleman from Cambria; but I submit this, that I am a layman, I did not know what the fees were on the present statute books. I submitted it to the Legislative Reference Bureau and they threw up their hands in holy horror, because they could not find the answer to make a proper comparison.

I still submit that nothing will be gained by procrastinating on this bill. In readily readable figures, here are the fees. This is a good bill because it sets down an honest fee for an honest job done.

I agree that it does make a difference to the litigants in some cases, certainly, and I for one would be the last one to overcharge anybody who is so unfortunate as to run afoul of the law. But I do submit to you that this is a good bill,—the fees are fair and in keeping with the time, and I ask your support on the bill.

Mr. TOLL. Mr. Speaker, if it was intended to codify the law relating to charges by magistrates, justices of the peace and aldermen, that could easily have been done. By codifying the law people who would search for the amount of fees would easily be able to understand and find out what those fees are. But if the fees are increased by fifty percent you can readily see that the Minority Leader has a point, that small litigants litigating small amounts would be discouraged from paying \$6.00 or \$7.50 to bring a suit for \$20.00—a small wage claim. Small wage earners could not appear before magistrates and justices of the peace because of the high amount that they would have to deposit. I think this bill is an injustice to the poor man or to the person bringing a small claim before a justice, and should be voted down.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—124

Banker,	Hall,	McCullough,	Schuster,
Beech,	Hamilton, R. K.,	McInroy,	Scott,
Bolton,	Hamilton, W. H.,	McKinney,	Seyler,
Bomberger,	Harney,	McMillen,	Shoemaker,
Boorse,	Helm,	McNally,	Smith,
Bower,	Hocker,	Metz,	Snider,
Breisch,	Hunter,	Mikula,	Sollenberger,
Breth,	Jenkins,	Miller, H. G.,	Spencer,
Brown,	Johnson,	Miller, J. C.,	Stimmel,
Cella,	Jones, T. H. W.,	Moore, C. E.,	Stoner,
Clapper,	Jump,	Moore, H. A.,	Swartz,
Clendening,	Kamyk,	Moran,	Swope,
Corr,	Keller,	Murray,	Taylor,
Costa,	Kent,	Najaka,	Tompkins,



Dalrymple,	Kline,	Naugle,	Toomey,
Davis,	Kohl,	Olsen,	VanSant,
Dowling,	Kornick,	Penglase,	Varner,
Dunn,	Kratz,	Petrosky,	Wachhaus,
Ewing,	Kubacki,	Pichney,	Waterhouse,
Fenrich,	Lafore,	Pitzer,	Watkins,
Ferster,	Leisey,	Polaski,	Weidner,
Filo,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Firmstone,	Leonard, W. C.,	Reese,	White,
Frost,	Light,	Reidenbach,	Wilt,
Geer,	Loftus,	Reilly, J. M.,	Wood,
Gibson,	Lyons,	Rigby,	Yeakel,
Gleason,	Madden,	Robertson,	Yester,
Graybill,	Markley,	Royer,	Yetzer,
Greenwood,	Mazza,	Rubin,	Young,
Greer,	McConnell,	Sarraf,	Ziegler,
Guthrie,	McCormack,	Sax,	Sorg,
		Schmidt,	Speaker

## NAYS—41

Amarando,	Goodling,	Lopresti,	Rosen,
Andrews,	Guarnieri,	McDermitt,	Rovansek,
Beaver,	Hagerty,	McGee,	Scanlon,
Berkatreaser,	Headlee,	Monroe,	Shotwell,
Boles,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Bucchin,	Jones, J. M.,	Munley,	Toll,
Byrne,	Jones, P. F.,	Musto,	Varallo,
Conway,	Lederer,	Needham,	Wargo,
Coyle,	Leven,	Peta,	Welsh,
Dougherty,	Limper,	Riley, R. L.,	Westrick,
Filip,			

## NOT VOTING—42

Barkdoll,	Flack,	Lutty,	Readinger,
Baumunk,	Gaffney,	Madigan,	Reagan,
Bear,	Good,	Maxwell,	Rose,
Blair,	Gutendorf,	Mihm,	Stank,
Bloom,	Haudenschild,	Mills,	Tahl,
Cochran,	Hersch,	Mintess,	Thompson, R. L.,
Cooper,	Hewitt,	Pettigrew,	Verona,
Dennison,	Hoggard,	Pfaff,	Wescott,
DuBois,	Kolankiewicz,	Polen,	Wheeler,
Duffy,	Lovett,	Price, R. A.,	Williams,
Erb,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

## BILLS PASSED OVER

There being no objection

House Bill No. 1397, Printer's No. 961

House Bill No. 1495, Printer's No. 956 and

House Bill No. 1565, Printer's No. 1019

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1580, entitled:

An Act to further amend subsection (a) of Section 672 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by changing the time for the levy and assessment of school taxes in certain cases.

On the question,

Will the House agree to the bill on third reading?

Mr. GEER. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk read the amendment as follows:

Amend Section 1, (Sec. 672), page 2, line 19, by striking out the word "shall" and inserting in lieu thereof "may"

The SPEAKER. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

## BILL PASSED OVER

There being no objection

House Bill No. 1583, Printer's No. 1002

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1646, as follows:

An Act to add subsection (4) to section 2 of the act approved the twenty-fourth day of July one thousand nine hundred thirteen (P. L. 965) entitled "An act defining commodities regulating the sale thereof and providing penalties for violation hereof" by providing for the transportation sale and delivery of manure

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 2 of the act approved the twenty-fourth day of July one thousand nine hundred thirteen (P. L. 965) entitled "A nact defining commodities regulating the sale thereof and providing penalties for violation hereof" as amended by the act approved the eighteenth day of May one thousand nine hundred forty-five (P. L. 788) is hereby amended by adding after subsection (3) thereof a new subsection to read as follows

Section 2 \* \* \* \* \*

(4) No person shall sell transport over a public highway deliver or cause to be delivered or to be started out for delivery in a vehicle or vehicle and trailer any type of manure unless said vehicle or vehicle and trailer is accompanied by a certificate of weight such manure shall be weighed by a competent person and on accurate scales suitable for weighing the tare and gross weight of the vehicle or vehicle and trailer transporting the manure and which has been tested and approved for accuracy by an official empowered by law to test such scales All certificates of weight shall be serially numbered and the copies thereof shall bear the same serial number as the original and shall show the name and address of the seller the name and address of the purchaser the license number of the vehicle and trailer the date and hour when weighed and the signature of the person who weighed the manure and issued the certificate Certificate of weight shall be made out in ink or indelible pencil and be at least in triplicate form the original copy shall be delivered to the purchaser of the manure one copy shall be retained at the place of weighing one copy shall be retained by the person making the delivery Copies retained at the place of weighing shall be subject to inspection by any State county or city inspector during business hours and may be seized for use as evidence It shall be unlawful to place any foreign matter or use any water on the manure to increase the weight of said manure at any time before weighing and before delivery is consummated to the actual consumer It shall be unlawful for any person to issue a false or incorrect certificate of weight or for any person to solicit him to do so or for any person to issue a certificate of weight which purports to bear his signature and which was not in fact signed by him at the time of weigh-



ing or which expresses a gross tare or net weight not ascertained by him This provision is inapplicable where manure is transported between two farms or parcels of land owned by the same person or persons

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. ANDREWS. Mr. Speaker, this is the bill that if you folks on the other side want to swallow it, it is all right with me. They said to me that it was an imposition particularly to the people in the mushroom business, and that they could not swallow it. So, I am not in the mushroom business; I cannot swallow it.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—200

Amarando.	Greenwood.	Mazza.	Royer.
Banker.	Guarnieri.	McConnell.	Rubin.
Barkdoll.	Gutendorf.	McCormack.	Sarraf.
Baumunk.	Guthrie.	McCullough.	Sax.
Bear.	Hagerty.	McDermitt.	Scanlon.
Beaver.	Hall.	McGee.	Schmidt.
Beech.	Hamilton, R. E.	McInroy.	Schuster.
Berkstresser.	Hamilton, W. H.	McKinney.	Scott.
Blair.	Harney.	McMillen.	Seyler.
Boles.	Haudenshield.	McNally.	Shoemaker.
Bolton.	Headles.	Metz.	Shotwell.
Bomberger.	Helm.	Mihm.	Smith.
Boorse.	Hersch.	Mikula.	Snider.
Bower.	Hewitt.	Miller, H. G.	Sollenberger.
Breisch.	Hocker.	Mills.	Spencer.
Breth.	Hoggard.	Mintess.	Stank.
Brown.	Hunter.	Monroe.	Stimmel.
Bucclin.	Jenkins.	Moore, C. E.	Stoner.
Byrne.	Johnson.	Miller, J. C.	Swartz.
Cella.	Jones, G. E.	Moran.	Swope.
Clapper.	Jones, J. M.	Muldowney.	Tahl.
Clendening.	Jones, P. F.	Munley.	Taylor.
Cochran.	Jones, T. H. W.	Murray.	Thompson, E. F.
Conway.	Jump.	Musto.	Thompson, R. L.
Cooper.	Kamyk.	Najaka.	Toll.
Corr.	Keller.	Naugle.	Tompkins.
Costa.	Kent.	Needham.	Toomey.
Coyle.	Kline.	Olsen.	VanSant.
Davis.	Kohl.	Penglase.	Varallo.
Dennison.	Kolankiewicz.	Peta.	Varnier.
Dougherty.	Kornick.	Petrosky.	Verona.
Dowling.	Kratz.	Pettigrew.	Wachhaus.
Duffy.	Kubacki.	Pfaff.	Wargo.
Dunn.	Lafore.	Pichney.	Waterhouse.
Erb.	Lederer.	Pitzer.	Watkins.
Ewing.	Leisey.	Polaski.	Weidner.
Fenrich.	Leonard, L.	Polen.	Welsh.
Ferster.	Leonard, W. C.	Price, H. W. Jr.	Wescott.
Fillip.	Leven.	Price, R. A.	Whalley.
Filo.	Light.	Readinger.	Wheeler.
Firmstone.	Limper.	Reagan.	White.
Flack.	Loftus.	Reese.	Williams.
Frost.	Lopresti.	Reidenbach.	Wilt.
Gaffney.	Lovett.	Reilly, J. M.	Wood.
Geer.	Lutty.	Rigby.	Yeakel.
Gibson.	Lyons.	Riley, R. L.	Yester.
Gleason.	Madden.	Robertson.	Yetzer.
Good.	Madigan.	Rose.	Young.
Goodling.	Markley.	Rosen.	Ziegler.
Graybill.	Maxwell.	Rovansek.	Sorg.

Speaker

#### NAYS—4

Andrews.	Dalrymple.	Greer.	Moore, H. A.
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#### NOT VOTING—3

Bloom.	DuBois.	Westrick.
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The majority required by the Constitution having voted

in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1651, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by creating the Vocational Technical Institute Board of Pennsylvania as an administrative board in the Department of Public Instruction and defining its powers and duties

On the question,

Will the House agree to the bill on third reading?

#### BILL RECOMMITTED

Mr. McMILLEN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations for the purpose of further study.

The motion was agreed to.

#### BILL PASSED OVER

There being no objection

House Bill No. 1652, Printer's No. 1022

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1690, as follows:

An Act to add Section 12.2 to the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by providing for the furnishing of information and the transfer of certain moneys by the board to the State Employes' Retirement Board and Fund

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) en-



titled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" is hereby amended by adding after Section 12.1 thereof which was added by the act approved the seventh day of July one thousand nine hundred forty-seven (P. L. 1365) a new section to read as follows

Information and Payments on Account of Certain Former Employees

Section 12.2 (a) On the written application of any person who is a former employee under the public school system of this Commonwealth including State Teachers' Colleges and the Pennsylvania State College and who is a member of the State Employees' Retirement System but has no credit for his years of such service under the State Employees' Retirement System the board shall promptly furnish the State Employees' Retirement Board with a statement showing the number of years for which he made contributions and for which contributions were made by the State and school district to the fund and the total amount of such contributions plus accrued interest at the time of his withdrawal

(b) Whenever the board has proof of such contributions the board shall furnish the State Employees' Retirement Board with proof thereof and shall transfer to the State Employees' Retirement Fund from the fund an amount equalling the contributions made by the State and school district to his account during such year of service and the amount if any of accumulated deductions plus accrued interest left by such person in the fund

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Amarando.	Greenwood.	Mazza,	Royer,
Andrews,	Greer,	McConnell,	Rubin,
Banker,	Guarnieri,	McCormack,	Sarras,
Barkdoll,	Gutendorf,	McCullough,	Sax,
Baumunk,	Guthrie,	McDermitt,	Scanlon,
Bear,	Hagerty,	McGee,	Schmidt,
Beaver,	Hall,	McInroy,	Schuster,
Beech,	Hamilton, R. K.,	McKinney,	Scott,
Berkstresser,	Hamilton, W. H.,	McMillen,	Seyler,
Blair,	Harney,	McNally,	Shoemaker,
Boles,	Haudenshield,	Metz,	Shotwell,
Bolton,	Headlee,	Mihm,	Smith,
Bomberger,	Helm,	Mikula,	Snider,
Boorse,	Hersch,	Miller, H. G.,	Sollenberger,
Bower,	Hewitt,	Miller, J. C.,	Spencer,
Brelsch,	Hocker,	Mills,	Stank,
Breth,	Hoggard,	Mintess,	Stimmel,
Brown,	Hunter,	Monroe,	Stoner,
Bucchin,	Jenkins,	Moore, C. E.,	Swartz,
Byrne,	Johnson,	Moore, H. A.,	Swope,
Cella,	Jones, G. E.,	Moran,	Tahl,
Clapper,	Jones, J. M.,	Muldowney,	Taylor,
Clendening,	Jones, P. F.,	Munley,	Thompson, E. F.,
Cochran,	Jones, T. H. W.,	Murray,	Thompson, R. L.,
Conway,	Jump,	Musto,	Toll,
Cooper,	Kamysk,	Najaka,	Tompkins,
Corr,	Keller,	Naugle,	Toomey,
Costa,	Kent,	Needham,	VanSant,
Coyle,	Kline,	Olsen,	Varallo,
Dalrymple,	Kohl,	Penglase,	Varnier,
Davis,	Kolkankiewicz,	Peta,	Verona,
Dennison,	Kornick,	Petrosky,	Wargo,
Dougherty,	Kratz,	Pettigrew,	Wachhaus,

Dowling,	Kubacki,	Pfaff,	Waterhouse,
Duffy,	Lafore,	Pichney,	Watkins,
Dunn,	Lederer,	Pitzer,	Weldner,
Erb,	Leisey,	Polaski,	Welsh,
Ewing,	Leonard, L.,	Polen,	Wescott,
Fenrich,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley,
Ferster,	Leven,	Price, R. A.,	Wheeler,
Filip,	Light,	Readinger,	White,
Filo,	Limper,	Reagan,	Williams,
Flack,	Loftus,	Reese,	Wilt,
Firmstone,	Lopresti,	Reidenbach,	Wood,
Frost,	Lovett,	Reilly, J. M.,	Yeakel,
Gaffney,	Lutty,	Rigby,	Yester,
Geer,	Lyons,	Riley, R. L.,	Yetzer,
Gibson,	Madden,	Robertson,	Young,
Gleason,	Madigan,	Rose,	Ziegler,
Good,	Markley,	Rosen,	Sorg,
Goodling,	Maxwell,	Rovansek,	Speaker
Graybill,			

NAYS—0

NOT VOTING—3

Bloom, DuBols, Westrick,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House Bill No. 1707, Printer's No. 1024

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1708, entitled:

An Act to amend Section 312 and to repeal Section 313 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing representation of each component district on the board of directors of union and merged school districts

On the question,

Will the House agree to the bill on third reading?

Mr. BEAR. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Title, page 1, next to last line of Title, by striking out the words "of each component district."

Amend Sec. 1 (Sec. 312), page 3, line 5, by striking out the word "districts" and inserting in lieu thereof "cities, boroughs, towns and townships (hereinafter referred to as "municipalities") making up the union or merged district."

Amend Sec. 1 (Sec. 312), page 3, line 9, by striking out the word "districts" and inserting in lieu thereof "municipalities."

Amend Sec. 1 (Sec. 312), page 3, line 11, by striking out the word "districts" and inserting in lieu thereof "municipalities."

Amend Sec. 1 (Sec. 312), page 4, line 5, by striking out the word "districts" and inserting in lieu thereof "municipalities."

Amend Sec. 1 (Sec. 312), page 4, line 8, by striking out the word "district" and inserting in lieu thereof "municipalities."

Amend Sec. 1 (Sec. 312), page 4, line 10, by striking out



the word "district" and inserting in lieu thereof "municipalities."

Amend Sec. 1 (Sec. 312, page 4, line 13, by striking out the word "district" and inserting in lieu thereof "municipalities.")

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

### BILL PASSED OVER

There being no objection,

House Bill No. 1711, Printer's No. 968, was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1724, as follows:

An Act to add subsection (h) to section 802.4 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by authorizing the use of additional red reflectors

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 802.4 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles

imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as added by the act approved the sixteenth day of June one thousand nine hundred thirty-five (P. L. 1056) is hereby amended by adding after subsection (g) thereof a new subsection to read as follows

Section 802.4 Number of Driving Lamps Required or Permitted

\* \* \* \* \*

(h) Any motor vehicle may in addition to the red reflector required by subsection (e) of section 801 carry on the rear thereof not more than four (4) red reflectors of a type approved by the secretary

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

### YEAS—204

Amarando,	Graybill,	Maxwell,	Royer,
Andrews,	Greenwood,	Mazza,	Rubin,
Banker,	Greer,	McConnell,	Sarraf,
Barkdoll,	Guarnieri,	McCormack,	Sax,
Baumunk,	Gutendorf,	McCullough,	Scanlon,
Bear,	Guthrie,	McDermitt,	Schmidt,
Beaver,	Hagerty,	McGee,	Schuster,
Beech,	Hall,	McInroy,	Scott,
Berkstresser,	Hamilton, R. K.,	McKinney,	Seyler,
Blair,	Hamilton, W. H.,	McMillen,	Shoemaker,
Boles,	Harney,	McNally,	Shotwell,
Bolton,	Haudenshield,	Metz,	Smith,
Bomberger,	Headlee,	Mihm,	Snider,
Boorse,	Helm,	Mikula,	Sollenberger,
Bower,	Hersch,	Miller, H. G.,	Spencer,
Breisch,	Hewitt,	Miller, J. C.,	Stank,
Breth,	Hocker,	Mills,	Stimmel,
Brown,	Hoggard,	Mintess,	Stoner,
Bucchin,	Hunter,	Monroe,	Swartz,
Byrne,	Jenkins,	Moore, C. E.,	Swope,
Cella,	Johnson,	Moore, H. A.,	Tahl,
Clapper,	Jones, G. E.,	Moran,	Taylor,
Clendening,	Jones, J. M.,	Muldowney,	Thompson, E. F.,
Cochran,	Jones, P. F.,	Munley,	Thompson, R. L.,
Conway,	Jones, T. H. W.,	Murray,	Toll,
Cooper,	Jump,	Musto,	Tompkins,
Corr,	Kamyk,	Najaka,	Toomey,
Costa,	Keller,	Naugle,	VanSant,
Coyle,	Kent,	Needham,	Varallo,
Dalrymple,	Kline,	Olsen,	Varnier,
Davis,	Kohl,	Penglase,	Verona,
Dennison,	Kolankiewicz,	Peta,	Wachhaus,
Dougherty,	Kornick,	Petrosky,	Wargo,
Dowling,	Kratz,	Pettigrew,	Waterhouse,
Duffy,	Kubacki,	Pfaff,	Watkins,
Dunn,	Lafore,	Pichney,	Weidner,
Erb,	Lederer,	Pitzer,	Welsh,
Ewing,	Lelsey,	Polaski,	Wescott,
Fenrich,	Leonard, L.,	Polen,	Whalley,
Ferster,	Leonard, W. C.,	Price, H. W. Jr.,	Wheeler,
Filip,	Leven,	Price, R. A.,	White,
Filo,	Light,	Readinger,	Williams,
Firmstone,	Limper,	Reagan,	Wilt,
Flack,	Loftus,	Reese,	Wood,
Frost,	Lopresti,	Reidenbach,	Yeakel,
Gaffney,	Lovett,	Reilly, J. M.,	Yester,
Geer,	Lutty,	Rigby,	Yetzer,
Gibson,	Lyons,	Riley, R. L.,	Young,
Gleason,	Madden,	Robertson,	Ziegler,
Good,	Madigan,	Rose,	Sorg,
Goodling,	Markley,	Rosen,	Speaker
		Rovansek,	

### NAYS—0

### NOT VOTING—3

Bloom, DuBois, Westrick,

The majority required by the Constitution having voted



in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1733, as follows:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justice of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by further providing for the transfer of registration plates from one motor vehicle trailer or semi-trailer to another

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (b) of Section 411 and subsection (b) of Section 506 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the act approved the tenth day of August one thousand nine hundred fifty-one (Act No. 271) are hereby further amended to read as follows

Section 411 Transfer of Registration Temporary Registration Cards

(b) When transfer of registration plates is made from one motor vehicle trailer or semi-trailer to another owned by the same person or by his or her husband or wife or owned by the same person jointly with his or her husband or wife or owned by either the husband or wife when the former vehicle was owned by the husband and wife jointly or when ownership of a motor vehicle trailer or semi-trailer is transferred from

a husband to his wife or from a wife to her husband or from either to both jointly or from both jointly to either husband or wife application shall be made immediately to the department upon a form furnished by the department accompanied by the transfer fee provided in this act when the motor vehicle trailer or semi-trailer is of equal or less horsepower or classification than that originally registered or accompanied by the transfer fee provided in this act and the difference between the fee originally paid and that due if the motor vehicle trailer or semi-trailer to which the registration plates are transferred by properly registered in a higher class Such application shall also be accompanied by the owner's registration card or the registration card of the husband or wife or husband and wife making such transfer

#### Section 506 Transfer of Registration Plates

\* \* \* \* \*

(b) In the event of the transfer of registration plate or plates as provided in subsection (b) of section four hundred eleven to a vehicle of the same vehicle classification as that originally registered the owner of owners of the second vehicle shall be assigned the registration plate or plates previously issued [to him] for the former vehicle unless such registration plate or plates have been lost or destroyed

Section 2 Section 507 of said act as amended by the act approved the twenty-sixth day of April one thousand nine hundred forty-three (P. L. 74) is hereby further amended to read as follows

Section 507 Temporary Use of Registration Plates Pending Transfer After the transfer of registration plate or plates from a motor vehicle trailer or semi-trailer to another motor vehicle trailer or semi-trailer owned by the same owner or owned by the same owner's husband or wife or by the same owner jointly with his or her husband or wife or owned by the husband or wife when the former vehicle was owned by the husband and wife jointly the owner or operator shall not for a period of twenty (20) days be subject to a fine for the operation of the latter motor vehicle trailer or semi-trailer without the proper transfer registration card for the registration card for the registration plate or plates displayed provided he shall have made application to the department as required in this act within forty-eight (48) hours after said transfer of registration plate or plates for transfer of the registration and provided he shall upon prosecution make affidavit or testify under oath to that effect

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—204

Amarando,	Greenwood,	Maxwell,	Royer,
Andrews,	Greer,	Mazza,	Rubin,
Banker,	Guarnieri,	McCormack,	Sarrat,
Barkdoll,	Gutendorf,	McCullough,	Sax,
Baumunk,	Guthrie,	McDermitt,	Scanlon,
Bear,	Hagerty,	McGee,	Schmidt,
Beaver,	Hall,	McInroy,	Schuster,
Beech,	Hamilton, R. K.,	McKinney,	Scott,
Berkstresser,	Hamilton, W. H.,	McMillen,	Seyler,
Blair,	Harney,	McNally,	Shoemaker,
Boles,	Haudensfield,	Metz,	Shotwell,
Bolton,	Headlee,	Mihm,	Smith,
Bomberger,	Helm,	Mikula,	Snider,
Boorse,	Hersch,	Miller, H. G.,	Sollenberger,
Bower,	Hewitt,	Miller, J. C.,	Spencer,
Brelschi,	Hocker,	Mills,	Stank,
Breth,	Hoggard,	Mintess,	Stimmel,
Brown,	Hunter,	Monroe,	Stoner,
Bucchin,	Jenkins,	Moore, C. E.,	Swartz,
Byrne,	Johnson,	Moore, H. A.,	Swope,
Cella,	Jones, G. E.,	Moran,	Tahl,



Clapper,	Jones, J. M.,	Muldowney,	Taylor,
Clendenning,	Jones, P. F.,	Munley,	Thompson, E. F.,
Cochran,	Jones, T. H. W.,	Murray,	Thompson, R. L.,
Conway,	Jump,	Musto,	Toll,
Cooper,	Kamyk,	Najaka,	Tompkins,
Corr,	Keller,	Naugle,	Toomey,
Costa,	Kent,	Needham,	VanSant,
Coyle,	Kline,	Olsen,	Varallo,
Dairymple,	Kohl,	Penglase,	Varner,
Davis,	Kolankiewicz,	Peta,	Verona,
Dennison,	Kornick,	Petrosky,	Wachhaus,
Dougherty,	Kratz,	Pettigrew,	Wargo,
Dowling,	Kubacki,	Pfaff,	Waterhouse,
Duffy,	Lafore,	Pichney,	Watkins,
Dunn,	Lederer,	Pitzer,	Weidner,
Erb,	Lelsey,	Polaski,	Welsh,
Ewing,	Leonard, L.,	Polen,	Wescott,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Whalley,
Ferster,	Leven,	Price, H. W. Jr.,	Wheeler,
Fillip,	Light,	Readinger,	White,
Filo,	Limper,	Reagan,	Williams,
Firmstone,	Loftus,	Reese,	Wilt,
Flack,	Lopresti,	Reidenbach,	Wood,
Frost,	Lovett,	Reilly, J. M.,	Yeakel,
Gaffney,	Lutty,	Rigby,	Yester,
Geer,	Lyons,	Riley, R. L.,	Yetzer,
Gibson,	Madden,	Robertson,	Young,
Gleason,	Madigan,	Rose,	Ziegler,
Good,	Markley,	Rosen,	Sorg,
Goodling,	McConnell,	Rovansek,	Speaker
Graybill,			

## NAYS—0

## NOT VOTING—3

Bloom, DuBois, Westrick,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

## BILLS PASSED OVER

There being no objection,

Senate Bill No. 230, Printer's No. 384.  
 Senate Bill No. 319, Printer's No. 270.  
 Senate Bill No. 494, Printer's No. 528.  
 Senate Bill No. 500, Printer's No. 183.  
 Senate Bill No. 502, Printer's No. 536.  
 Senate Bill No. 503, Printer's No. 537.  
 Senate Bill No. 504, Printer's No. 224.  
 Senate Bill No. 644, Printer's No. 417.  
 Senate Bill No. 658, Printer's No. 504.  
 Senate Bill No. 675, Printer's No. 489.  
 Senate Bill No. 676, Printer's No. 535.  
 Senate Bill No. 677, Printer's No. 491.  
 Senate Bill No. 678, Printer's No. 492.  
 Senate Bill No. 679, Printer's No. 478.  
 Senate Bill No. 680, Printer's No. 516.  
 Senate Bill No. 681, Printer's No. 545.  
 Senate Bill No. 682, Printer's No. 397.  
 Senate Bill No. 729, Printer's No. 402.  
 Senate Bill No. 742, Printer's No. 461.  
 Senate Bill No. 759, Printer's No. 415.  
 Senate Bill No. 796, Printer's No. 555.  
 Senate Bill No. 818, Printer's No. 569.

were passed over at the request of the SPEAKER.

## PERMISSION TO ADDRESS HOUSE

Mr. HELM asked and obtained unanimous consent to address the House.

Mr. Speaker, I merely want to call the attention of

the Members of the House, their families, and our friends in this Legislature, to the closing day ceremonies which will be held tonight.

I would like to ask you to be in your seats promptly at 7:30 p. m. daylight time. Because of the nature of our musical program, it is necessary that the participants go on the program promptly, and leave here for another engagement. I would like to ask that you be here promptly at 7:30 p. m.

## PERMISSION TO ADD ADDITIONAL SPONSORS

Mrs. VARALLO asked and obtained unanimous consent to add additional sponsors to a resolution to be introduced by her.

## RESOLUTION

## CONGRATULATIONS

Mrs. VARALLO, Mrs. COYLE, Mrs. MONROE, Mrs. MUNLEY, Messrs. AMARANDO, GUARNIERI, LIMPER, GRANVILLE E. JONES, HOGGARD, DOUGHETY, COSTA, MULDOWNEY, LEDERER, DUFFY, HAGGERTY, PFAFF, TOLL, CONWAY, McCORMACK, BYRNE, BOIES, PENGLASE, LEVEN, TAYLOR, PETA, HERSCH, McGEE, KOLANKIEWICZ, LOFTUS and REIDENBACH offered a resolution which was read and considered as follows:

In the House of Representatives, September 17, 1951.

Whereas, There is a member of this House who in spite of his many years as a member of the House of Representatives, has never received the felicitations of his colleagues upon his birthday because he happened to have been born on September 8—a date months after the General Assembly usually adjourns; and

Whereas, This particular member has so many fine characteristics, the Members of the House of Representatives are delighted to take this opportunity of wishing him—Joseph A. Scanlon—a very, very happy birthday—particularly do the Democratic members wish him a happy birthday since he holds the whip over them to make sure they are all in their proper seats with bright shining faces; and

Whereas, All of the members are mindful of the fact that Joe Scanlon still has a piece of the broom which his Great-Aunt Bridget O'Houlihan Murphy gave St. Patrick to sweep the snakes out of Ireland; and

Whereas, Joe would shun all words of praise from us as to the fine job he is doing in the General Assembly and say that his sister, Margaret, who is devoting her life to Joe's five children since Joe's wife died in 1941, deserves any and all praise that is directed his way; therefore be it

Resolved, That the House of Representatives hereby extends happiest birthday greetings to Joseph A. Scanlon and highest commendation and praise to Margaret Scanlon, his sister, for her devoted life.

On the question,

Will the House adopt the resolution?

Mr. BOIES. Mr. Speaker, it is a privilege for me to be able to say a word in favor of the adoption of this resolution on my and your very good friend Joe Scanlon's behalf.

I have known him for many, many years. I know of no man who has more personal popularity in the House, at least since I have been here. I never knew of a more unselfish or a more honorable man than Joe Scanlon. I believe that regardless of politics, those on both sides of the House, every one of us will wish him now at long last when he is being recognized for his efforts in his candidacy for office in Philadelphia, success and good health from all of us.



On the question recurring,  
Will the House adopt the resolution?  
It was unanimously adopted.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Scanlon.

Mr. SCANLON. Mr. Speaker, I deeply appreciate the honor conferred on me by the Members of this House. As Mr. Andrews has said he was born in September and I was born in September, but we never were up here on our birthdays to be congratulated.

With reference to the resolution, at the beginning of this session my colleagues on the Democratic side elected me Minority Whip. A few of my friends in the rear, Mr. Duffy and Mr. Hersch, were thinking very seriously about going out and buying me a whip.

Up to date I have not received that whip. I asked them one day, "Why didn't you get me the whip?"

They said to me, "Well, we feel that it is bad enough your running up and down the aisle here getting us to vote aye or nay, whatever way you want, and if you had a whip you would not have to leave your seat, so we would rather have you run back and tell us what you want us to do."

Ladies and gentleman, particularly Mary Varallo, the sponsors of the resolution, and Dr. Boies for his kind words to the Members of the House, thank you.

### RESOLUTION

Mr. Van SANT offered a resolution which was filed with the Clerk.

### REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL 1370

Mr. DALRYMPLE presented the Report of the Committee of Conference on House Bill 1370 which was laid over for printing.

### REPORTS FROM COMMITTEES

Mr. SCHUSTER from the Committee on Cities and County—Second Class, reported as Committed, House Bill No. 1727, entitled:

An Act to further amend the act, approved the twenty-eighth day of May, one thousand nine hundred fifteen (P. L. 596), entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities and regulating the administration and the payment of such pensions," by further providing for certain minimum and maximum pensions.

Mr. ROYER from the Committee on State Government, reported as committed, House Bill No. 1737, entitled:

An Act to promote the welfare of the people of this Commonwealth; creating The Port of Erie Authority as a body corporate and politic with power to acquire, construct, maintain and operate projects for the improvement and development of the port district, and to collect tolls, fares, fees, rentals and charges for the use thereof; defining its powers and duties; authorizing the issuance of bonds for said authority; defining the port district and granting the right of eminent domain within the port district.

Mr. POLASKI from the Committee on Appropriations, reported as committed, House Bill No. 1738, entitled:

An Act making an appropriation to the State Public School Building Authority for payment of the costs and expenses incurred in the work of the Authority.

Mr. DALRYMPLE from the Committee on Appropriations, reported as committed, House Bill No. 1739, entitled:

An Act making an appropriation to the Department of Property and Supplies to conduct a service for photographing correspondence, records, reports and other papers; and for studying and recommending filing systems or the use of space by departments, boards and Commissions

Mr. STIMMEL from the Committee on State Government, reported as committed, Senate Bill No. 187, entitled:

An Act to fix the salaries and compensation of the judges of the Supreme Court the judges of the Superior Court the judges of the courts of common pleas the judges of the orphans' courts the judges of the Municipal Court of Philadelphia and the judges of the County Court of Allegheny County certain associate judges not learned in the law and repealing certain acts inconsistent herewith.

Mr. LUTTY from the Committee on Cities and County—Second Class, reported as committed, Senate Bill No. 795, entitled:

An Act vesting and confirming in cities of the second class all right title and interest of the Commonwealth in certain streets lanes and alleys situate within such cities.

Mr. SCHMIDT from the Committee on Judiciary, reported as committed, Senate Bill No. 833, entitled:

An Act to further amend the act approved the fifth day of May one thousand nine hundred eleven (P. L. 198) entitled "An act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" by conferring exclusive jurisdiction on the county court of Allegheny County in cases of appeals from decisions of the collector of mercantile taxes imposed by political subdivisions within the territorial limits of its jurisdiction.

Mr. WOOD from the Committee on State Government, reported as committed, Senate Bill No. 839, entitled:

An Act authorizing the Department of Property and Supplies to sell and convey a tract of land in Allegheny Township Blair County Pennsylvania with the approval of the Governor.

Mr. HARRY W. PRICE, JR. from the Committee on State Government, re-reported, as amended, House Bill No. 1662, entitled:

An Act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania in order to purchase and cancel all or any part of the obligations of The General State Authority and the State Highway and Bridge Authority or either of them in certain cases.

Mr. STIMMEL from the Committee on State Government, re-reported as committed, House Bill No. 1254, entitled:

An Act repealing all laws providing for the giving of bounties for Indian scalps.

### BILLS ON FIRST READING

Pursuant to a resolution adopted by the House on September 17, the following bills were read the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1727, entitled:

An Act to further amend the act, approved the twenty-eighth day of May, one thousand nine hundred fifteen (P.



L. 596), entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities and regulating the administration and the payment of such pensions," by further providing for certain minimum and maximum pensions.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1737, entitled:

An Act to promote the welfare of the people of this Commonwealth; creating The Port of Erie Authority as a body corporate and politic with power to acquire, construct, maintain and operate projects for the improvement and development of the port district, and to collect tolls, fares, rentals and charges for the use thereof; defining its powers and duties; authorizing the issuance of bonds for said authority; defining the port district and granting the right of eminent domain within the port district.

Ordered, To be laid aside for second reading.

And said bill having been read at length the first time,

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1738, entitled:

An Act making an appropriation to the State Public School Building Authority for payment of the costs and expenses incurred in the work of the Authority.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1739, entitled:

An Act making an appropriation to the Department of Property and Supplies to conduct a service for photographing correspondence, records, reports and other papers; and for studying and recommending filing systems or the use of space by departments, boards and commissions.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 187, entitled:

An Act to fix the salaries and compensation of the judges of the Supreme Court the judges of the Superior Court the judges of the courts of common pleas the judges of the orphans' courts the judges of the Municipal Court of Philadelphia and the judges of the County Court of Allegheny County certain associate judges not learned in the law and repealing certain acts inconsistent herewith.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 795, entitled:

An Act vesting and confirming in cities of the second class all right title and interest of the Commonwealth in certain streets lanes and alleys situate within such cities.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 833, entitled:

An Act to further amend the act approved the fifth day of May one thousand nine hundred eleven (P. L. 198) entitled "An act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" by conferring exclusive jurisdiction on the county court of Allegheny County in cases of appeals from decisions of the collector of mercantile taxes imposed by political subdivisions within the territorial limits of its jurisdiction.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 839, entitled:

An Act authorizing the Department of Property and Supplies to sell and convey a tract of land in Allegheny Township Blair County Pennsylvania with the approval of the Governor.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

### BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

#### HOUSE BILL No. 955.

An Act to amend section 10 of the act approved the twenty-third day of May one thousand nine hundred forty-five (P. L. 903) entitled "An act authorizing cities of the third class to establish an optional retirement system for officers and employes independently of any pension system or systems existing in such cities" by changing the limitations on contributions by the city.

#### HOUSE BILL No. 1286.

An Act authorizing the Commonwealth to negotiate temporary emergency loans to defray current and other expenses of the State government during any fiscal biennium evidenced by tax anticipation notes secured by and payable from current revenues of any current biennium levied assessed collectable and accruing during such fiscal biennium defining the powers and duties of the Governor the Auditor General and the State Treasurer in relation thereto providing for the payment of interest on and the repayment of such loans and making an appropriation.

#### SENATE BILL No. 134.

An Act to amend further Section 5 of the act approved the thirteenth day of June one thousand eight hundred and thirty-six (P. L. 551) entitled "An act relating to roads highways and bridges" as amended by extending the width of a public road in the instance of multiple lane highways to increase the maximum width by the additional footage that shall be necessary in the judgment of the Secretary of Highways for center or dividing strips.

#### SENATE BILL No. 441.

An Act to add Sections 602.1 and 705.1 to further amend Section 802 to add Sections 804.1 and 901.1 to the act approved the fifth day of August one thousand nine hundred forty-one (P. L. 752) entitled "An act regulating and improving the civil service of certain departments and agencies of the Commonwealth vesting in the State Civil Service Commission and a Personal Director certain powers and duties providing for classification of positions



adoption of compensation schedules and certification of payrolls imposing duties upon certain officers and employees of the Commonwealth authorizing service to other State department or agencies and political subdivisions of the Commonwealth in matters relating to civil service defining certain crimes and misdemeanors imposing penalties making certain appropriations and repealing certain acts and parts of thereof" by providing that substitutes may hold positions only until employees on military leave return relating to rights of transferred reassigned or promoted employees during probationary periods and providing for employee audits from time to time

#### SENATE BILL No. 544.

An Act making an appropriation from the Motor License Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Motor License Fund.

#### SENATE BILL No. 545.

An Act making an appropriation from the Game Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Game Fund.

#### SENATE BILL No. 550.

An Act making an appropriation of moneys in the Motor License Fund to the Board of Finance and Revenue for the payment of the Loan and Transfer Agent of the Commonwealth.

#### SENATE BILL No. 563.

An Act making an appropriation to the Treasury Department out of various funds to pay replacement checks issued in lieu of outstanding checks when presented and to adjust errors.

#### SENATE BILL No. 564.

An Act making an appropriation from the State Stores Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the State Stores Fund.

#### SENATE BILL No. 565.

An Act making an appropriation from the State Workmen's Insurance Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the State Workmen's Insurance Fund.

#### SENATE BILL No. 567.

An Act making an appropriation from the Fish Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Fish Fund.

#### SENATE BILL No. 573.

An Act making an appropriation from the Banking Department Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Banking Department Fund.

#### SENATE BILL No. 575.

An Act making an appropriation from the Manufacturing Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State

Employees' Retirement System with respect to State employees receiving compensation from the Manufacturing Fund.

#### SENATE BILL No. 576.

An Act making an appropriation from the Public Building Construction Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Public Building Construction Fund.

#### SENATE BILL No. 668.

An Act to designate the several judicial districts of the Commonwealth as required by the Constitution and to provide for the election and commissioning of judges learned in the law for the said districts.

#### SENATE BILL No. 701.

An Act to amend paragraph five of section one of the act approved the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1669) entitled as amended "An act to provide revenue for school districts of the first class by imposing a tax on persons engaging in certain businesses professions occupations trades vocations and commercial activities therein providing for its levy and collection conferring and imposing powers and duties on the Board of Public Education receiver of school taxes and school treasurer in such districts and prescribing penalties" by further defining "receipts"

#### SENATE BILL No. 763.

An Act to amend Section 6 of the act approved the fifth day of June one thousand nine hundred forty-seven (P. L. 422) entitled "An act authorizing the Department of Forests and Waters to provide for stream clearance and stream channel rectifications to construct and maintain dams reservoirs lakes and other works and improvements for impounding flood waters and conserving the water supply of the Commonwealth and for creating additional recreational areas to acquire by purchase condemnation or otherwise certain lands for such purposes to construct and maintain flood forecasting and warning systems" by extending the powers of the department in consulting cooperating negotiating and entering into contracts and agreements for planning constructing financing maintaining and operating works or facilities.

#### SENATE BILL No. 819.

An Act to further amend the act approved the first day of June one thousand nine hundred forty-five (P. L. 1358) entitled "An act relating to chattel mortgages on any chattels of any kind or description including but not limited to livestock poultry farm machinery farm equipment and crops grown growing or to be grown designating the operation and effect of the lien of such mortgages providing for the filing indexing and docketing of such mortgages and related instruments in prothonotaries' offices and prescribing prothonotaries' fees providing for the filing in Pennsylvania of similar lien instruments originally filed or recorded in other states regulating the assignment release satisfaction and extension of the lien of such mortgages prescribing methods of foreclosure defining defaults and violations and fixing penalties" by providing that chattel mortgages may be given as security for principal obligations other than bonds or notes eliminating the requirement of witnesses providing additional remedies to mortgagees as against third persons and providing that the provisions of the act be liberally construed.

#### SENATE BILL No. 822.

An Act to amend clause (7) of Section 2401 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the



public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for appointment of school auditors to fill vacancies in such office in union school districts.

#### SENATE BILL No. 836.

An Act making an appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred fifty-one.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

#### PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. EWING asked and obtained permission for the Committee on Cities and Counties—Second Class to meet during the session of the House.

#### RESOLUTION

##### CONGRATULATIONS

Mr. GUARNIERI offered a resolution and asked and obtained immediate consent for its immediate consideration.

The resolution was read, considered and adopted as follows:

In the House of Representatives, September 25, 1951.

Whereas, The Reverend John M. Positano, O. S. A. of St. Nicholas Tolentine Roman Catholic Church of Philadelphia, a distinguished spiritual and moral leader has devoted himself unstintingly to maintaining and promoting the morale and welfare of the men and women serving in the Armed Forces of the United States and in pursuance of his great purpose and devotion and with the assistance of his troupe of forty-five musicians and entertainers, he has brought happiness and warmth to the servicemen at Army camps, on board ship, at U. S. O. centers and at Army hospitals and rehabilitation centers in the Philadelphia area; and

Whereas, The devoted sacrifices, outstanding contributions and services given by Father John to our country were gratefully recognized by the President's Committee on Religion and Welfare, which called upon him and his troupe to appear on the "We, The People" radio and television program a short time ago; and

Whereas, The office of the Adjutant General of the Army of the United States has expressed its gratitude to Father John for his deep interest in the welfare of the men in the armed services, and he is now being called upon to make a tour of the Far East Command; therefore be it

Resolved, That this House of Representatives extend its deep felt gratitude to Reverend John M. Positano and the members of his troupe in recognition of outstanding devotion and service to promoting the morale and welfare of the men and women of the Armed Forces; and be it further

Resolved, That the Chief Clerk of the House of Representatives be directed to transmit a copy of this resolution to the Reverend John M. Positano, O. S. A.

#### RECESS

The SPEAKER. If there is no objection, the Chair will declare a recess for one hour and a half. The Chair hears none, and a recess is declared.

#### AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Herbert P. Sorg) in the Chair.

The SPEAKER. This being the day and the hour set for the final adjournment ceremonies of the House of Representatives for the 1951 session, the Chair requests the gentlemen from Armstrong, Mr. Helm, Chairman of the Committee on Final Adjournment Ceremonies to preside.

HONORABLE W. STUART HELM presided as Chairman during the presentation of the Resolution congratulating and thanking the Speaker, and the remarks thereon.

The CHAIRMAN. Mr. Speaker, honored guests, Members and friends, once again it is my privilege, and I assure you it is a genuine pleasure, to come before you as Chairman of the Committee that has arranged for the ceremonies in keeping with the closing days of the Legislature.

I could almost, without fear of dispute, call it a very extraordinary "special session" because by this time all previous records have been shattered, and we finish up here in Harrisburg in 1951 secure in the knowledge that we categorically deserve the designation of the longest session on record in Pennsylvania,

As we appraise the session in retrospect, we find achievement and accomplishment strangely mixed with endeavor and attempt. We are concluding what to my mind appears a peoples' session, because only when men meet and discuss, argue and delve for facts to obtain solutions for the problems of their people and their state have they earned the right to represent their people. And we have done all these things.

I should like to pay particular homage to our distinguished Speaker, who has met the innumerable demands made upon him with a tolerance, understanding and kindness which distinguish him as a gentleman and a statesman.

My sincerest congratulations to our well-loved Majority Leader for a job well done, because he gave so much of his genial amiability to promote harmony and produce results on our side of the House.

To the Minority Leader also go my sincere congratulations for a job well done, and to him go our very best wishes for his continued good health.

To the other officers and employes of this House we extend our thanks for having performed their tasks so well.

The individual Members of this House have earned their right to congratulations. The friendships which have been formed and the acquaintances which have been made by all Members during this session will last for many years to come.

Personally I greatly appreciate the opportunity afforded me to associate with this splendid group of men, not as Democrats, not as Republicans, but as Pennsylvania and Americans. Thank you very much.

Ladies and gentlemen of the House, our guests and friends, we have a distinct honor tonight in having with us the Pennsylvania Industrial School Glee Club com-



posed of thirty-six voices, and we will ask them to come in at this time.

We will open the program by singing one verse of America, and we ask you all to join.

Singing of America by the Glee Club, members and visitors.

The CHAIRMAN. I present to you Mrs. Helen Hartman Dale, Directress of the Pennsylvania Industrial School Glee Club, who will announce the program of the Glee Club.

Singing by the Glee Club.

The CHAIRMAN. Thank you, Mrs. Dale. The Chair also extends our thanks to the boys of the Industrial School.

Before the boys leave the Chair takes this opportunity of presenting to you the man through whose courtesy and cooperation this program was arranged tonight.

I present to you Mr. Arthur T. Prassie, Superintendent at White Hill.

Mr. PRASSIE. Mr. Chairman and Mr. Speaker, I hope we have brought a little joy to your closing session.

We are all, Mrs. Dale, Miss Thrush, myself and everybody connected with the Pennsylvania Industrial School proud of these young men. We are really happy and grateful for this privilege of being here with you tonight.

The CHAIRMAN. The Chair recognizes the Majority Leader of the House, Mr. Smith.

Mr. SMITH. Mr. Chairman, at the beginning of the Session I had the honor and privilege of nominating the gentleman from Elk the Honorable Herbert P. Sorg, as Speaker of our House. I said at that time that I knew of no one with better qualifications, ability, honesty, loyalty and the courage and desire to be fair to both the minority and the majority.

I believe I said at that time all that was necessary to honor and praise him.

Mr. Chairman, at this time I do not have an adequate vocabulary to truly describe my honest and sincere feelings. This session has made all of us more cognizant of his ability. Those of us who have worked with him have grown to love him, with the love and affection of a sincere friendship.

Many of us think that the duties of a Speaker are only to preside and to keep order in the House of Representatives. We do not know or realize the hours and hours that are necessary to set policy; the hours and hours that are necessary for meetings with committees and with the many groups he has to see during the day. We do not realize the sacrifices he makes; the sacrifices of his family—his wife and his children. They only have their father a few hours during the week. Our Speaker has done all of these things. He has done them for us and he has done them without complaint.

I have never worked so closely with anyone, nor have I at any time had such complete trust, faith and confidence as I have had in our Speaker. To associate with him has been an honor and a privilege that I can never, never forget.

He has conveyed to all of us his ability of leadership, his honesty of cooperation and the true spirit of brotherly love.

Mr. Chairman, it gives me the greatest pleasure to offer

this resolution to a great Speaker and an honest and true friend.

## RESOLUTION

### CONGRATULATING AND THANKING SPEAKER

Mr. SMITH offered a resolution and ask and obtained unanimous consent for its immediate consideration.

The resolution was read as follows:

In the House of Representatives, September 25, 1951.

To preside over the House of Representatives during its current session has been a challenge to leadership that would have daunted most men.

The vicissitudes of a prolonged session are always irritating; barriers to legislative progress arise often and unexpectedly; and the attendant frustrations of a stale-mate proceeding can be very discouraging. If ever an occasion called for the utmost in poise, equanimity, and a resiliency of disposition with which to combat ever recurring trouble, certainly the recently concluded session demanded and has received the indicated able guidance which only the leadership of the Honorable Herbert P. Sorg could yield. In him there is that happy and consummate blending of those qualities that mark a leadership as inspirational—and whereby a group confidently solicits and responds to whatever counsel the leader imparts.

The deliberations of this House, as channeled and directed by the Speaker during its recent session, have always been on a plane of dignity and a level of effectiveness. The tradition of preeminence which the House of Representatives of this Commonwealth has attained among legislative forms everywhere through its long succession of distinguished and capable Speakers has not only been sustained, but has been brightened and enhanced by the skill, the forbearance, the absolute fairness, and the endless patience displayed by Herbert P. Sorg on every occasion during the past nine months.

Yet the efficiency of our legislative process—like the skill or an artist or the cunning of a machine—appears disarmingly simple to the casual visitor. The poetry of motion, inherent in a superb performance by a man or a mechanism, represents a dramatic summary of insight, ability, sacrifice, and many hours of study, preparation and practice. Behind the facade of legislative propriety and dispatch lie these significant factors—the personality, the capability, and the determination of the presiding officer.

Speaker Sorg is a prototype among his fellow Pennsylvanians. Young, virile and intense, he frequently expresses a rare sagacity and a mature judgment on matters, ordinarily beyond the ken of much older men. For a most devoted husband and father, the enforced absence from his home during the protracted legislative session has entailed personal sacrifice and privation, difficult to bear. To Speaker Sorg the true greatness of a state is in its homes—and in the unity of a father, a mother and the children in their home. The home is the foundation of government; from it issues the real strength of the state. When circumstances temporarily suspend the cohesive forces of a home—like an unduly extended legislative session—the inconvenience and the loss to Speaker Sorg have been considerable, but quite incommensurate with the increased responsibilities and the added burdens that have been trust upon Mrs. Sorg. She has truly kept the home fire burning for herself and their five children in the remote stretches of Elk County while her absentee husband has helped to forge the laws with which to guide the destinies of the Commonwealth; therefore be it

Resolved, That the House of Representatives extend to the Honorable Herbert P. Sorg its heartiest congratulations and its sincere gratitude for the outstanding success with which his administration as Speaker for the outstanding success with which his administration as Speaker has been achieved, for his imperturbable and gracious charm even under provocative circumstances.



for his expeditious leadership of a differentiated group, and for his personal compatibility with every member, regardless of his political persuasion; and be it further

Resolved, That the House of Representatives is duly appreciative of the tolerance and the consideration expressed by him toward every problem—momentous or trivial—that confronted him; of his flexible adaptation to widely varying circumstances; and of his masterly and strategic resolution of the inevitable impasses that plague presiding officers; and be it further

Resolved, That the House of Representatives wish him a most pleasant surcease from his arduous legislative duties and the boundless happiness and satisfaction that must follow a task well done; and be it further

Resolved, That the Chief Clerk be authorized to transmit a copy of this resolution to the Honorable Herbert P. Sorg as a further manifestation of the affection and the respect accorded him by the House of Representatives.

On the question,

Will the House adopt the resolution?

The CHAIRMAN. The Chair recognizes the gentleman from Cambria County, Mr. Andrews.

Mr. ANDREDWS. Mr. Chairman, I face a scene of unusual beauty scarcely marred by a masculine face—the wives, mothers, perhaps sweethearts of the leaders of the House, the gallant women who have kept the hame fires burning while we have been here during the many months to which the Chairman has made allusion. I think it would be very helpful if we were permitted more frequently to gaze upon such an engaging picture.

I am deeply touched, Mr. Chairman, with your evident pride in the duration of the session. I hope that in the days to come it will indeed redound to our glory. I am wondering as I stand here whether or not the verdict of history will be that we marched around and around for nine months and then went out at exactly the place we came.

This is the second time I have had the opportunity of seconding a resolution congratulating the Speaker. This time a resolution presented by the distinguished gentleman from Philadelphia, the Majority Leader.

There is more to these ceremonies, Mr. Chairman, than simply the utterances of honeyed words for the purpose perhaps of titillating expentant ears. As the resolution itself says, our precedings here are not always understood by those who watch from the outside. We have our battles; we have our disagreements. We may now and then engender our own passionate hatreds, but we know that always the word of honor runs. There has always been, during the speakership of the gentleman from Elk, and that of his predecessors, a recognition of the fact that the word of a Member, the word of a leader, the word of a Committee Chairman, and the word of the Speaker are inviolate.

We can say concerning the accomplishments of this session, insofar as they represent party solidarity upon the part of the majority, they have achieved that solidarity more by reason of the leadership of the Speaker and the amiable qualities of the Majority Leader than by the various measures which have received the favorable consideration of the Members of this House.

It is indeed a tribute to leadership when Members say one to the other, "Well, the Speaker wants it. The Majority Leader wants it. Darn it, we will swallow it because they are such fine fellows."

It is rather a unique accomplishment for any Speaker

of this House to have served two terms without never one in that entire period having had to face an appeal from a decision made by the Chair. If you will consult your memory you will know that that is a fact. And if you will review the history of the past you will know that it is a unique accomplishment.

Neither the great nor the least among us can cite a single example during the last two sessions of this General Assembly when by wielding the power that the Speaker of this august body has, the rights of any one of us has been impinged upon.

I want to say further, Mr. Chairman, that those who have been long in these Halls will remember that in times past, when we had only comparatively short sessions, as we have reached the closing days there have been hours of bitterness, there have been times when frayed nerves snapped. Yet we have come this far, and we are the calmest, easiest going, most genial House within my memory. And I would say that is the result of leadership; the result of cooperation.

Speaking for the minority I can say, we have been in the last two sessions accorded an increased measure of consideration.

The Majority Leader and the Speaker have frequently, to my mind leaned over backwards in their desire to be fair, to be considerate. And I can confess that on many occasions they have been more than considerate to demands made by the minority which was perhaps, under correct parliamentary procedure, justified.

Mr. Chairman, I close by paying first, my tribute to what I consider a great Speaker.

Second, my tribute to a leader who under the most trying circumstances within my memory, and it goes back many years, has managed to maintain a united party front.

Third, my tribute to Herb Sorg, the man. If there is anything that is better than being a statesman, if there is anything that is better than being a foremost figure in the forensic arena, it is to be a man that other men trust.

I say to you Mr. Speaker, that we do trust Herb Sorg, and it is with pleasure that I second the resolution.

On the question recurring,

Will the House adopt the resolution?

It was unanimously adopted.

The CHAIRMAN. The Chair recognizes the gentleman from Indiana, Mr. Hewitt.

Mr. HEWITT. Mr. Chairman, ladies and gentlemen of the House, and our guests who are distinguished and welcome. The committee in charge of this evening's ceremonies have selected me to make the presentation to the Speaker of the gift which has been purchased for him.

In starting out I might say that the gift is an oriental rug. I say this because I want to elaborate a little on what a rug really means and to assure you that it is not a piece of woven fabric to be thrown on the floor simply to be trampled upon.

Long before Christ appeared on earth it was a custom of the East in Persia and Egypt in particular, to strew precious jewels and gems in the paths of those they loved and honored. They distributed diamonds, sapphires, pearls, rubies, and other precious stones. The poorer classes in those days distributed pieces of silver and copper



per, and flowers. As flowers were seasonable and obtainable only for a few months of the year the Persians, in their ingenuity, conceived the idea of weaving into the rugs the various flowers of that day in color. You can imagine in the early history of the world the limited chemical apparatus they must have had and the very little knowledge of chemistry. However, they discovered many beautiful colors which were fast and lasted the lifetime of the carpet or rug. It was a custom in those days that when a family discovered some new color it was kept a secret, and inasmuch as there was no way of copyrighting such things, the secret was handed down to the male members of the family only. And when the last male member of the family passed away the secret died with him. When they began weaving those beautiful flowers into the rugs and carpets they abandoned the custom of strewing jewels and gems in the paths of those they wished to honor, and instead laid down these beautiful carpets and rugs as a symbol of their love and respect. That custom has long ago been transported to other parts of the world.

You remember when Sir Walter Raleigh was unable to find a rug he took off his coat and laid it down so his queen could pass over a depression in the road and keep her sandals from becoming soiled in the quagmire.

In our country, when the bride enters the chapel and is about to march down the aisle to take the vows of holy matrimony, a carpet is spread out in front of her which is a symbol of her friends' desire that her path in life may be smooth, comfortable, and beautiful.

Just for a moment visualize this room in which we are now assembled. It is supposed to be one of the most gorgeous in the United States in one of the most beautiful capitols in this nation. Imagine these beautiful chandeliers, the tapestries, the beautiful paintings, and the pink marble wainscoting, but what would this room be like tonight if it were not for this beautiful carpet which we now see beneath our feet, bringing to us warmth and comfort and beauty that adds to this room to complete the picture.

And so, in purchasing this rug for our Speaker, it is the symbol of our desires and hopes and prayers that his pathway in life and the pathway of his wife and children may be pleasant and comfortable and safe. This rug is to cover up all the pitfalls to which the human race is prone and is a symbol of our desire for his comfort and peace of mind.

In connection with the occasion, I have a little poem that may fit in, and I hope it will meet with the approval of those present.

Thanks to Herb

Through many months in cold and heat  
We've tried to legislate  
Perhaps some bills that should have passed  
Have met a sorry fate.

But none can say we haven't tried  
To do our best, as men  
Although we failed to have our way  
From time and time again.

It's been real hard for most of us  
To carry on our work

But one who had the hardest job  
Was never known to shirk.

He bore his load with pleasantness  
And always wore a smile  
He was always willing for his friends  
To go the second mile.

He gave his best for this great state  
And those who labor here  
He did it as a faithful trust  
And now deserves a cheer.

So since he is so modest  
And couldn't bear a hug  
We show our great affection  
With this oriental rug.

And Herb when you are sitting  
In your easy chair at home  
Wishing you could stay right there  
And never have to roam

We hope that as you see this gift  
Reposing on your floor  
You will resolve to keep your job  
And work with us once more.

The CHAIRMAN. For the information of those present these gifts will be on display during the reception in the Caucus room.

When I recognize the Speaker I am going to request him to open this rug so that you may see at least a part of it here.

The CHAIRMAN. The Chair recognizes the Chief Clerk of the House, Mr. Habbyslaw.

The CHIEF CLERK. Mr. Chairman and Members of the House, for eighteen years I have had the pleasure and opportunity of observing this House of Representatives. I came here first as a Member of the House, and in later years I have served as one of its officers. These many years have seen many outstanding and able Members occupy and continue to occupy the seats of this House.

We have seen many serious problems solved in these great halls. There have been times of great moment and there have been other times of pleasure, fun and warm fellowship.

Great men have started their careers of service to the people here in the House of Representatives. Famous Americans have been our brothers, but House of Representatives can rise above the stature of its leadership. We have had outstanding leadership in the past and we have it now.

Mr. Speaker, you have been an inspiring leader, you have been fair and honest, and are respected, admired and beloved by all, regardless of party affiliation.

On behalf of the Members and employees of this House I have the great privilege and honor of presenting to you this gavel as a token of the esteem in which you are held by us.

The CHAIRMAN. The Chair recognizes the gentleman from Elk, Mr. Sorg, Speaker of the House.

Mr. SORG. Mr. Chairman, fellow Members, friends, it would be wonderful, indeed, if one could be completely deserving of this great generosity and your kind



expressions. It would be the acme of ingratitude not to acknowledge the services that have contributed so greatly to the successful conduct of as trying a session as this has been.

As is so often the case, once again it must be said that the most effective work of a parliamentary body such as this is performed by those who usually go unsung. There is no one in whose hands our procedural matters could be better entrusted than in the hands of our nationally acclaimed parliamentarian, Eddie Moore.

In executive matters it is uncanny how Bill Habbyshaw, our Chief Clerk, Bill Roan, our Secretary and Ed Honestadt, Director of the Legislative Reference Bureau, as well as all their staffs, are able to anticipate the desires of the Chair and the needs of the Members.

In matters of a policy-making nature, it would be impossible to overrate the work of a Rules Committee, composed of such as men Charles Smith, Al Johnson, Stu Helm, Adam Bower, and Wiles Yeakel, assisted on occasion by Wrayburn Hall and Norman Wood.

As to our very capable floor leadership, Charles Smith on the side of the Majority, let it suffice to say has, through many situations when loyalty and friendship were severely tried remained the very truest of friends.

On the side of the Minority, was the ever watchful, ever astute, yet ever kindly and understanding Hi Andrews, he, too, shall always have my greatest respect and my warmest friendship.

Add to these the almost unbelievable kindness, courtesy and cooperation of each and every Member toward the Chair, which have transformed into genuine pleasures what might have been burdensome duties of the officer, and you have the true reason for whatever measure of success this House has enjoyed.

I am proud of this House, of my membership in it, of the great honor of being permitted by you to preside. Through, perhaps not as worthy as I should like to be, until my dying day I shall be grateful beyond words.

I want to thank the Committee for making this family day; for inviting those it is such a delight to have with me tonight. May I present to you my wife June, my daughter Suzie, my daughter Karen, my daughter June, and Pete—many of you will remember that he is the 209th Member of the 1949 session without vote—my mother and father, my sister Mary Anne, and I have my brothers and their wives with me tonight; and surprise of surprises, my business associates came, and their wives, too.

This night will be indelible in my memory, and you may be sure that it will season many happy recollections of the days and the hours it has been my good fortune to spend among, as I have said before, the finest associations and friendships I have ever known. If I might paraphrase just a little bit the song the boys sang to-night, my wise is, God's choicest blessings on this House.

The CHAIRMAN. The Chair now recognizes the gentlemen from McKean, Mr. Johnson.

Mr. JOHNSON. Mr. Speaker, we are now in the last days of a long historic session. We can well pause and think of the job we have done. We can think of the personalities who have made this job possible.

In the past we have had some great Majority Leaders in this House. The record is replete with the very fine

performances of these gentlemen. In this session we have had a Majority Leader, Charley Smith who not only has done a great job, but he possesses many fine traits of character, a few of which I want to enumerate to you at this time.

You have seen Charley at the microphone. You can observe that he is a very amiable creature,—possesses a very good nature. All of which helps to make his job a lot easier.

He possesses a sterling character. His honesty and integrity are without question. He is a man of his word. You might say his word is as good as his bond.

Charley also possesses a characteristic or trait that only those who have been present in a closed session realize. It is best brought out by these words of Milton which I will attempt to quote for you. It goes like this.

"Or bid the soul of Orpheus sing  
Such tones as warbled to the string  
Drew iron tears down Pluto's cheeks  
And made Hell grant what love did seek."

If it were not for the pleading of Mr. Smith in this session I am sure many a cause would have been lost. He is a revivalist; he is a super-salesman. He has brought literally iron tears down the cheeks of many of the Members who with steel-like emotion walked down the carpet trail and voted for the program, because he brought about such great emotion in their hearts.

That is the great pleader that our Majority Leader is. Pennsylvania is indeed fortunate in having a man like Charley to be our Majority Leader.

We have passed a great program this session, and as this session is brought to a close, it will be unfolded to the people of Pennsylvania that we have passed a program of which all of us can be proud, and Charley has been one of those who has helped put this program across.

I have had prepared a Resolution which speaks better of the qualities and the character of Charley than I am able to do, and it gives me a great deal of pleasure to present this Resolution.

## RESOLUTION

### CONGRATULATING AND THANKING MAJORITY LEADER

Mr. JOHNSON offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read considered and unanimously adopted as follows:

In the House of Representatives, September 25, 1951.

To formulate a legislative program is always a matter of importance. To implement that program, to translate its nebulous ideas concerning the welfare of the people into explicit law is still another matter of even greater importance.

The majority party during the session just concluded has been singularly fortunate in its choice of floor leadership; for its Republican Standard Bearer, the Honorable Charles C. Smith, has a repertory of legislative skills and techniques which contrastively reduces Pandora's Box to a mere childish bauble.

As the floor advocate for the party charged with the responsibility of enacting a plan of constructive legislation, he has met the obligations of his office with lofty vision, resolute courage, and incomparable success.

In response to the requirements of his strategic post, he has not only ascertained the intent and the broad



purpose of every bill presented to the House, but has succinctly briefed the members of his party with the essence and the background of all of such pending legislation.

As a field commander, Charlie Smith has deployed and maneuvered his forces with the adroit skill that only comes to a veteran of many frays.

When debate became bitter and acrimonious, when conditions were tense and dead-centered, or whenever a situation matured to the unstable point of touch and go, Charlie deftly extracted from the well of his personality a mood or a maneuver to fit every occasion. His armamentarium of reassurance, confidence, cajolery, persuasion, persiflage, threat, innuendo, guile and artifice is flexibly stocked to meet all of the baffling uncertainties, incident to the enactment of good or indifferent legislation.

For a majority leader to be really effective he must combine the tactician's knowledge of present and intimate events with the strategist's over-all estimate of policies and trends. The intuitive instinct of a woman, the grace of a jungle cat, the daring of a wire walker, the split-second timing of a trapeze artist, the courage of an enraged lion—each in its way reflects an aspect or a facet of that plexus of forces, that embodiment of resourcefulness, forthrightness, and adaptability—known as a majority leader and typified by Charlie Smith.

Yet to this colorful picture, Charlie Smith brings a few other personal ingredients—his geniality, his firm convictions, and his constant industry. The warmth of his ready smile, his instant affability, his friendly courtesy have won for him a rapidly expanding circle of friends and admirers State-wide. Even though these qualities per se are excellent, yet the lofty principles and the stable convictions that comprise the pattern of a man's thinking become the more reliable and ultimate determinant of his character and the real arbiter of his destiny. Charlie's ethical and straightforward analysis and resolution of every type of legislative problem, his impeccable conduct on all occasions, and his innate sense of fair play and reasonableness are self-evident and need no extolling pen to describe.

During the past session the demands upon the leader's time and energy have been inordinate; yet Charlie has responded so heroically and earnestly to the call of duty that his physical configuration has sloughed away to the slender outline of twenty years ago—with the added advantage to him that the clothes of that era can now be worn with comfort and fit; therefore be it

Resolved, That the House of Representatives express its appreciation and gratitude to the Honorable Charles C. Smith for his splendid performance of his duties as Majority Leader and tender its profuse thanks for the many members, collectively and individually, and be it further

Resolved, That the House of Representatives is cognizant of the many inroads that have been made upon his leisure and professional time, as evidenced by the exceedingly heavy traffic in and about his office, and is understandingly sympathetic of the personal sacrifice and discomfort that his ever zealous leadership has entailed; and be it further

Resolved, That the House of Representatives wish wholeheartedly and enthusiastically that Charlie Smith will have an uninterrupted opportunity to reinvigorate his tired body and to bring solace to his frayed soul on the rolling acres and in the limpid waters amidst the peaceful

Resolved, That the Chief Clerk be authorized to transmit a copy of this resolution to the Honorable Charles C. Smith.

The CHAIRMAN. The Chair recognizes the gentleman from Philadelphia, Mr. Costa.

Mr. COSTA. Mr. Chairman, Members of the House and guests, I am honored in having this opportunity. I have been associated with the gentlemen from Philadelphia, Mr. Charles G. Smith for the last five sessions.

Just as he is a friend to you, he is more to me. I think as much of him as I do of my own brothers. I have learned to love him, respect his judgment; and I assure you I sincerely appreciate his valued friendship.

You all know how he has served every Member of this House, and how he has gone far out of his way to assist everyone who requested his aid.

We are all most pleased to see him progress in these Legislative Halls, and just as all of you desire me to do I wish him success in every endeavor he may undertake. We know he will be successful, because to every task he assures he gives his all.

As a token of our esteem and his many kindnesses to us, this gift is being given him. We hope he has a full and happy life and many moments of leisure time to enjoy it.

Charlie, take this to your beautiful country home on Perkiomen Creek and after the session is over,—we hope it is soon—you and your charming wife who is sitting on the sidelines, can relax in it and perhaps you will regain those 32 pounds you lost this session.

The CHAIRMAN. The Chair recognizes the gentleman from Philadelphia, Mr. Smith.

Mr. SMITH. Mr. Chairman, after all that I guess I just should say 'Gosh!'

Mr. Chairman, I certainly do appreciate this very, very beautiful gift. You can believe me, I hope I am going to have the time very, very soon, to enjoy it.

I want to thank you and every Member of this House for it. But to be just a little bit more serious,—and we have been very serious this evening,—I think it would be rather amiss if at this time I did not publicly say thanks first of all to the Majority side of the House. I have never had such loyalty, I have never had such cooperation from any group of men under the most trying of circumstances. Your cooperation and loyalty this year could not have been better, it could not have been greater.

And as far as the minority side, is concerned and especially the Minority Leader, that great man amongst men, the gentleman from Cambria, the Honorable Hiram G. Andrews, I sincerely want to say to you that your kindness, your fairness is something that I will never, never forget.

While I appreciate this gift, and it is beautiful, I sincerely want to say to every Member of this House that fellows, and girls too, you have given me the greatest gift of all, not today, but throughout this whole session. I can honestly say that you have given me the gift of real friendship, and with a group like you behind me I will take on the world, believe me. Thanks again.

The CHAIRMAN. Ladies and Gentleman, I wish to make a personal presentation at this time to the Majority Leader of the House.

Sometime ago he expressed a thought to me that since he lives out of Philadelphia on the Perkiomen River and while there is a lot of water there, he is always afraid of fires. He has no method of giving a signal if such a fire should occur.

Perhaps it is also a gift that would be equally appreciated by his wife. As I understand she is not too keen about staying at their summer home alone at night. So, perhaps this will be a signal that she could use in case of distress.

I would like to make this presentation right now to the Majority Leader of the House.

Will the men please take it up the center aisle of the



House and down on the elevator to the Caucus Room on the first floor.

The Chair directs the men to ring the bell.

The CHAIRMAN. The Chair recognizes the gentleman from Philadelphia, Mr. Smith.

Mr. SMITH. Mr. Chairman, this is most unexpected. All I can say is, I believe me, I am going to kick the gong around if I get half a chance.

I certainly will not be late for mess call out in the country.

Thank you again.

The CHAIRMAN. The Chair recognizes the gentleman from Cambria, Mr. Rovanseck.

Mr. ROVANSEK. Mr. Speaker, Mr. Chairman, Members of the House, distinguished guests, I rise at this time to pay tribute to an able leader of this House.

It is with distinct pleasure and honor that I pay this tribute to the Minority Leader because he happens to come from the same County I do.

When the Majority Leader, Mr. Smith, was presented with a gift a little while ago, they said he could rest and regain the thirty-two pounds he lost. I put on thirty-two pounds and I am a little worried because when we adjourn I will have to go back to the coal mines again. Therefor Mr. Chairman, it is with distinct pleasure and honor that I present this resolution and ask for its immediate consideration.

### RESOLUTION

#### CONGRATULATING AND THANKING MINORITY LEADER

Mr. ROVANSEK offered a resolution which was read, considered and unanimously adopted as follows:

In the House of Representatives, September 25, 1951.

An resolution commending the remarkable minority leadership of the Honorable Hiram G. Andrews would fall as short of its mark as does an artist striving to spread on canvas the fleeting colors of a glorious sunset.

Frequently throughout his many years of legislative tug of war on the Hill, the music of euphuistic expression—with its dulcet overtones of admiration for his rare tactical skill, his analytical insight, and his masterly stylized diction—has fallen like a gentle rain upon his soul, but has left it unflooded with pretense and unspoiled with arrogance.

The plaudits of his colleagues—adversaries as well as allies—have echoed and re-echoed many times about him and have cast a patina of veneration and greatness over his legislative skill and accomplishment. Any attempt, therefor, to strike an original note of encomium for "Hi" Andrews must fail in its purpose and can only result in one more contribution to a long list of eulogies already recorded for him.

In any bi-partisan government the responsibility for a positive and a constructive program of legislative action devolves upon the majority party. Yet it is equally important for a militant minority group to check continuously, to discipline, to harass if necessary the activities of the dominant party to the end that laws beneficial to the representative interests of all of the people will emerge from the legislative mill. Without the application of such restraints by an alert minority, it is conceivable that a ruling party become careless and tend to be imprudent about the proprieties and the amenities that should safeguard every situation. Indeed, an abuse of authority or a complacency in control could easily develop into an insatiable lust for power that might endanger the fundamental rights and liberties of the people.

The minority party of the House of Representatives has

indeed played its role well during the recent session. Under the aegis of its resourceful "Hi" Andrews, it has exercised a sobering influence on the attitudes and the maneuvers of the majority group as the latter has groped its tortuous way through a bewildering session. "Horatio" Andrews, than whom there is none more heroic, has kept well the bridge.

His equipment for legislative combat is unexcelled. His incisive wit, his devastating satire, his caustic tongue, his synical outlook, his bock-serious rhetoric, his rapier-like repartee, his mature and crowded experience, his subtleness and finesse are always good and sufficient reasons why any opponent should consider well before throwing a curve at this watch dog of minority rights.

Nevertheless, one can always anticipate from "Hi" Andrews his sympathetic and cooperative support of any worthy cause designed for the universal good, irrespective of its source of sponsorship. Although an ardent friend and champion of every valid enterprise in behalf of human progress, yet he is a relentless foe of the artifice and the chicanery that sometimes underlie the candor and the plausibility of the ingratiating politician—and woe unto the unscrupulous one who has slipped temporarily out of the noose of theical restraint; for "Hi" Andrews will seize the cord and hang him higher than Haman.

Like Cerberus screening constantly the shades of the departed—as they float across the Styx—"Hi" Andrews stands vigilant guard in the halls of the Legislature to trip up any wily and unwary Republican who seeks to cut the corners of regularity and due process; therefore be it

Resolved, That this House of Representatives extend its heartiest congratulations to the Honorable Hiram G. Andrews for the strikingly effective way in which he discharged his duties as the Minority Leader, for is gracious and uncondescending manner to all, for his profound understanding of legislative problems, and for his other innumerable and admirable personal traits and qualities; and be it further

Resolved, That this House of Representatives proudly acknowledge the enshrinement of its talented Minority Leader in its heart and declare unreservedly its affection and admiration for this veteran statesman; and be it further

Resolved, That the Chief Clerk be authorized to transmit a copy of this resolution to the Honorable Hiram G. Andrews.

The CHAIRMAN. The Chair recognizes the gentleman from Berks, Mr. Readinger.

Mr. READINGER. Mr. Chairman, my distinguished colleagues and friends, I have been listening for the past eight sessions, the past sixteen years, to these very fine laudatory Resolutions describing the fine qualities of our leaders and I have never listened to them except that I am reminded of a story of a couple who lived here in Pennsylvania once upon a time by the name of John and Mary. They raised about six children. One day John died. The new minister in the parish was called in to preach the service and the family was lined up in the front row, Mary and the six children.

The minister who did not know much about this man—who, by the way, happened to be an old rummy and was always beating his wife the whole time they lived together—went on to speak about how wonderful John was; his fine, sterling character his being a good citizen, and we went on and on. Finally the mother nudged one of the little boys and said: "Nick, you go over there and look in the coffin; I think they are burying the wrong man."

I say that not in any sense as a reflection on any of the resolutions introduced tonight. The words they con-



tain are true and very descriptive of the gentlemen they have sought to praise.

Seriously, we on this side as I know you do on that side, think very highly of Hi Andrews, our Minority Floor Leader. Had we not done so and had we not had a great deal of faith in him and in his ability, we would not have reelected him several times to our leader. We respect his ability, we enjoy his writ and we hope that he is with us for many years to come.

The Committee has seen fit to delegate to me tonight the pleasant task of making a presentation to Mr. Andrews, and if the attendants will bring it in, I will be glad to present it to him with the hope that in these, his later years, he will find it very enjoyable.

May I add one word in conclusion. The job of Minority as well as Majority Floor Leader is anything but an easy task. It requires long hours of hard work and many, many headaches. So I hope, Hi, that in the days to come you will be able to sit in that chair without having that headache.

The CHAIRMAN. The Chair recognizes the gentleman from Cambria, Mr. Andrews.

Mr. ANDREWS. Mr. Chairman, I have the tobacco, thanks to the gentleman from Philadelphia, Mr. Smith, I have the pipe and now I have the easy chair. But believe me, I face a strenuous campaign against the other members of the family to make certain that I am the individual sitting in the chair.

You know, Mr. Chairman, these resolutions make me think of the mule and the jeep that met at the crossroads. The jeep said to the mule: "What are you?"

The mule said: "I am a horse."

Then the mule said to the jeep: "What are you?"

The jeep said: "I am an automobile."

Whereupon they both laughed.

If I could get into a private conference with the gentleman from Philadelphia, Mr. Smith, and compare what we know we are with what the Resolutions say we are, we both, I am sure, would laugh.

But I do thank the membership of the House for the spirit represented by the gift, without conceding that in any way I am entitled to the consideration which they have shown.

The CHAIRMAN. The Chair recognizes the gentleman from Crawford, Mr. Kent.

Mr. KENT. Mr. Chairman, in presenting the next Resolution which concerns the Majority Whip, I am greatly privileged. I have a feeling that it should be the Marjority Leader who should really present this Resolution because I think there is no one else in the House who knows the real value of the Majority Whip like the Majority Leader does.

However, having possibly a seat of vantage, I have been able to make a few observations during the last nine months and some might consider that I would possibly be an adequate substitute.

One of the observations I have made during the nine months of this session, seeing our Majority Whip in action and seeing his activity, is that I sincerely believe the position has been wrongly named. It it a mis-nomer, because I really think it should be the Majority Whipping Boy rather than the Majority Whip.

I am not so sure that the job is an enviable pob, although it is of great importance. Certainly with Charlie Smith blowing down your neck and tapping your shoulder

continuously every day for nine months is no pleasure. Neither is it any fun to walk back through the Majority side of the House and wield that whip, and whip the boys into line on an important program. I do sincerely believe that Al has done a most effective job of organization. He has been most eager to do a thorough job and to do it well. I am sure he has accomplished that end, and above all I believe that Al has been fair to everyone with whom he has dealt.

Mr. Chairman, it has been said before that the written word is much better and more eloquent than the spoken word. It is a genuine pleasure and privilege and with a great deal of pride that I offer this Resolution.

## RESOLUTION

### CONGRATULATING AND THANKING MAJORITY WHIP

Mr. KENT offered a resolution which was read, considered and unanimously adopted as follows:

In the House of Representatives, September 25, 1951.

A great deal of the responsibility for marshalling effective, unified support of the majority party's program during any legislative session falls upon the Majority Whip, and the success or failure of his efforts determines in a large measure the success or failure of the majority's program.

During this session of the General Assembly, the majority party in the House was a well-organized unit, reflecting the soundness of its choice of Albert W. Johnson, of McKean County as its Majority Whip.

First elected to the House in 1947, his abilities immediately attracted the attention of his co-members and his selection as Majority Whip this year, after having served only two prior terms, attests to the calibre of his talents and his ability as a leader. He has ably demonstrated that his selection was thoroughly merited; therefore be it

Resolved, That the House congratulate the Honorable Albert W. Johnson on his success as an able and effective Whip, and as an outstanding legislator; and be it further

Resolved, That a copy of this resolution be transmitted to the Honorable Albert W. Johnson by the Chief Clerk of the House as a token of appreciation of a job well done.

The CHAIRMAN. The Chair recognizes the gentleman from Cameron, Mr. Tompkins.

Mr. TOMPKINS. Mr. Chairman, Members of the House and our very beautiful guests, were I a dramatist of the ability of Shakespeare, I might pick up one his famous phrases: "To be or not to be."

At the beginning of this session nine months ago it was a question, shall it be a short session or a long one. During the course of the session we have been faced with many problems. For instance, we have been faced with the problem of what we shall do with the boring from within while they were boring from without.

As I have circulated among the Members here today, and particularly their wives and their families, I have had them ask many questions of me. They seem to be disturbed by some of the legislative jargon with which their husbands travel home. They seem to be puzzled as to exactly how much they should make of the stories that come to them.

For instance, they wonder what this thing is when we speak about "the heat being on;" about what it is when we talk about "our tongue being in our cheek;" about that "big lump that we sometimes have to swallow;" or about the "smoke filled rooms;" or the "air that was



electric;" the "feelings that were tense;" or the "air that was electric;" the "feelings that were tense;" or the "barks on the dog bill;" or the "scalps of the Indian," or the "harmony that exists between the two Chambers" of this Assembly; or about how "to roll a bill," or what constitutes a "deadlock on the tax question;" or what are "needling barbs;" who is this fellow "bi-partisan;" and what does the Majority Leader do to cause the changing hue on his scalp.

Members of the House and guests assembled, it is my pleasure to present to a man with whom I came into this House, and with whom I have traveled back and forth during three sessions of this Legislature, a gift from the membership of this House.

From what I have recited to you, perhaps he may be able to figure out the gift we have to present to him. I am hopeful that maybe he may be able to take pictures with this camera and all its accessories of the various things I have talked about in order that his wife may see what these things are, and better understand the language of her husband when he comes home over the week end.

I want to say also in presenting this gift I would like to have the gentleman from McKean, Mr. Johnson, take pictures of what we call the rural area that we pass through weekly going to and from the Legislature for the education of what we call "the metropolitan group," in order that we might get a better understanding between the two groups and our problems. Particularly, would I like to have him take pictures of the trees in the rural areas which, if we would only amend our Constitution to give them the right to vote, we certainly would have a grand time.

Albert, the camera and all its accessories.

The CHAIRMAN. The Chair recognizes the gentleman from McKean, Mr. Johnson.

Mr. JOHNSON. Mr. Chairman, that camera is just what I wanted. I want to take pictures of a good many of the very fine folks and many fine friends that I have made here this session and other sessions.

I am very grateful for this present. This seems to be an occasion for thanks and appreciation. I want to thank the Speaker, the Majority Leader and the Parliamentarian for all their kindness, help and advice to me so that I could be a good Majority Whip.

I want to thank the Members particularly on our side for their loyalty. When the chips were down and we needed the votes and wanted them to vote the right way they stayed in their seats and stuck by us no matter how long the day. Some days it was very trying but our Members were splendid. Charlie Smith has said that he will always remember the devotion and the loyalty of the Members to him. I say that double.

I want to thank Mr. Kent for the very kind words and for the resolution he has offered.

I want to thank the gentleman from Cameron, Mr. Tompkins, for his very kind words.

We are very near the end of this long session and it will be rather hard to break up. I will always remember these very fine days we have had here.

I want to thank the Members on the other side and the Minority Leader. They have been very kind and gracious too.

I am reminded in reading all these very fine resolu-

tions as to what fine men we are, the story of a fellow that ran for political office.

Before he ran, it was his first attempt, someone said to him "Don't run John, they will just crucify you."

"Oh, no, they won't. I'll run; I will take a chance," John said.

Well, John ran for the office and he was defeated. Afterwards a friend said to him "Well John, how was it."

Well, he said you know it was just as bad as you said it would be. Why, they called me a horse thief, and what's more, they came dam near proving it.

So at home when we run for office we get called all kinds of names, but down here we have lovely resolutions presented for us.

In closing I am reminded of an old story that I read recently. It is told of Saint Francis of Assisi. He was out hoeing his garden when one of his young proteges said to him "Father if you were to die before dusk what would you do?"

He said "I would finish hoeing the garden."

That is what we must do here in this House. We must keep on hoeing, finish the job we have before us, go home as I said before and show the people of Pennsylvania that while this possibly has been the longest session in the history of this great state, we have passed a great program, one that we will all be proud of, both on the majority and the minority sides.

Again I thank you very much.

The CHAIRMAN. The Chair recognizes the gentleman from Philadelphia, Mr. Duffy.

Mr. DUFFY. Mr. Chairman, Members of the House and distinguished guests, I have been given the honor of presenting the resolution on behalf of our Minority Whip and it is indeed the greatest pleasure for me to do so.

It is no mere accident that anyone is returned to this House on nine successive occasions covering a span of eighteen years. The citizens of his district, having recognized his worth as one who is concerned with their problems, it was only natural that we, at the first opportunity, do likewise, and this we did.

It is to his extreme credit that he has exercised the office of Whip in a spirit of decency and justice, with credit to himself and his party. This he has accomplished notwithstanding that we have been embroiled in the most difficult session in the history of the Commonwealth. Tempers and emotions have been extremely high—but the sincerity and the character of our beloved Whip has withstood these frailties of human nature and has endeared him to all of us.

To our good friend, Joe Scanlon, I say, on behalf of this House of Representatives, thank you for a job well done and may success in future endeavors be yours.

Mr. Speaker, I offer the following resolution.

### RESOLUTION

#### CONGRATULATING AND THANKING MINORITY WHIP

Mr. DUFFY offered a resolution which was read, considered and unanimously adopted as follows:

In the House of Representatives, September 25, 1951.

In electing the Honorable Joseph A. Scanlon to the office of Minority Whip this session, his fellow members of the Democratic Party have given well deserved



recognition to a man who has been returned to the General Assembly by the voters of the twenty-fifth district of Philadelphia for successive terms since 1935.

By reason of his extensive experience as a legislator, he has performed the duties of his office as Minority Whip with skill, acumen, and dispatch, thus expediting the difficult work of the session, and thoroughly justifying the correctness of his selection; therefore be it

Resolved, That the House extend to the Honorable Joseph A. Scanlon, the Minority Whip, its congratulations upon the success with which he has guided the organization of the Minority Party throughout this session of the legislature; and be it further

Resolved, That the House extend to the Honorable Joseph A. Scanlon, the Minority Whip, its congratulations upon the success with which he has guided the organization of the Minority Party throughout this session of the legislature; and be it further

Resolved, That the Chief Clerk of the House transmit a copy of this resolution to the Honorable Joseph A. Scanlon as a token of its appreciation for his able performance of the duties of his office.

The CHAIRMAN. The Chair recognizes the gentleman from Philadelphia, Mr. Hersch.

Mr. HERSCH. Mr. Chairman, Members of the House, ladies and gentleman, so far I think, everybody has forgotten the legislative engineers.

It is my pleasure to have served with Mr. Scanlon for the past ten years. When they call a person a Whip, he is really a whip, because he was always on our tails all through the session, but we regard him very highly.

I consider it a pleasure and an honor to be given the opportunity to get up here and present Mr. Scanlon with a gift, because he is really deserving of it. I know when he goes into his new office in Philadelphia this year or next year it will come in very handy to him.

The CHAIRMAN. The Chair recognizes the gentleman from Philadelphia, Mr. Scanlon.

Mr. SCANLON. Mr. Chairman, Members of the House, I did not realize until tonight, that the delegation of which I am chairman, had such fine orators. The two kindly gentlemen, the one who introduced the resolution and the other who presented me with the gift, were supposed, as I said earlier this afternoon, to give me a whip, but they figured that would be a little too dangerous.

It has been a pleasure, sometimes a headache. I had to go down to the restaurant as Al Johnson had to do, up in the committee rooms and what not. You would get a fellow coming in and say, "Where were you?"

"Oh," he would say, "I went out to get a sandwich" or "went out to get a soda water."

We have some fellows in here that drink soda water. Frank Costa drinks soda water, I never saw him drink anything else but.

I want to thank the Members of the House, particularly my own delegation, of whom I am mighty proud for the stand they have taken as far as their on party is concerned. Despite some deviations here and there, it could not be perfect, no House has ever been perfect, but the Members on our side of the House have done a magnificent job, and I want to thank them for the cooperation they gave me.

The CHAIRMAN. The Chair recognizes the gentleman from Erie, Mr. Waterhouse.

Mr. WATERHOUSE. Mr. Chairman, ladies and gentlemen of the House, I had intended to give quite a long talk but I am quite sure you are all as hungry as I am, and

anyway this is sort of a double barreled resolution that I am about to offer covering the Chief Clerk of the House, Secretary of the House and all their assistants.

Anyway, they may have been a little like the fellow who had taken his wife to a testimonial dinner that was being given for him. After the speeches were over and the dinner, and they were on their way home he said, "Well, honey, what did you think of that dinner? And what did you think about all of the swell things they said about me?"

She said, "I thought it was fine, John, and you will be all right until you begin believing them."

But seriously, anything I could say about Bill Roan and Bill Habbyslaw would certainly be a very, very faint gesture in trying to portray just what they mean to this House of Representatives.

When I first came here in 1945 Bill Habbyslaw was one of the first gentlemen with whom I become acquainted. He certainly did a lot for me, and I will always remember it.

• I later came to know Bill Roan very well. I think he is one of the finest guys I ever met. He does a wonderful job. These two gentlemen possess one of the very great—I do not know that I can explain it, but anyway they have the knack of being able to surround themselves with very efficient help.

So when we are thanking the two Bills, we also must remember the help they have that has taken care of all of the errands that you and I have had to take care of if it were not for the very efficient manner in which they handled them.

So with that, Mr. Chairman, I offer this Resolution.

## RESOLUTION

### CONGRATULATING AND THANKING CHIEF CLERK AND SECRETARY

Mr. WATERHOUSE offered a resolution which was read, considered and unanimously adopted as follows:

In the House of Representatives, September 25, 1951.

Of vital importance to the success and smooth functioning of the Legislature is the accurate and speedy performance of the thousands of technical and diverse administrative tasks its work entails.

During this session, as in past years, the Chief Clerk of the House, the Honorable William E. Habbyslaw, and the Secretary of the House, the Honorable William P. Roan, and their staffs of assistants have ably handled the countless detailed duties assigned to them in an expert and cooperative manner, and in doing so, have again contributed materially to the orderly function of the General Assembly; therefore be it,

Resolved, That the members of the House extend to the Chief Clerk, the Honorable William E. Habbyslaw, and to the Secretary, the Honorable William P. Roan, and their staffs and assistants their sincere appreciation for their able and conscientious performance of their duties during this session of the General Assembly.

The CHAIRMAN. The Chair recognizes the gentleman from Dauphin, Mr. Ziegler.

Mr. ZIEGLER. Mr. Chairman, Members of the House, guests, I am very happy to have a small part in this ceremony or party, as you please, this evening.

First, because with the holding of this party we all have some hope, some faint hope that in the not too distant future we will adjourn.



Second, and by far the most important is the fact that we the Members on this occasion have some opportunity to show our appreciation, not only to the leaders, but to the employees of the House.

The man we are about to honor is a man I have known for a long time. He happens to be a fellow Dauphin Countian, a former Member of this House and I think you all agree that his personal services have been available to each and every one of us at all times, and the facilities and services of his office likewise, not only during the session but when the session is over.

At this time it gives me a great deal of pleasure to present on behalf of the Membership a gift in the nature of a United States Defense Bond to the Honorable William E. Habbyschaw, Chief Clerk of the House and affectionately known to all of us as "Bill", a token of our appreciation for a job well done.

The CHAIRMAN. The Chair recognizes the Chief Clerk, Mr. Habbyschaw.

The CHIEF CLERK (William E. Habbyschaw). Mr. Chairman, Members of the House, I want to thank each and every one of you for this gift. I also want to thank Mr. Ziegler, Mr. Waterhouse, the Speaker, the Majority and Minority Leaders and all the rest of you for your cooperation during this long drawn out session. I want to say that we had a marvelous staff of employees. I think considering the long session we have had, it was the best we have had in any session in the 20 years I have been here.

I again say thanks to each and every one of you for this certificate.

The CHAIRMAN. The Chair recognizes the gentlemen from Luzerne, Mr. Flack.

Mr. FLACK. Mr. Chairman, ladies and gentlemen, it is with great pleasure that I accept the honor given to me by my colleagues in the House to translate into a more practical way the sentiments expressed by their resolution.

Knowing, Bill Roan, of your sincere and devoted interest in the affairs of the Legion, both state and national; your interest in the state and county government and the work you have done for the Members of the House, we feel that with the closing of this session you will have earned a needed rest and that within the next sixty days you will retire to the wide open spaces to spend considerable time at your favorite pastime namely as a Nimrod.

The membership of the House want me to present this gift to you as an expression of our appreciation for the things you have done for us and the many courtesies you have extended, all of which helped to make our experience in this legislative session just a little more pleasant. We hope that as you trudge through the fields and forest it will contribute to making your recreation more enjoyable.

Therefore, on behalf of my colleagues, all of whom are your friends, I am happy to have the pleasure of presenting to you this gun, and with it go all the fine wishes that one friend can wish for another.

The CHAIRMAN. The Chair recognizes the Secretary of the House, Mr. Roan.

The SECRETARY. Mr. Chairman and Members of the House, I am very thankful for this beautiful shot-gun.

I am just wondering whether we will get out of here in time for me to use it.

It has been a pleasure working during this session and the past sessions with the present and former Members of this House.

I want to take this opportunity of thanking the employees in Bill Habbyschaw's and my offices for the wonderful cooperation they have given us. I will assure you that during the interim we will both be at your service; anything we can do for you we will be very happy to do.

The CHAIRMAN. The Chair recognizes the gentleman from Butler, Mr. Greer.

Mr. GREER. Mr. Chairman, Members of the House, friends, relatives and guests, we have partaken of the soup course, the meat course, the vegetables and the salad and it now becomes my duty to almost close up the speaking end of this program tonight by presenting the resolution for dessert.

On the wall back of the Speaker's Chair there is a mural which was painted by Edwin Austin Abbey many years ago, and it is one of the most beautiful murals in the world. It is called the "Apotheosis of Pennsylvania." It is the dedication of those figures in Pennsylvania's history who have made this Commonwealth what it is.

We have the figures there of William Penn, of Benjamin Franklin, of Muhlenberg, Mad Anthony Wayne and various other notables of Pennsylvania history.

I want to call your attention however, to the figure in the lower right corner of the Apotheosis which is the figure of Stephen Girard, a French immigrant, to the United States, a man who was intensely interested in the youth of our country and who founded Girard College. You will observe that he stands there in a paternal attitude with his arm around the shoulder of a little boy.

I think that it is very apropos that directly under that picture, on the rostrum there stands a man who every time we are in session also figuratively places his hands on the shoulders, in a fatherly fashion, of every Member of this House, particularly of the newer Members.

At all times he stands ready to help any Member with his legislative problems, and he does this in addition to his duties as advisor to the Chair, and also to his duties in solving difficult legal legislative impasses. His kindly manner, his quick wit, his pleasant countenance has endeared him to every Member of this House. His ability as a Parliamentarian in Pennsylvania has made his nationally known as the best Parliamentarian in the United States.

In the event you did not know about whom I was speaking it is my pleasure, Mr. Chairman, and my honor to present the following resolution on behalf of Eddie Moore our Parliamentarian, and I ask for its immediate consideration and adoption.

#### RESOLUTION

#### CONGRATULATING AND THANKING THE PARLIAMENTARIAN

Mr. GREER offered a resolution which was read, considered and unanimously adopted as follows:

In the House of Representatives, September 25, 1951.

The expeditious functioning of a legislative body is dependent in large degree on the extent to which its



parliamentary procedure is continuously adequate and correspondingly simple.

Fortunately for this House, we have as our Parliamentarian, the Honorable S. Edward Moore, a man whose knowledge of legislative procedure backed by experience is second to none, and whose guidance and assistance has been of inestimable value to us during this Session of the Legislature. We are delighted also to acknowledge along with his expert advice, and inseparable from it, his ready wit and unfailing good humor; therefore be it

Resolved, That the Members of this House extend to our Parliamentarian, the Honorable S. Edward Moore, our sincere appreciation of the personable and able manner in which he has rendered aid and guidance to us during this session, and be it further

Resolved, That the Chief Clerk of the House shall transmit a copy of this resolution to the Honorable S. Edward Moore as evidence of our appreciation of his services as Parliamentarian.

The CHAIRMAN. The Chair recognizes the Speaker of the House, Mr. Sorg.

The SPEAKER. Mr. Chairman, there is one among us who began a career of distinguished service to this House of Representatives of the Commonwealth of Pennsylvania in 1909, 42 years ago, who must be recognized.

Eddie Moore has known and worked with all the Members of this House since then and he has lived through and competently handled practically every conceivable kind of a parliamentary situation. I dare say there is not a man who ever trod these halls who would question the loyalty, ability and integrity of this man, nor in his guiding the affairs of the Pennsylvania House of Representatives would any of them for one moment question his unswerving and unselfish devotion to the well being of this House and the very highest standard of parliamentary procedure.

Through the years, as the gentleman from Butler has said, he has come to be one of the most outstanding parliamentarians in America. This is evidenced by the demand for his services in special cases by the highest parliamentary bodies in the United States. This wealth of experience, this extraordinary talent and capacity is ours for the asking and that has been good for Pennsylvania.

Yet with all his acclaim, the most striking characteristics of this man are his humblity, his gentility, his complete unselfishness, his boundless energy and tireless effort, his complete disregard for his own convenience and his total respect for the convenience of those with whom he works.

Because this man who can make or break a Speaker is so loyal to this House, because he has done so much to raise the level of its practice to an enviable position there is never a question by Republican or Democrat as to who our Parliamentarian should be, because Eddie Moore is so good for all of us; because he has been and is the guiding light of Speakers and of this House, it is appropriate that our gift to him should be a lamp, because of the things he has done for us we know he must love us, and because we love him a lamp to shine for him as he has lighted our way.

The CHAIRMAN. The Chair recognizes the Parliamentarian, Mr. Moore.

Mr. MOORE. Mr. Chairman, although this is a happy occasion for me, it also is an embarrassing one, for I do not have the words to express the appreciation I feel

for the kindness you Members have shown me in presenting this beautiful gift.

The operation of this House is a vast cooperative effort. To be associated with such thoroughbreds as our Speaker, Majority and Minority Leaders, and work with a staff from top to bottom whom I love and esteem, is in itself abundant reward for my efforts.

My closest and dearest friendships over the years have been made on the floor of this House—friendships and memories I shall cherish my whole life through.

Mr. Chairman, before I sit down, may I take the liberty of presenting to the Members of this House the Speaker at our house, my sweetheart and wife, Mrs. Moore. We both join in thanking you again for this beautiful gift.

The CHAIRMAN. The Chair has been informed that the Governor of the Commonwealth will appear before us, if we desire.

The Chair appoints as a Committee of Escort, the gentleman from Philadelphia, Mr. Smith, Majority Leader, and the gentleman from Cambria, Mr. Andrews, Minority Leader, and ask that they proceed at once in the performance of that duty.

While we are waiting for the Governor, the Chair would like to make several announcements.

I would like to extend an invitation to everyone in this room to attend the reception that will follow immediately in the new House Caucus room on the main floor of the Capitol. In the receiving line will be the officers of the House and their wives. I would ask everyone to greet them there. The gifts that have been presented on the floor of the House will be on display in that same room.

Following the reception in the Caucus room we will immediately go to the cafeteria on the basement floor for a buffet supper. This invitation holds good for that affair also.

Before we close I certainly would like to extend my personal appreciation to the Members of my Committee who have worked so well, and in my opinion did a grand job. I want to thank them personally.

I would also like to express my thanks to the Chief Clerk of the House whose guest we will be at the buffet supper in the cafeteria, and to the other Members of the House and the officers and employes who have assisted in any way in making this affair possible.

I would like to express a personal note of appreciation to Mrs. Bless of the cafeteria who worked so well with me in wrapping the gifts that were presented on the floor this evening. They were beautifully done and I think deserve a note of commendation.

#### GOVERNOR FINE PRESENTED TO HOUSE

The CHAIRMAN. The Chair is pleased to present to the House, His Excellency the Governor of the Commonwealth, Honorable John S. Fine.

#### ADDRESS BY GOVERNOR FINE

The GOVERNOR. Mr. Chairman, Members of the House, I am most pleased to have been invited to appear before you tonight at what I am told is a departure-to-be party. While courtesy and good manners will not permit me to state that I am anxious to see you leave, I do recollect the story of "The Man Who Came To Dinner."

We have had ample time to get acquainted and I hope



we have all made friendships which I trust will be enduring. I have been happy to work with you. I have admired your ability. I have a continuing respect for your integrity, your honor, your honesty and your intelligence. Above all, I appreciate your friendships and your sympathies.

Men who can think and do simple things and generous acts are men of proportion and dignity. Your kindnesses on my birthday and your sympathies which you fully, frequently and deeply expressed in hours of sorrow will be memories forever engraven on a grateful heart. I thank you for these things.

This has been, as you know, a record session. It has entailed undue hours of thought and labor. Although we have been here for a full period of gestation, all of us are still walking the floor anxiously and expectantly awaiting the birth of an able and robust tax package. Until this very moment that blessed event has been most elusive.

This session has borne so many tax waifs that a fiscal orphanage of expansive dimensions could not take care of all of them and no one now seeks their adoption. Fiscal experts have bloomed frequently for a day to succumb quickly at the approach of nightfall. Fiscally we have labored long, but apparently not so well.

As I look upon you tonight I am reminded that I last appeared before you on March 21st over a half year ago, or six calendar months and five days ago. I ended a half-hour address on that occasion with these two closing significant sentences: "I have recommended the measures which I consider best for all of our taxpayers consonant with good fiscal policies. However, if you should arrive at a better solution of this problem with sufficient additional revenue, you would have my cooperation."

These words still echo through this Legislative Hall with increasing resonance. Despite repeated attempts a better solution has not been presented.

You have labored well here in this branch of the Legislature. In the processes of solution, unexpected and indeed queer happenings occurred. The Legislature tired, sought rest. Recesses were devised on the theory that rest motivates thought. So here we are almost where we were six long months ago. March 1st to March 21st—during the period of the Ides of March. I believe sometimes as they believed in old days, the Ides are really prophetic. I claim no kinship to dead Caesar, nor do I see any resemblance to his ultimately death despite certain similarities.

I am bold to mention Legislative derelictions as these may remind us of probable future electoral maledictions, because a stalemate has arisen for which you are not responsible. I am moved now to worthy comment. If I may again paraphrase Shakespeare at this point, "I do not come to bury anyone or anything tonight. I come to praise," to commend you and to keep the record straight.

I have been most delighted with the leadership of this House on both sides of the aisle. Your distinguished Speaker, Mr. Sorg, has my warm affection and my enduring trust. He is a true friend. Can one say more?

The Majority Leader has been beyond compare in his loyalty. On loyalty or ability there might be a divergence of our opinions, but there could be no divergence of opinion on Mr. Smith's adherence to friends. Charlie has been a sincere, true, able, untiring friend. The accomplish-

ments of this session—and there were many—have the indelible imprint of Charles Smith upon them. I gratefully acknowledge his unselfish contributions to this administration.

Maybe the great leader of the Minority, Hi Andrews, unsurpassable Hi, would prefer no reference made to him, lest he be damned by my praise. However, I could not permit this occasion to pass without saying that he has instilled in me a profound respect for him which party lines enhance rather than diminish.

These men make of public life honored places. They add to the lustre of political preferment and embellish public office. When I speak of them, they are merely symbols, too, of this great body of which all of you are Members. This body has lifted itself to new heights in this session. You have deliberated intelligently, acted wisely and legislated patiently. You have reached the stature of statesmen. The opportunity for commendation has commanded by visit with you here tonight.

Only well laden buffet tables awaiting you on the first floor prevent me from proceeding further with well earned praise for you. Please believe me, Legislators, statesmen, dear friends, my heart goes out to you as I implore God's blessings upon you. Good night.

The CHAIRMAN. Friends and guests we have an added attraction here this evening. One of the boys who sang in the Pennsylvania Industrial School Glee Club has a presentation to make to the Governor at this time.

I would like to present him to you and have him make that presentation, Ronald S. Keyes.

Mr. RONALD S. KEYES. Your Excellency the Governor, as a token of respect from the boys at White Hill and myself, a few months ago I painted this portrait of you. With the help of you and all the men in this room, Mr. Prass, Superintendent of the White Hill Industrial School and Mr. Sweeley, my Art Instructor, I have been able to paint this and get along very well over at White Hill and make something of myself.

At this time I would like to present this portrait to you which I did in oil painting.

The GOVERNOR. I wish to congratulate the young man for doing such a splendid job with what he had to do it with.

At long last someone has painted something about me that I can look at without doing something like that. You know I would sooner be painted with the brush than to be painted with the pen. You have seen some very wierd and queer pictures of me over the last six months. I have been tinted in dark colors. This is done in a little lighter vein, and I appreciate it.

What I want to say to this young man might be put in these words. Yes, his liberty may be restrained; liberty of action, but not the liberty of thought, not the liberty and freedom to see good things in you and me, in men who occupy public office.

Too often, too long, are we who occupy office subjected to pictures painted in darkest colors. I am glad he can get happiness out of art, the art of painting things which mean joy and happiness and delight and pleasure. Yes, you may be in a dark place but you can paint a moon in the skies. You can paint a beautiful dawn when you cannot see the sun, and in your heart can think of the finer things of life to prepare you for a brighter day, the kind of a day that you can paint with liberty un-



restrained. I hope for you that the things that are in your heart will continue to guide you because with those things the horizons of the future are still available to you.

Thank you and God bless you.

The CHAIRMAN. The Chair thanks the Governor for his splendid address and requests the committee to escort the Governor back to his Chambers.

Ladies and gentlemen, I wish to express my personal appreciation for your fine attention during these ceremonies.

I would ask that the Members remain in their seats until the Speaker returns to the rostrum.

The SPEAKER (Herbert P. Sorg) in the Chair.

The SPEAKER. The Chair thanks the Chairman of the Committee on Final Adjournment Ceremonies and presents to him this gavel in recognition of the able manner in which he presided over the ceremonies in-

cident to the closing of the 1951 session of the House of Representatives.

#### MOTION TO ADJOURN

Mr. HOCKER. Mr. Speaker, I move—

Mr. ANDREWS. Mr. Speaker, was the gentleman from Dauphin about to make a motion as to when we were to meet tomorrow?

The SPEAKER. The gentleman was, for the information of the Minority Leader.

#### ADJOURNMENT

Mr. HOCKER. Mr. Speaker, I move that this House do now adjourn until Wednesday, September 26, 1951, at 11:00 a. m. EST.

The motion was agreed to, and (at 9:48 p. m. EST.) the House adjourned.



# Legislative Journal.

Session 1951.

139th of the General Assembly.

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HARRISBURG, PA., WEDNESDAY, SEPTEMBER 26, 1951.

No. 87.

## SENATE

WEDNESDAY, September 26, 1951.

The Senate met at 12:30 o'clock, p. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Lloyd H. Wood) in the Chair.

### PRAYER

The Chaplain, Rev. WILLIAM D. McLEAN, Pastor of St. Peters Episcopal Church, Butler, Pennsylvania, offered the following prayer:

We praise Thee, O God, our Heavenly Father, and give Thee thanks for the many and great blessings which Thou hast bestowed upon us.

At this time we commend the Senate of the Commonwealth of Pennsylvania to Thy merciful care. Grant to these, Thy servants, wisdom and strength to know and to do Thy will. Fill them with the love of truth and righteousness, and make them ever mindful of their calling to serve this people in Thy fear. Endow them with wisdom, patience and courage, that Thy way may be made known more abundantly to Thy people and Thy blessings continually increased among us, through Jesus Christ, our Lord. Amen.

### JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WALKER and Mr. CROWE, further reading was dispensed with, and the Journal was approved.

## NOMINATIONS BY THE GOVERNOR

### NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

### CONSIDERATION OF NOTARIES PUBLIC

Mr. WATSON. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on September 26, 1951.

Mr. WATKINS. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, September 26, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

#### ARMSTRONG COUNTY

Robert A. Dunmire, East Franklin Twp., Kittanning.

#### CHESTER COUNTY

Mrs. Ruth E. Marrin, West Chester.

#### DAUPHIN COUNTY

Leroy K. Mann, Harrisburg.

#### ERIE COUNTY

Raymond E. Babcock, Lawrence Park Twp., Erie.  
Mrs. M. Eleanor Lahr, Union City.

#### FAYETTE COUNTY

Clell W. Coatsworth, Brownsville.

#### LANCASTER COUNTY

Edw. G. Reese, Lititz.  
Mrs. Mildred R. Reese, Lititz.

#### LEHIGH COUNTY

Mrs. Mahala Baker, Allentown.  
Mrs. Clara Singer, Allentown.

#### LUZERNE COUNTY

Miss Dorothy Marley, Hazelton.

#### MONTGOMERY COUNTY

Max Gordon, Cheltenham Twp., Glenside.

#### VENANGO COUNTY

W. E. Morrison, Oil City.

JOHN S. FINE.

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, September 26, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:



## CARBON COUNTY

Miss Helen Roscoe, East Mauch Chunk.

## DELAWARE COUNTY

Karl H. Wilson, Upper Darby Twp., Upper Darby.

## JEFFERSON COUNTY

A. T. Patterson, Punxsutawney.

## PHILADELPHIA COUNTY

Charles H. Clayton, 2224 W. Cumberland St.

Edward L. Gealt, 740 Sansom St.

Miss M. Jeanne Wilkinson, 713 S. 52nd St.

JOHN S. FINE.

A motion was made by Mr. WATSON and Mr. WATKINS, That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bane,	Haluska,	McPherson, Jr.	Stiefel,
Barr,	Hare,	Meade,	Taylor,
Barrett,	Holland,	Neff,	Toole,
Berger,	Kephart,	Pechan,	Wade,
Blass,	Kessler,	Peelor,	Wagner,
Byrne,	Lane,	Propert,	Walker,
Chapman,	Leader,	Robinson,	Watkins,
Crowe,	Letzler,	Rosenfeld,	Watson,
Dent,	Mahany,	Ruth,	Silvert,
Diehm,	Mallery,	Scarlett,	Wolfe,
DiSilvestro,	McCreesh,	Snowden,	Wood,
Fleming,	McGinnis,	Stevenson,	Yosko,
Freed	McMenamin.		

## NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

## HOUSE MESSAGES

HOUSE CONCURS IN AMENDMENTS TO  
HOUSE BILL No. 726

The Clerk of the House of Representatives being introduced, presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 726, entitled:

An Act to amend the title and further amend Subsections A and C of Section 1 of the act approved the twenty-fifth day of June, one thousand nine hundred forty-seven (P. L. 1145) entitled "An act empowering cities of the second class, cities of the second class A, cities of the third class, boroughs, towns, townships of the first class, school districts of the second class, school districts of the third class and school districts of the fourth class to levy, assess, and collect or to provide for the levying, assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes; authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes; and permitting penalties to be imposed and enforced; providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court," by including townships of the second class within the classes

of political subdivisions authorized to impose taxes under the provisions thereof.

HOUSE CONCURS IN AMENDMENTS TO  
HOUSE BILL No. 1283

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1283, entitled:

An Act authorizing the Orphans' Courts of the several counties, upon application therefor, to place documents, defined as historical documents, in the custody of certain associations maintaining facilities for public display of historical writings; conferring powers and imposing duties on registers of wills.

HOUSE CONCURS IN AMENDMENTS TO  
HOUSE BILL No. 1326

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1326, entitled:

An Act to further amend the act, approved the nineteenth day of March, one thousand nine hundred nine (P. L. 46), entitled "Osteopathic Practice Law," by providing for the licensing without examination of persons licensed by the provinces of the Dominion of Canada in certain cases.

## HOUSE CONCURS IN SENATE BILL No. 656

He also returned to the Senate, Senate Bill No. 656, entitled:

An Act to amend section 401 of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 571) entitled "An act relating to assessment for taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects property and persons subject to and exempt from taxation for county borough town township school except in cities and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for the assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of ward borough town and township assessors abolishing the office of assistant triennial assessor in townships of the first class providing for the appointment of a chief assessor assistant assessors and other employes providing for their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the recorder of deeds and eliminating the triennial assessment" by changing the provisions relating to the appointment of chief assessors requiring that the chief assessor devote full time to his office imposing duties and conferring power on the Department of Internal Affairs providing for examinations for chief assessors and creating a committee to prepare such examinations.

with the information that the House has passed the same without amendments.

SENATE BILL No. 636 RETURNED WITH  
AMENDMENTS

He also returned to the Senate, Senate Bill No. 636, entitled:

An Act to amend subsection (a) of Section 9 of the act approved the twenty-sixth day of May one thousand nine hundred forty-nine (P. L. 1828) entitled "An act concern-



ing the investment powers and duties of guardians committees trustees and other fiduciaries except personal representatives and prescribing the nature and kind of investments which may be made and retained by such fiduciaries" by authorizing investments in common stocks and similar securities of unincorporated associations meetings certain qualifications and eliminating the requirement that stock and similar securities must be listed on an exchange as to the stock and securities of banks and insurance and investment companies.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended will appear on the Calendar.

#### SENATE BILL No. 653 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 653, entitled:

An Act to further amend the act, approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 571), entitled "An act relating to assessment for taxation in counties of the fourth, fifth, sixth, seventh, and eighth classes; designating the subjects, property and persons subject to and exempt from taxation for county, borough, town, township, school, except in cities and county institution district purposes; and providing for and regulating the assessment and valuation thereof for such purposes; creating in each such county a board for the assessment and revision of taxes; defining the powers and duties of such boards; providing for the acceptance of this act by cities; regulating the office of ward, borough, town and township assessors; abolishing the office of assistant triennial assessor in townships of the first class; providing for the appointment of a chief assessor, assistant assessors and other employees; providing for their compensation payable by such counties; prescribing certain duties of and certain fees to be collected by the recorder of deeds; and eliminating the triennial assessment," by providing for a uniform permanent record system in the boards for the assessment and revision of taxes; providing for a committee to prepare such system; and conferring powers and imposing duties upon the boards for the assessment and revision of taxes, the chairman of the Local Government Commission, the Secretary of Internal Affairs and chief assessors.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended will appear on the Calendar.

#### SENATE BILL No. 654 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 654, entitled:

An Act to further amend the act, approved the seventh day of July, one thousand nine hundred forty-seven (P. L. 1368) entitled "An act amending, revising and consolidating the laws relating to delinquent county, city, except of the first and second class and second class A, borough, town, township, school district except of the first class and school districts within cities of the second class A, and institution district taxes, providing when, how and upon what property, and to what extent liens shall be allowed for such taxes, the return and entering of claims, therefor; the collection and adjudication of such claims,

sales of real property, including seated and unseated lands, subject to the lien of such tax claims; the disposition of the proceeds thereof, including State taxes and municipal claims recovered and the redemption of property; providing for the discharge and divestiture by certain tax sales of all estates in property and of mortgages and liens on such property, and the proceedings therefor; creating a Tax Claim Bureau in each county, except a county of the first class, to act as agent for taxing districts; defining its powers and duties, including sales of property, the management of property taken in sequestration, and the management, sale and disposition of property heretofore sold to the county commissioners, taxing districts and trustees at tax sales; providing a method for the service of process and notices; imposing duties on taxing districts and their officers and on tax collectors, and certain expenses on counties and for their reimbursement by taxing districts; and repealing existing laws," by providing for the collection and distribution of said taxes by the bureau; further regulating the sale of properties turned over to the bureau by county commissioners and taxing districts, and of properties purchased at tax sales by county commissioners under the provisions of said act; imposing certain costs upon the taxing districts, and further providing for the execution of deeds.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended will appear on the Calendar.

#### SENATE BILL No. 655 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 655, entitled:

An Act to amend the title and act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 571) entitled "An act relating to assessment for taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects property and persons subject to and exempt from taxation for county borough town township school except in cities and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of ward borough town and township assessors abolishing the office of assistant triennial assessor in townships of the first class providing for the appointment of a chief assessor assistant assessors and other employees providing for their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the recorder of deeds and eliminating the triennial assessment" by further regulating the assessment and valuation of real property for local taxation purposes further defining the duties of assessors and chief assessors changing the time for the preparation and inspection of the assessment roll and duplicate assessment roll notice of appeal and hearings on appeals prescribing duties of and fees to be collected by municipal officers who issue building permits imposing duties on taxables making improvements on land and grantees of land and prescribing penalties and changing procedure on appeals to court.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended will appear on the Calendar.



# HOUSE INSISTS UPON ITS AMENDMENTS NON-CONCURRED BY THE SENATE TO SENATE BILL No. 598 AND APPOINTS COMMITTEE OF CONFERENCE

He also informed the Senate that the House insists upon its amendments non-concurred in by the Senate to Senate Bill No. 598, entitled:

An Act to further amend Section 10 of the act, approved the twenty-ninth day of May, one thousand eight hundred eighty-five (P. L. 29), entitled "An act to provide for the incorporation and regulation of natural gas companies," by providing that natural gas companies shall have the right of eminent domain for underground storage of natural gas or manufactured fuel gas; and regulating the exercise of such right.

and has appointed Messrs. COSTA, JOHNSON and READ-INGER, as a Committee of Conference to confer with a similar committee of the Senate (already appointed) to consider the differences existing between the two houses in relation to said bill.

# HOUSE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE SENATE TO SENATE BILL No. 752

He also presented communication from the House of Representatives informing the Senate that the House insists upon its amendments non-concurred in by the Senate to Senate Bill No. 752, entitled:

An Act to further amend the act, approved the twenty-sixth day of June, one thousand nine hundred thirty-one (P. L. 1379), entitled "An act creating in counties of the third class a board for the assessment and revision of taxes; providing for the appointment of the members of such board by the county commissioners; providing for their salaries, payable by the county; abolishing existing boards; defining the powers and duties of such board; regulating the assessment of persons, property, and occupation for county, borough, town, township, school, and poor purposes; authorizing the appointment of subordinate assessors, a solicitor, engineers, and clerks; providing for their compensation, payable by such counties; abolishing the office of ward, borough, and township, assessors, so far as the making of assessments and valuations for taxation is concerned; and providing for the acceptance of this act by cities," by further regulating the assessment and valuation of property for local taxation purposes; further defining the duties of subordinate assessors and the board; changing the time for the preparation and inspection of the assessment roll, and duplicate assessment roll, notice of appeal, and hearings on appeals; prescribing duties of and fees to be collected by municipal officers who issue building permits; imposing duties on taxables; making improvements on land and grantees of land; and prescribing penalties.

# SENATE INSISTS UPON ITS NON-CONCURRENCE IN THE AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 752

Mr. WALKER. Mr. President, I move that the Senate insist upon its non-concurrence in the amendments made by the House to Senate Bill No. 752, and that a Committee of Conference on the part of the Senate be appointed.

Mr. WOLFE. Mr. President, I second the motion. The motion was agreed to.

# HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence bills of the House, as follows:

# House Bill No. 550, entitled:

An Act to further amend section 33 of the act, approved the twenty-fifth day of May, one thousand nine hundred forty-five (P. L. 1050), entitled "Local Tax Collection Law," by changing the salaries of the tax collector in cities of the third class.

Which was committed to the Committee on Local Government.

# House Bill No. 992, entitled:

An Act making an appropriation to the Department of Forests and Waters for the purpose of study, survey and examination of flood control conditions, causes and effects in the Juniata Valley and for making designs, plans and recommendations for controlling such flood conditions, and saving life and property.

Which was committed to the Committee on Appropriations

# House Bill No. 1051, entitled:

An Act creating a Bituminous Mine Law Study Commission for the purpose of making a study and investigation of all laws relating to bituminous coal mines and the preparation of a modern code relating thereto and making an appropriation.

Which was committed to the Committee on Mines and Mining.

# House Bill No. 1206, entitled:

An Act to further amend the act, approved the fourth day of June one thousand nine hundred thirty-seven (P. L. 1625), entitled "An act providing for the creation, maintenance and operation of a county employees retirement system in counties of the third class; and imposing certain charges on counties," by further defining "final salary"; authorizing the transfer from the one one-hundred-twentieth (1-120) to the one one-hundredth (1-100) class of members contributions at option of the board and adjusting the county annuity on superannuation retirement upon such transfers and providing for minimum retirement allowance in certain cases.

Which was committed to the Committee on Local Government.

# House Bill No. 1215, entitled:

An Act fixing the fees or costs to be charged by aldermen, magistrates, and justices of the peace; and imposing liability therefor upon the county in certain cases.

Which was committed to the Committee on Local Government.

# House Bill No. 1646, entitled:

An Act to add subsection (4) to section 2 of the act, approved the twenty-fourth day of July, one thousand nine hundred thirteen (P. L. 965), entitled "Commodities Weight and Measure Law," by providing for the transportation, sale, and delivery of manure.

Which was committed to the Committee on Agriculture.

# House Bill No. 1676, entitled:

An Act to further amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "Public School Code of 1949," by empowering boards of school directors with the approval of the Superintendent of Public Instruction to alter the pre-



scribed number, hours and days of classes in certain emergencies for a limited period of time.

Which was committed to the Committee on Education.

House Bill No. 1690, entitled:

An Act to add Section 12.2 to the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1046), entitled "School Employes' Retirement Law," by providing for the furnishing of information and the transfer of certain moneys by the board to the State Employes' Retirement Board and Fund.

Which was committed to the Committee on Education.

House Bill No. 1724, entitled:

An Act to add subsection (h) to section 802.4 of the act approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "Vehicle Code," by authorizing the use of additional red reflectors.

Which was committed to the Committee on Highways.

House Bill No. 1733, entitled:

An Act to further amend the act approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "Vehicle Code," by further providing for the transfer of registration plates from one motor vehicle trailer or semi-trailer to another.

Which was committed to the Committee on Highways.

#### REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. WATSON from the Committee on Executive Nominations reported with a favorable recommendation the following nominations, made by His Excellency, the Governor, which were laid over for one day under the rules.

#### JUSTICES OF THE PEACE

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, September 19, 1951.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Doris H. Park, P. O. New Kensington, Wesamoredland County, for appointment as Justice of the Peace in and for the Township of Frazer, Allegheny County, until the first Monday of January 1954, vice James Glowatski, resigned.

JOHN S. FINE.

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, September 17, 1951.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Herman J. Heatter, 243 Main Street, Walnutport, Northampton County, for appointment as Justice of the Peace in and for the Borough of Walnutport, Northampton County, until the first Monday of January 1954, vice E. A. Acker, resigned.

JOHN S. FINE.

#### MEMBER OF THE CRAWFORD COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, September 17, 1951.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Paul E. Allen (Republican), Trust Company Building, Meadville, Crawford County, for appointment as a Member of the Crawford County Board of Assistance, to serve until December 31, 1952, and until his successor is duly appointed and qualified, vice Kenneth W. Rice, Esq., Meadville, resigned.

JOHN S. FINE.

#### MEMBERS OF THE PENNSYLVANIA AERONAUTICS COMMISSION

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, August 21, 1951.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Members of the Pennsylvania Aeronautics Commission:

Ralph C. Hutchison, Easton, Northampton County, to serve until June 2, 1955, and until his successor shall be duly appointed and shall have qualified.

Alan M. Scaife, Pittsburgh, Allegheny County, to serve until March 6, 1955, and until his successor shall be duly appointed and shall have qualified.

William R. McMillen, Black Lick, Indiana County, to serve until December 1, 1952, and until his successor shall be duly appointed and shall have qualified.

Charles C. Smith, Mt. Airy, Philadelphia, Philadelphia County, to serve until December 1, 1952, and until his successor shall be duly appointed and shall have qualified.

T. Newell Wood, Alderson, Luzerne County, to serve until December 1, 1954, and until his successor shall be duly appointed and shall have qualified.

JOHN S. FINE.

#### MEMBERS OF THE BEDFORD COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, September 17, 1951.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for appointment as Members of the Bedford County Board of Assistance:

Mrs. Fannie Cessna (Republican), 233 South Richard Street, Bedford, Bedford County, to serve until December 31, 1953, and until her successor is duly appointed and qualified, to fill a vacancy.

Carl Stake (Republican), Saxton, Bedford County, to serve until December 31, 1953, and until his successor is duly appointed and qualified, to fill a vacancy.

Rev. Thomas Garner (Republican), Bedford, Bedford county, to serve until December 31, 1952, and until his successor is duly appointed and qualified, to fill a vacancy.

Ross T. Snyder (Democrat), New Enterprise, Bedford County, to serve until December 31, 1951, and until his successor is duly appointed and qualified, vice A. Ross Diehl, Bedford, resigned.

JOHN S. FINE.

#### MEMBER OF THE ADAMS COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, September 17, 1951.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Stanislaus E. Krichen (Democrat), 355 Ridge Avenue, McSherrystown, Adams County, for appointment as a member of the Adams County Board of Assistance, to serve



until December 31, 1953, and until his successor is duly appointed and qualified, vice William V. Sneeringer, Littlestown, resigned.

JOHN S. FINE.

#### SUPERINTENDENT OF PUBLIC INSTRUCTION

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, September 17, 1951.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Hon. Francis B. Haas, Harrisburg, Dauphin County, for reappointment as Superintendent of Public Instruction, for a term of four years, to compute from August 23, 1951.

JOHN S. FINE.

#### CLERK OF THE COURT OF OYER AND TERMINER AND CLERK OF THE COURT OF QUARTER SESSIONS OF THE PEACE, SOMERSET COUNTY

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, September 25, 1951.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Charles G. Sechler, Somerset, Somerset County, for appointment as Clerk of the Court of Oyer and Terminer and Clerk of the Court of Quarter Sessions of the Peace in and for the County of Somerset, until the first Monday of January 1952, vice Ivan Lambert, resigned.

JOHN S. FINE.

#### REPORTS FROM COMMITTEES

Mr. WOLFE, from the Committee on Forests and Waters, Game and Fish, reported as amended, House Bill No. 1246, entitled:

An Act to amend the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by providing for farm fish pond licenses regulating the use of such ponds and the terms of such licenses and prescribing penalties

Mr. CHAPMAN, from the Committee on Appropriations, reported as committed, House Bill No. 1421, entitled:

An Act to provide for the ordinary expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools for two years beginning June first, one thousand nine hundred fifty-one, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred fifty-one.

Mr. DENT, from the Committee on Agriculture, reported as amended, House Bill No. 937, entitled:

An Act to amend Section 3 of the act, approved the twenty-sixth day of March, one thousand nine hundred twenty-five (P. L. 83), entitled "An act for the protection of public health by regulating the serving of milk for drinking purposes to patrons of hotels, restaurants, lunch rooms, fountains, and dining cars; and providing penalties," by permitting the purchase and sale of milk in bulk for use in certain automatic milk dispensing machines.

Mr. KESSLER, from the Committee on Education, reported as committed, House Bill No. 207, entitled:

An Act to further amend the second paragraph of section 2 of the act, approved the seventh day of June, one thousand nine hundred one (P. L. 493), entitled as amended "An act providing for the examination, licensure and registration of persons, firms or corporations engaged or engaging in the business or work of plumbing or house drainage, and prescribing certain rules, regulations and requirements for the construction of plumbing, house drainage and cesspools, in cities of the second class, second class A and third class and imposing fines, penalties and forfeiture for the violation thereof," by further providing for the appointment of the plumbing inspector in certain cases in third class cities.

He also, from the Committee on Education, reported as committed, House Bill No. 488, entitled:

An Act to impose a temporary tax on real estate for public school purposes in school districts of the first class A for current expenses

He also, from the Committee on Education, reported as committed, House Bill No. 1350, entitled:

An Act to amend section 2508 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for the allocation of funds to school districts for programs essential to mobilization or demobilization of civilian manpower.

He also, from the Committee on Education, reported as committed, House Bill No. 1546, entitled:

An Act to amend Section 504 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. ), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by further regulating the operation and maintenance of cafeterias by boards of school directors.

He also, from the Committee on Education, reported as committed, House Bill No. 1567, entitled:

An Act to amend Subsection (b) of Section 672 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing financially handicapped or distressed school districts to levy additional taxes with certain limitations.

He also, from the Committee on Education, reported as committed, House Bill No. 1581, entitled:

An Act to amend the act, approved the eleventh day of May, one thousand nine hundred five (P. L. 518), entitled "An act making an appropriation for the erection of a home or school for indigent orphans, to be called the Thaddeus Stephens Industrial and Reform School of Pennsylvania, in which school provision shall be made for giving instruction in reading, writing, arithmetic, drawing, duties of citizenship, elementary manual training, the elements of farming, and other requisite branches," by further providing for the course of instruction and the admission of students at such institution; and authorizing certain tuition charges for its use.

He also, from the Committee on Education, reported as committed, House Bill No. 1589, entitled:

An Act to further amend Section 9 of the act, approved



the fifth day of July, one thousand nine hundred forty-seven (P. L. 1217), entitled "An act to promote the education and educational facilities of the people of the Commonwealth of Pennsylvania; creating a State Public School Building Authority as a body corporate and politic with power to construct, improve and operate projects and to lease the same and to fix and collect fees, rentals and charges for the use thereof; authorizing school districts to enter into contracts to lease; authorizing and regulating the issuance of bonds by said Authority; and providing for the payment of such bonds and the rights of the holders thereof; granting the right of eminent domain; increasing the powers and duties of the Department of Public Instruction; and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted under this act; and making an appropriation to said Authority to pay expenses incident to its formation," by further providing for examination of the books and accounts of the Authority.

He also, from the Committee on Education, reported as amended, House Bill No. 862, entitled:

An Act to add Section 510.1 to the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing school directors of school districts in townships of the second class to appoint special school police and defining the power and duties of such police.

He also, from the Committee on Education, reported as amended, House Bill No. 1047, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-one (P. L. 1216) entitled "An act to define real estate brokers and real estate salesmen and providing for the licensing regulation and supervision of resident and nonresident real estate brokers and real estate salesmen and their business" by further defining "real estate brokers" and "real estate salesmen" authorizing the issuance of limited real estate brokers' and salesmen's licenses within a limited field or branch of the real estate business and prescribing the powers and duties of the department and commission with respect thereto further regulating licensing and the suspension and revocation of such licenses regulating the use of names of real estate salesmen in the corporate or partnership names of corporations or partnerships engaged in the real estate business and further regulating the payment of commissions.

#### SENATE CONCURRENT RESOLUTION

##### RECALLING SENATE BILL No. 249 FROM THE GOVERNOR

Mr. MALLERY offered the following resolution which was twice read, considered and agreed to:

In the Senate, September 26, 1951.

Resolved (if the House of Representatives concur), that Senate Bill No. 249, Printer's No. 514, entitled "An act to amend subsection (a) of Section 411 of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1053) entitled 'An act relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utility business by prescribing defining and limiting their duties powers and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle

conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale method of regulating rates providing for the supervision of financial and contractual relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alteration relocation protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulation the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of the commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceeding prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act' by relieving cities of the second class A and third class and the counties in which they are located from payment of damages occasioned by and costs of construction reconstruction repair and maintenance of certain bridges and viaducts," be recalled from the Governor for the purpose of further study.

Ordered, That the Clerk present same to the House of Representatives for concurrence.

The PRESIDING OFFICER (Fred P. Hare) in the Chair.

#### RECESS

Mr. WALKER. Mr. President, I move that the Senate do now take a recess for forty-five minutes, to permit a Republican Caucus.

Mr. DIEHM. Mr. President, I second the motion.

The motion was agreed to.

#### AFTER RECESS

The PRESIDENT (Lieutenant-Governor Lloyd H. Wood) in the Chair.

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

#### SENATE CONCURRENT RESOLUTION

##### RECALLING SENATE BILL NO. 836 FROM THE GOVERNOR

Mr. WALKER. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.



Mr. WALKER offered the following resolution which was twice read, considered and agreed to:

In the Senate, September 26, 1951.

Resolved, (if the House of Representatives concur), that Senate Bill No. 836, Printer's No. 544, entitled "An act making an appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred fifty-one," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present same to the House of Representatives for concurrence.

#### REPORT FROM COMMITTEE

Mr. KESSLER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. KESSLER, from the Committee on Education, reported as committed, House Bill No. 1566, entitled:

An Act to further amend subsection C of Section 1 of the act, approved the twenty-fifth day of June, one thousand nine hundred forty-seven (P. L. 1145), entitled "An act empowering cities of the second class, cities of the second class A, cities of the third class, boroughs, towns, townships of the first class, school districts of the second class, school districts of the third class and school districts of the fourth class to levy, assess, and collect or to provide for the levying, assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes; authorizing the establishment of bureaus and the appointment and compensation of officers and employees to assess and collect such taxes; and permitting penalties to be imposed and enforced; providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court," by authorizing financially handicapped or distressed school districts to levy additional taxes with certain limitations.

#### BILL INTRODUCED AND REFERRED

Mr. KEPHART. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. KEPHART, on behalf of Mr. MEADE, read in place and presented to the Chair Senate Bill No. 870, entitled:

An Act concerning the retirement of Chief Justices and Judges of the Supreme Court, Judges of the Superior Court, Courts of Common Pleas, Orphans' Courts, Municipal Court of Philadelphia and County Court of Allegheny County and Judges of the Juvenile Court of Allegheny County, and providing for payments by way of pensions to be made as a result thereof.

Which was committed to the Committee on Judiciary General.

#### SENATE BILL NO. 739 RECALLED FROM THE GOVERNOR TAKEN FROM TABLE

Mr. WALKER. Mr. President, I call from the table Senate Bill No. 739, which was recalled from the Governor for the purpose of amendment.

The PRESIDENT. Is there objection? The Chair hears none.

#### RECONSIDERATION OF SENATE BILL NO. 739

Mr. WALKER. Mr. President, I move that the Senate

do now reconsider the vote by which Senate Bill No. 739, entitled:

An Act providing for the construction by The General State Authority of an addition of a medical and surgical hospital building to the Philadelphia State Hospital on a site heretofore conveyed to it by the Mercy-Douglass Hospital and authorizing the Department of Property and Supplies to sublease said land and building to the Mercy-Douglass Hospital.

passed finally.

The PRESIDENT. How did the Senator vote?

Mr. WALKER. Mr. President, I voted with the majority.

Mr. HARE. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. HARE. Mr. President, I voted with the prevailing side.

The motion was agreed to.

And the question recurring.

Shall the bill pass finally?

Mr. WALKER. Mr. President, I move to reconsider the vote by which the bill passed third reading.

The PRESIDENT. How did the Senator vote?

Mr. WALKER. Mr. President, I voted with the majority.

Mr. HARE. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. HARE. Mr. President, I voted with the prevailing side.

The motion was agreed to.

And the question recurring.

Will the Senate agree to the bill on third reading?

Mr. WALKER. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend the title, page 1, line 8 of the title, by striking out after the word "on," the following: "a site;" Amend the title, page 2, line 1 of the title, by striking out before the word "conveyed," the following: "heretofore" and inserting in lieu thereof, the following: "lands heretofore or about to be;" Amend the title, page 2, line 4 of the title, by striking out after the word "said" and before the word "and", the following: "land" and inserting in lieu thereof, the following: "lands;" Amend Section 1, page 2, lines 4 and 5, by striking out after the word "on" in line 4, and the word "conveyed" in line 5, the following: "that certain site heretofore" and inserting in lieu thereof, the following: "those certain lands heretofore or about to be;" Amend Section 1, page 2, line 8, by striking out after the word "which" and before the word "bounded," the following: "site is" and inserting in lieu thereof, the following: "lands are;" Amend Section 1, page 2, line 9, by striking out after the word "all" and before the word "of," the following: "that certain tract" and inserting in lieu thereof, the following: "those certain tracts;" Amend Section 1, page 3, lines 4 to 10, by striking out after the word "distances" in line 4, and before the word "to" in line 10, the following: "south forty-nine degrees twenty-seven minutes thirty seconds west ninety-eight feet north forty degrees thirty-two minutes thirty seconds west one hundred and eleven feet south forty-nine degrees twenty-seven minutes thirty seconds west two hundred and four feet south forty degrees thirty-two minutes thirty seconds east one hundred and eleven feet and south forty-nine degrees twenty-



seven minutes thirty seconds west ninety-eight feet" and inserting in lieu thereof, the following: "south forty-nine degrees twenty-seven minutes thirty seconds west ninety-eight feet to a point thence north forty degrees thirty-two minutes thirty seconds west one hundred eleven feet to a point thence south forty-nine degrees twenty-seven minutes thirty-seconds west thirty and five-tenth feet to a point thence south forty degrees thirty-two minutes thirty seconds east fifteen feet to a point thence south forty-nine degrees twenty-seven minutes thirty seconds west one hundred forty-three feet to a point thence north forty degrees thirty-two minutes thirty seconds west fifteen feet to a point thence south forty-nine degrees twenty-seven minutes thirty seconds west thirty and five-tenths feet to a point thence south forty degrees thirty-two minutes thirty seconds east one hundred eleven feet to a point thence north forty-nine degrees twenty-seven minutes thirty seconds east forty-seven feet to a point thence south forty degrees thirty-two minutes thirty seconds east fifty feet to a point thence south forty-nine degrees twenty-seven minutes thirty seconds west one hundred forty-five feet"; Amend Section 1, page 3, line 13, by striking out after the word "and" and before the word "feet," the following: "thirty-six" and inserting in lieu thereof, the following: "eighty-six;" Amend Section 1, page 3, line 17, by striking out after the word "Containing" and before the word "acres," the following: "1.647" and inserting in lieu thereof, the following: "1.862;" Amend Section 1, page 3, by striking out all of lines 18 and 19; Amend Section 1, page 4, by striking out all of lines 1, 2, 3, 4 and 5, and inserting in lieu thereof, the following: "and upon."

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

#### BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 739, on third reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

The bill as amended will appear on the Third Reading Calendar.

#### HOUSE BILL NO. 1720 CALLED UP

Mr. WALKER. Mr. President, I call up from the Second Reading Calendar House Bill No. 1720, for the purpose of amendment.

The PRESIDENT. Is there objection? The Chair hears none.

#### BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1720, entitled:

An Act making an appropriation to the Department of Property and Supplies for the payment of rates rentals and other charges that may become due on leases and

other contracts executed by such department with The General State Authority for the use and occupancy by the Commonwealth of various projects structures buildings and facilities of the Authority or for the service rendered by the Authority or its projects

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. WALKER offered the following amendment:

Amend Section 1, page 2, line 1, by striking out after the word "of," the following: "two hundred fifty thousand dollars (\$250,000)" and inserting in lieu thereof, the following: "three million five hundred thousand dollars (\$3,500,000)."

It was agreed to.

The section was agreed to as amended.

The second section and title were read and agreed to. And said bill having been read at length the second time, and agreed to, as amended,

Ordered, To be transcribed for a third reading.

#### HOUSE BILL No. 1721 CALLED UP

Mr. WALKER. Mr. President, I call up from the Second Reading Calendar House Bill No. 1721, for the purpose of amendment.

The PRESIDENT. Is there objection? The Chair hears none.

#### BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1721, entitled:

An Act making an appropriation to the State Treasurer for the purpose of paying salaries and wages of State Officers and employes and other ordinary and general expenses in the interim between the thirty-first day of May one thousand nine hundred fifty-one and such time as the funds provided by the General Appropriation Act become available and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred fifty-one

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. WALKER offered the following amendment:

Amend Section 1, page 2, line 1, by striking out after the word "of" and before the word "or", the following: "forty million dollars (\$40,000,000)" and inserting in lieu thereof, the following: "eighty million dollars (\$80,000,000);" Amend Section 1, page 2, line 8, by inserting after the word "Act" and before the word "of", the following: "and other appropriations acts."

They were agreed to.

The section was agreed to as amended.

The second, third and fourth sections were read and agreed to.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. WALKER offered the following amendment:

Amend the title, page 1, line 5 of the title, by insert-



ing after the word "Act," the following: "and other appropriation acts."

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, and agreed to, as amended,

Ordered, To be transcribed for a third reading.

### BILLS SIGNED

The President (Lieutenant-Governor Lloyd H. Wood) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 548, entitled:

An Act to amend Subsection (c) of Section 823, and to add Section 823.1 and 823.2 to the act, approved, the first day of May, one thousand nine hundred twenty-nine (P. L. 905) entitled "Vehicle Code," by providing that certificates of inspection shall contain a description of the vehicle including manufacturer's serial number and providing penalties for counterfeiting, theft, removal or transfer of certificates of inspection.

House Bill No. 726, entitled:

An Act to amend the title and further amend Subsections A and C of Section 1 of the act approved the twenty-fifth day of June, one thousand nine hundred forty-seven (P. L. 1145) entitled "An act empowering cities of the second class, cities of the second class A, cities of the third class, boroughs, towns, townships of the first class, school districts of the second class, school districts of the third class and school districts of the fourth class to levy, assess, and collect or to provide for the levying, assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes; authorizing the establishment of bureaus and the appointment and compensation of officers and employees to assess and collect such taxes; and permitting penalties to be imposed and enforced; providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court," by including townships of the second class within the classes of political subdivisions authorized to impose taxes under the provisions thereof.

House Bill No. 955, entitled:

An Act to amend section 10 of the act, approved the twenty-third day of May, one thousand nine hundred forty-five (P. L. 903), entitled "An act authorizing cities of the third class to establish an optional retirement system for officers and employees independently of any pension system or systems existing in such cities," by removing the limitations on contributions by the city.

House Bill No. 1283, entitled:

An Act authorizing the Orphans' Courts of the several counties, upon application therefor, to place documents, defined as historical documents, in the custody of certain associations maintaining facilities for public display of historical writings; conferring powers and imposing duties on registers of wills.

House Bill No. 1286, entitled:

An Act authorizing the Commonwealth to negotiate temporary emergency loans to defray current and other expenses of the State government during any fiscal biennium evidenced by tax anticipation notes, secured by and payable from current revenues of any current biennium levied, assessed collectible and accruing during such fiscal

biennium; defining the powers and duties of the Governor, the Auditor General and the State Treasurer in relation thereto; providing for the payment of interest on and the repayment of such loans and making an appropriation.

House Bill No. 1326, entitled:

An Act to further amend the act, approved the nineteenth day of March, one thousand nine hundred nine (P. L. 46), entitled "Osteopathic Practice Law," by providing for the licensing without examination of persons licensed by the provinces of the Dominion of Canada in certain cases.

House Bill No. 1402, entitled:

An Act providing for appeals to the court of common pleas from the decisions, rulings and findings of Civil Service Boards and Commissions in cities.

Whereupon,

The President (Lieutenant-Governor Lloyd H. Wood) in the presence of the Senate signed the same.

### REPORT FROM COMMITTEE

Mr. CROWE. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CROWE, from the Committee on Mines and Mining, reported as committed, House Bill No. 1051, entitled:

An Act creating a Bituminous Mine Law Study Commission for the purpose of making a study and investigation of all laws relating to bituminous coal mines and the preparation of a modern code relating thereto and making an appropriation.

### HOUSE BILL No. 744 CALLED UP

Mr. WALKER. Mr. President, I call up from the Second Reading Calendar House Bill No. 744, for the purpose of amendment.

The PRESIDENT. Is there objection? The Chair hears none.

### BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 744, entitled:

An Act to amend Article VIII of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their



motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by requiring overhead exhaust outlets on diesel motor vehicles

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. SNOWDEN offered the following amendment:

Amend: Section 1, page 4, line 2 by adding at the end of the line after the word "vehicle" the following: "Provided, however, that the provisions of this act shall not apply to motor vehicles registered on or prior to the effective date of this act until January 1, 1956."

It was agreed to.

The section was agreed to as amended.

The second section and title were read and agreed to.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

#### BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 744, on second reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

#### HOUSE BILL No. 1250 CALLED UP

Mr. WALKER. Mr. President, I call up from the Second Reading Calendar House Bill No. 1250, for the purpose of amendment.

The PRESIDENT. Is there objection? The Chair hears none.

#### BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1250, entitled:

An Act to further amend section two of the act approved the first day of June one thousand nine hundred thirty-three (P. L. 1172) entitled "An act establishing certain streets in boroughs and incorporated towns as State highways and providing for their construction and maintenance at the expense of the Commonwealth" by changing or deleting certain routes and adding certain new routes

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. SNOWDEN on behalf of Mr. PECHAN offered the following amendment:

Amend Page 2 by inserting between lines 12 and 13 the following: "[Route 10096. Extending Route 10096. Beginning at a point on the Portersville Borough-Muddy Creek Township line; thence in a northerly direction to a point on Route 79, in the borough of Portersville, Butler County, a distance of about 0.15 of a mile.]"

It was agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. SNOWDEN on behalf of Mr. PECHAN offered the following amendment:

Amend Page 8 by inserting between lines 16 and 17 the following: "Portersville Borough;" Route 10143. Extending Route 10143. Beginning at a point on the Muddy Creek Township line, thence westerly over a borough street to a point on Route 246, in the borough of Portersville, Butler County, a distance of about 0.5 of a mile. "Prospect Borough;" Route 10144. Extending Route 10144. Beginning at a point on the Franklin Township line, thence westerly to a point on Routes 10051 and 10043, in the borough of Prospect, Butler County, a distance of about 0.6 of a mile; Route 10143. Extending Route 10143. Beginning at a point on the Muddy Creek Township line, thence easterly to a point on Routes 10043 and 10051 in the borough of Prospect, Butler County, a distance of about 1.2 miles.

It was agreed to.

The section was agreed to as amended.

The third section and title were read and agreed to.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

#### BILL OVER IN ORDER

Mr. SNOWDEN. Mr. President, I ask unanimous consent that House Bill No. 1250, on second reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

#### HOUSE BILL No. 1251 CALLED UP

Mr. WALKER. Mr. President, I call up from the Second Reading Calendar House Bill No. 1251, for the purpose of amendment.

The PRESIDENT. Is there objection? The Chair hears none.

#### BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1251, entitled:

An Act to further amend the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 594) entitled "An act establishing certain township roads as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act" by changing or deleting certain routes and adding certain new routes

The first section was read.

On the question,



Will the Senate agree to the section?

Mr. SNOWDEN on behalf of Mr. PECHAN offered the following amendment:

Amend Page 10 by inserting between lines 2 and 3 the following: "[Route 10096. Beginning at a point on the Portersville Borough line, and extending in a southeasterly direction through Muddy Creek Township to a point on Route 10041, in Butler County, a distance of about 3.1 miles.]"

It was agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. SNOWDEN on behalf of Mr. PEELOR offered the following amendment:

Amend Page 50 by inserting between lines 10 and 11 the following: "Route 03160. Beginning at a point on Route 189 just west of the Indiana County line, thence northeasterly in Cowanshannock Township to the Indiana County line, in Armstrong County, a distance of about 0.8 of a mile."

Mr. SNOWDEN on behalf of Mr. PEACHAN offered the following amendment:

Amend Page 53 by inserting between lines 10 and 11 the following: "Route 10143. Beginning at a point on the east line of Portersville Borough, thence easterly and southeasterly in Muddy Creek Township to the west line of Prospect Borough in Butler County, a distance of about 4.15 miles;" Route 10144. Beginning at a point on the east line of Prospect Borough, thence easterly in Franklin Township to a point on Route 79, in Butler County, a distance of about 0.5 of a mile."

Mr. SNOWDEN offered the following amendment:

Amend Page 56 by inserting between lines 4 and 5 the following: "Route 20154. Beginning at a point on Route 20084 about one half mile west of Page Corner, thence westerly and southerly in Bloomfield Township to a point on Route 20084 about one mile north of McLeans Corner in Crawford County a distance of about 1.2 miles."

Mr. SNOWDEN on behalf of Mr. PEELOR offered the following amendment:

Amend Page 62 by inserting between lines 12 and 13 the following: "Route 32182. Beginning at a point on Route 32158 about one mile south of Denton, thence westerly in South Mahoning Township to the Armstrong County line, in Indiana County, a distance of about 1.3 miles."

Mr. SNOWDEN offered the following amendment:

Amend Page 67 by inserting between lines 5 and 6 the following: "Route 53121. Beginning at a point on Route 53111 west of Barry Station, thence westerly in Barry Township to a point on Route 53057, in Schuylkill County, a distance of about 0.25 of a mile."

They were agreed to.

The section was agreed to as amended.

The third section and title were read and agreed to.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

## BILL OVER IN ORDER

Mr. SNOWDEN. Mr. President, I ask unanimous consent that House Bill No. 1251, on second reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

## SENATE CONCURRENT RESOLUTION

Mr. WALKER. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER offered the following resolution which was twice read, as follows:

In the Senate, September 26, 1951.

Resolved, (if the House of Representatives concurs) that the General Assembly recess from September 27, 1951, until December 10, 1951, at 12:00 Noon, Eastern Standard Time.

On the question,

Will the Senate agree to the resolution?

Mr. HALUSKA. Mr. President, I ask for a roll call.

Mr. DENT. Mr. President, I ask for a roll call.

The yeas and nays were required by Mr. HALUSKA and Mr. DENT and were as follows, viz:

### YEAS—30.

Berger,	Kephart,	Peelor,	Wade,
Blass,	Kessler,	Probert,	Wagner,
Chapman,	Letzler,	Robinson,	Walker,
Crowe,	Mahany,	Scarlett,	Watkins,
Diehm,	Mallery,	Snowden,	Watson,
Fleming,	McPherson, Jr.	Stevenson,	Wolfe,
Freed,	Meade,	Taylor,	Wood,
Hare,	Pechan,		

### NAYS—20.

Bane,	DiSilvestro,	McCreesh,	Ruth,
Barr,	Haluska,	McGinnis,	Silvert,
Barrett,	Holland,	McMenamin,	Stiefel,
Byrne,	Lane,	Neff,	Toole,
Dent,	Leader,	Rosenfeld,	Yosko,

So the question was determined in the affirmative.

Ordered, That the Clerk present same to the House of Representatives for concurrence.

## SENATE CONCURRENT RESOLUTION

### ADJOURNMENT SINE DIE

Mr. WALKER. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER offered the following resolution which was twice read, as follows:

In the Senate, September 26, 1951.

Resolved, (if the House of Representatives concurs) That this Regular Session of the General Assembly adjourn sine die, December 22, 1951, at 5:00 o'clock P. M., Eastern Standard Time.

On the question,

Will the Senate agree to the resolution?

Mr. LANE. Mr. President, I ask for a roll call.

Mr. DENT. Mr. President, I ask for a roll call.

The yeas and nays were required by Mr. LANE and Mr. DENT and were as follows, viz:



## YEAS—30.

Berger,	Kephart,	Peelor,	Wade,
Blass,	Kessler,	Propert,	Wagner,
Chapman,	Letzler,	Robinson,	Walker,
Crowe,	Mahany,	Scarlett,	Watkins,
Diehm,	Mallery,	Snowden,	Watson,
Fleming,	McPherson, Jr.	Stevenson,	Wolfe,
Freed,	Meade,	Taylor,	Wood,
Hare,	Pechan,		

## NAYS—20.

Bane,	DiSilvestro,	McCreesh,	Ruth,
Barr,	Haluska,	McGinnis,	Silvert,
Barrett,	Holland,	McMenamin,	Stiefel,
Byrne,	Lane,	Neff,	Toole,
Dent,	Leader,	Rosenfeld,	Yosko,

So the question was determined in the affirmative.

Ordered, That the Clerk present same to the House of Representatives for concurrence.

## REPORT FROM COMMITTEE

Mr. KEPHART. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. KEPHART, from the Committee on Highways, reported as amended House Bill No. 1264, entitled:

An Act to further amend Section 1201 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by providing that in cities of the first and second classes informations charging violations of any summary provisions of The Vehicle Code shall be brought before the traffic court in such cities.

SPECIAL ORDER OF BUSINESS ON THIRD READING  
AND FINAL PASSAGE, WEDNESDAY, SEPTEMBER 26,  
1951, 3 p.m., EASTERN STANDARD TIME

The PRESIDENT. The hour of 3 p.m., Eastern Standard Time having arrived, the next order of business is the Special Order of Business on third reading and final passage bills as follows: House Bill No. 1416, House Bill No. 1698, House Bill No. 840 and House Bill No. 1699.

BILLS ON SPECIAL ORDER OF BUSINESS  
POSTPONED

Mr. WALKER. Mr. President, I move that House Bill No. 1416, entitled:

An Act to amend the act approved the eighteenth day of April one thousand nine hundred forty-nine (P. L. 512) entitled "An act relating to the administration and distribution of decedents' estates trust estates minors' estates and absentees' estates both as to real and personal property and the procedure relating thereto including the disposition of such estates or portions thereof and the determination of title thereto without the appointment of a fiduciary in certain cases the appointment bond removal and discharge of fiduciaries of such estates their powers duties and liabilities the rights of persons dealing with such fiduciaries and the rights of persons claiming an interest in such estates or in property distributed therefrom whether as claimants or distributees and containing provisions concerning guardians of the person of minors the powers duties and liabilities of sureties and of foreign fiduciaries the abatement survival and control of actions and rights of action and the presumption of death and also generally dealing with the jurisdiction powers and procedure of the orphans' court and of the register of wills in all matters relating to fiduciaries" by providing for the examination of safe deposit boxes rented in the names of decedents by an appraiser appointed by the Secretary of Revenue

House Bill No. 1698, entitled:

An Act to provide revenue by imposing a State tax upon certain documents prescribed and regulating the method and manner of evidencing the payment of such tax conferring powers and imposing duties upon certain persons partnerships associations and corporations recorders of deeds and the Department of Revenue saving certain local taxes and authorizing amendments extensions and supplements to the ordinances and resolutions relating thereto and providing penalties

House Bill No. 840, entitled:

An Act imposing an income tax on residents of Pennsylvania as herein defined on trusts and estates and on income of non-residents derived from property business or other sources in Pennsylvania defining taxable income and requiring filing of returns thereof providing for the withholding assessment collection and lien of said tax providing for administration and enforcement of the act by the Department of Revenue conferring powers and imposing duties on certain persons fiduciaries partnerships associations corporations political subdivisions State officers employees and departments saving certain local taxes and authorizing amendments extensions and supplements to the ordinances and resolutions relating thereto and imposing penalties and restricting the use of the moneys derived from said tax

House Bill No. 1699, entitled:

An Act to further amend the title and the act approved the twentieth day of June one thousand nine hundred nineteen (P. L. 521) entitled as amended "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who as a nonresident of the Commonwealth at the time of his death defining and taxing transfers made in contemplation of death defining as a transfer and taxing the right of survivorship in property as to which such right exists and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal" by imposing duties on surviving parties and banks or other institutions or depositories of joint accounts or accounts in trust and by adding a new section



pertaining to the opening and examining of safety deposit boxes of decedents and providing penalties.

on third reading, be placed on the Third Reading Postponed Calendar.

Mr. HARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. BYRNE. Mr. President, I ask for a roll call on the motion.

Mr. HALUSKA. Mr. President, I ask for a roll call.

The yeas and nays were required by Mr. BYRNE and Mr. HALUSKA and were as follows, viz:

#### YEAS—30.

Berger,	Kephart,	Peelor,	Wade,
Blass,	Kessler,	Probert,	Wagner,
Chapman,	Letzler,	Robinson,	Walker,
Crowe,	Mahanay,	Scarlett,	Watkins,
Diehm,	Mallery,	Snowden,	Watson,
Fleming,	McPherson, Jr.	Stevenson,	Wolfe,
Freed,	Meade,	Taylor,	Wood,
Hare,	Pechan,		

#### NAYS—20.

Bane,	DiSilvestro,	McCreesh,	Ruth,
Barr,	Haluska,	McGinnis,	Silvert,
Barrett,	Holland,	McMenamin,	Stiefel,
Byrne,	Lane,	Neff,	Toole,
Dent,	Leader,	Rosenfeld,	Yosko,

So the question was determined in the affirmative.

The PRESIDENT. The bills will be placed on the Third Reading Postponed Calendar.

#### PERMISSION TO ADDRESS SENATE

Mr. BYRNE asked and obtained unanimous consent to address the Senate.

Mr. BYRNE. Mr. President, I voted in the negative on this motion, along with the other nineteen Democratic Senators in this Senate. We are of the firm opinion that House Bill No. 840, the wage tax, or income tax, or whatever you might call it, is the most burdensome, the most vicious tax—yes, anything you might call it. I agree heartily with the Philadelphia Bulletin and the Philadelphia Inquirer, when they say it is the most unnecessary tax that this State has ever had put before it.

Mr. President, I am a freshman Senator, but after nine months I understand that they are going to recess now until December, come back on the tenth of December, and try and adjourn sine die on the twenty-second of December. They are going to try and straighten out the State's affairs in a few days in December, when for nine months we have been sitting here doing absolutely nothing. They knew from the very beginning that the income tax was very unpopular. Even today on the radio every half hour throughout the State they are giving out reports as to what we are doing here in the Senate, and I think we are making fools of ourselves.

Mr. President, the majority on the other side have the votes to pass any bill they want to, but they know if they pass this bill it is going to face them every way they turn. I feel that the State of Pennsylvania has enough money and will have enough money, and it is a proven fact that after the last biennium they wound up with \$60,000,000 over the estimates. In the last five bienniums they wound up with more than ever predicted, and with all indica-

tions of prosperity they will wind up with probably \$100,000,000 over this biennium, too. There are some sources of income that have to be made necessary, and I see no reason why we cannot provide for that added income, but not to tax the 10,000,000 people of this Commonwealth with the burden. Yes, it is only one-half of one per cent and it does not seem like very much, even with a thousand dollar exemption, but it is only the beginning of the end and it will increase every biennium, you can bet on that, because every school, every hospital and every other public health benefit will keep increasing, and your appropriations will keep increasing and we will wind up with six per cent, like it is in New York State.

Mr. President, it is a wage tax and it is an income tax. I say it is a wage tax because it hits the wage earner; it is an income tax to the businessman. He can deduct his business expenses and whatnot, and then pay the one-half of one per cent on the net, but the man with five, six, seven, eight or nine children will pay a half per cent out of his gross salary. The man who has no children and no responsibility other than himself will pay the same tax. Now, if there is anything fair about that, I cannot see it, and I do not think anybody in the State of Pennsylvania can see it. The sentiment throughout the entire State is absolutely against it, and I cannot for the life of me understand why the Republican side of this Senate is so stubborn in sticking to that State income tax. I think it should be killed today once and for all, and I know that my twenty colleagues along with me are going to vote, if they can possibly do so, to kill the measure today.

#### PERMISSION TO ADDRESS SENATE

Mr. HALUSKA asked and obtained unanimous consent to address the Senate.

Mr. HALUSKA. Mr. President, I am amazed and astounded at the action taken by this body this afternoon. After nine months of dillydallying around, trying to make us believe all the necessities of this Commonwealth, of all the commitments made, now we find that the Republican Party has gone on record to recess until almost Christmas, hoping, I am sure, that there may be a Santa Claus. You have no other reason but that. Who are you kidding? Who are you fooling in this great Commonwealth.

Mr. President, we stand ready today to vote for a tax program, although our colleague from Westmoreland County has told you day in and day out that he felt additional taxes were not needed, but we are taking your word for it that you need more money. We stand ready to give you that money. You have put a program before us today providing for a great portion of that money, but you have gone about it the wrong way and now you want to recess. Have you forgotten about the schoolteachers? Have you forgotten about all these people you have cried about and talked about for nine months? If you have sufficient money to pay them, and we now assume you have, it is your responsibility.

Mr. President, I find it is so easy to get thirty votes on bills you want, so easy to get thirty votes to recess, but so difficult to get thirty votes for a tax program. Why? What is wrong over there? What are you lacking, confidence, courage? Is that it, or is it the election? Do



you want to come back after election and vote for the tax measures? Is that it?

Last week, Mr. President, not last week, but two days ago to the hour, I believe I paid the highest compliment ever paid any man in this body when I said that I was proud of a group of men who stood up in this Chamber and opposed the income tax. I said they will go down in history as men of great courage. What can I say now? What has happened overnight that even those eleven men have now had a change of heart and agree to postpone this program? Just how long the people of this Commonwealth will put up with this foolishness, I do not know. We have been here for nine months and have been unable to agree on a tax program, and then you pass a resolution you have made up your minds that in ten days you can do it and you will do it. You have proven by a recess adjournment and a sine die resolution that you are going to, in ten days do what you definitely were unable to do in nine months. It just does not make sense, and the people should know that they are being fooled. They are down a dark alley, they do not know where they are going, by lack of leadership, by lack of sincerity and by lack of courage.

Mr. President, we have said time in and time out that we want to cooperate with you, sit down and work out a program, make these commitments. We are still willing to do that, Mr. President. We have told you time in and time out that twenty Democratic votes are definitely solidly against the income tax. We mean that. I said here on Monday afternoon that innocent men are being accused on this tax program. I said, "Bring out the bill, let us vote for it and then find out for ourselves if these men betrayed the confidence of their colleagues."

Mr. President, I tell you right now that there are twenty Democratic votes against the income tax, but there are twenty Democratic votes willing to co-operate to pass a program and to pass House Bill No. 333 and House Bill No. 334. We could easily pass those bills, and we know we have State responsibilities. We are willing to vote for the tax measure that will fulfill the requirements of House Bill No. 333 and House Bill No. 334, but you have not given us the opportunity and you cannot go back home and blame it on us. We will go back home with broader shoulders, and tell the public of the Commonwealth that you have betrayed them, you have failed in your trust, you are dillydallying, marking time, hoping something will happen. You have not lived up to our trust, you have not been loyal, and it is disgraceful to even sit in a body of this type.

#### PERMISSION TO ADDRESS SENATE

Mr. LANE asked and obtained unanimous consent to address the Senate.

Mr. LANE. Mr. President, I think I will preface my remarks this afternoon with the words of that great humanitarian and statesman, Benjamin Franklin, who said:

"Differences of opinion are to be tolerated when reasons are left free to combat."

Mr. President, it seems to me that there is a vast difference of opinion in the Senate of Pennsylvania in this day of our Lord, and it is surprising to me that the Majority Party took the chance to push through the

resolutions for a recess and for adjournment. It seems to me that they should know that the public in general is aroused at the activities of this august body. It seems to me that we are evading our responsibilities to the citizens of this Commonwealth.

I am surprised also, Mr. President, that the Majority Party placed on the Postponed Calendar the other tax bills, excluding House Bill No. 840, because in my humble opinion they possibly, as far as the Democratic side was concerned, had sufficient votes to enact them into law, but they did not want to take the chance. The responsibility, Mr. President, lies with them, because we on the Democratic side were in agreement, all of us, to vote in opposition to House Bill No. 740. We were depending upon those independents on the Republican side to kill this bill once and for all, bring it back up and kill it again and then we will be done with it.

Mr. President, in looking through the History I find that House Bill No. 840 was first introduced in the House of Representatives on March 27, and now we postpone action again, and then we are going to come back and we are going to endeavor to pass House Bill No. 840, I imagine, because the election will be over, and that I believe is the consensus of opinion. The consensus of opinion of the people of Pennsylvania today is that you want to postpone something that is very unpopular until after the November Election, and, if that be true, I say to the Majority Party that this action here today is going to come back to haunt them.

#### PERMISSION TO ADDRESS SENATE

Mr. WALKER asked and obtained unanimous consent to address the Senate.

Mr. WALKER. Mr. President, I appreciate all of the sincere remarks that have been made by our colleagues on the Minority side of the aisle. I just want to say this to them, and I say this just as carefully as anything could be said on the floor of the Senate, the record that we write here cannot be changed by any verbiage on the floor of the Senate. I do not think the people of Pennsylvania are the least bit confused as to the fact that any program that is finally completed and we adjourn sine die, will be anything else but the responsibility of the Majority Party. I have said repeatedly on this floor that we accept that responsibility.

Now, Mr. President, there has been a suggestion made as to the purpose or the sinister reason for the postponement of this tax program. Mr. President, I think the people of Pennsylvania, because the newspapers have always been alert, understand how these bills got out on this Calendar, and I do not think there is any misunderstanding as to the attitude of what the gentleman from Cambria calls a certain group of courageous rebels and who now are dishonest statesmen.

Mr. President, if and when there is ever a roll call on Final Passage on these bills, any innuendoes as to who voted how will be clarified by the roll that will be ensconced forever in the Journals of this Senate Chamber. If there is any deviation in that roll call from the straw ballots that have been taken here on the hour, every hour, then it will be time for any Member of this Senate on either side of the aisle to stand up and make accusations, but until that roll is called may I suggest to the gentlemen on both sides of the aisle, and particularly the gentlemen of the Minority, that we do not cast any



aspersions upon any section of the Majority Party, because we are united in the firm belief that whatever program is resolved will be the program of the Republican Party. We will accept that responsibility as a united party, and when the time comes to call the roll on House Bill No. 840, however the Membership casts that vote, they are willing to do so as Republicans.

#### PERMISSION TO ADDRESS SENATE

Mr. LANE asked and obtained unanimous consent to address the Senate.

Mr. LANE. Mr. President, I listened with more than my usual attention to the remarks of the distinguished Majority Leader. Just to keep the record straight, I state publicly here that I opposed in the Finance Committee the release of House Bill No. 840, and I publicly oppose it here.

#### PERMISSION TO ADDRESS SENATE

Mr. DENT asked and obtained unanimous consent to address the Senate.

Mr. DENT. Mr. President and Members of the Senate, I think the time has come when a few explanations might come in handy in order that when we leave here we can have somewhat of an understanding of what we have done or failed to do to date.

First of all, Mr. President, throughout the entire nine months this Legislature has been in Session, on behalf of the Democratic Party I have offered time and time again to name a committee on the Minority to sit down with either group on the Majority side or with both groups. I felt then and I feel now, that this is not entirely a Republican responsibility. Differences of opinion are apparent here, but there can be no difference in the responsibilities of each and every Member of the Senate of Pennsylvania. A drastic change in the structure of our revenue producing legislation is bound to cause misunderstandings, it is bound to cause a great deal of debate and it is to cause some tempers to be lost control of.

Mr. President, I have tried in the last month to analyze the picture from a purely nonpartisan viewpoint. My colleagues have stated that we were ready to vote on that portion of the tax program that was before us. I do not want to take issue with the House of Representatives, but as you all know the laws of this Commonwealth compel the Senate to act only upon the legislation pertaining to taxation that the House sees fit to give us. The House to date has passed what they call a tax program, a dual tax program. One is called a package and the other one is the so-called income tax. The Senate Finance Committee met. Senator Barr and myself voted to present this Income Tax measure to the floor, after votes in the committee failed to present the package as a whole to the floor.

Mr. President, the question of whether this particular bill is right or wrong, of course, is not before us at this time. I can imagine there would be some interesting comments on that subject from both sides, but right now we are faced with a long recess and again I offer, on behalf of the Democratic Caucus, whatever help we can give in resolving this important question. When we started out in March, in my analysis of the budget and on the face of the Governor's message, it appeared to me that with the passage of a one per cent increase in C. N. I.

tax and in a repeal of the soda Pop tax, that there was a net gain of approximately \$15,000,000, and that the Governor's necessary funds were calculated to be \$1,000,000 more than the biennium appropriations of 1949. On the surface, and from the knowledge at my command at that time, I could draw no other conclusion except that no new taxes were necessary in Pennsylvania. However, in digging around down into the hidden pages of the budget, looking into the expenditures of the past biennium, I find that Governor Jim Duff had \$67,000,000 of a surplus, as against \$18,000,000 of a surplus that Governor Fine had, leaving a deficit for Governor Fine of \$49,000,000.

Mr. President, I also find that Governor Duff took approximately \$25,000,000 from appropriated funds of this General Assembly that were appropriated for specific purposes. He took this money out of these funds of this General Assembly that were appropriated for specific purposes. He took this money out of these funds and spent that in addition to what the Legislature had appropriated. Then I also found, Mr. President, that Governor Duff took something like \$20,000,000 to \$22,000,000 worth of projects, which were being financed by State appropriations, out of the Department of Forests and Waters, put it into the General State Authority and spent that amount of money over and above the appropriated sums of this Legislature.

Now, Mr. President, I do not know why the people of Pennsylvania ought not know these things. I say to the Majority Party that if you tell the people of Pennsylvania of the dereliction of the Duff Administration and its expenditures, then you can go to the people with better grace in asking for \$138,000,000. It cannot easily be built up. The Legislature must assume the responsibility. If we pass the two school bills that are on Second Reading, it must face the responsibility of \$64,000,000 over and above that amount requested by the Governor of the Commonwealth. If I vote for the added appropriations, I am duty bound to vote for the necessary tax legislation to cover these additional costs. Is there a man in this Senate who will not vote for the school teachers' increases? I think not. Then, if we intend to vote for that, please keep in mind during the recess that you have to provide the funds for doing it.

Yes, Mr. President, it is a Republican responsibility, they say, to present the tax program. That is true, but it is the House of Representatives' responsibility to take into consideration the desires and the wishes of the Upper Chamber of this Legislature. There is nothing in the Constitution that says we must take any tax bill or any group of tax bills that the House thinks fit to give us. That would be an untenable position for this General Assembly to find itself in. If you had a House of Representatives that was not composed of high type men, persons of good character, they could pass a tax program that might destroy the economy of the Commonwealth, and if the Senate of Pennsylvania must take that tax program, then you might as well wipe out the Senate of Pennsylvania as a chamber of government.

Mr. President, we have a responsibility, we have a responsibility of selection. The House can pass a program, the Senate can reject it. The House then is duty bound to come up with another program, and keep doing that until we come to a position where we can vote for the necessary funds for the Commonwealth's needs. I, for one, believe that on this side of the Senate you will



find men of moral courage who will vote for the funds that are needed to meet the expenses of government that we vote for. I am sorry that Mr. Logan, the Secretary of the Budget, cannot see eye to eye with my analysis of the budget. Maybe when we come back in December, we will have had enough experience in the collection of the present taxes, and we will have had enough experience in the trends that may become apparent, or will be apparent, in the earnings of the individuals and the corporate interests of the Commonwealth, and maybe by that time Mr. Logan, in a sincere effort to help the Legislature solve the fiscal problem, will come up with estimates that we can accept.

I still say, Mr. President, that we will have approximately \$50,000,000 for each per cent of corporate net. I still say, Mr. President, that the closing of the loopholes in C. N. I. which has already been signed—the act has already been signed by the Governor—will produce in this biennium a minimum of \$15,000,000 and a maximum of \$25,000,000, depending upon the diligence with which that act is pursued in its administration. I am hopeful that when we come back, instead of needing, as the present picture now appears to be, \$138,000,000, we may need \$90,000,000 or \$80,000,000, and I say to the President and to the Members of the Senate of Pennsylvania, that I, for one, will vote for the necessary funds to see to it that the State's services do not suffer.

Mr. President, government is an agency of the people. It works in behalf of the services that the people need, but the people have to pay for those services. In the dark jungles of Africa they have none of the sanitary conditions that we call civilization, none of the schools, none of the health and welfare legislation, hospitals, all of the things that we call civilization. These things we have, they do not have them. They do not have taxes either, but even in the darkest depths of Africa the tribal members have to pay tribute to the chief. The chief in this instance is government. All of us have to pay tribute if we want the protection of government.

Mr. President, it has long been a philosophy of mine that government is protection, and that the more that you have which needs protection, the more you ought to pay towards that protection. That is why the Democratic Party for years and years has attempted to get the passage of a graduated income tax, because we believe that this State must eventually have a broad base tax, and if it is passed, if we can get together on a constitutional convention and pass that act, then the people can vote in November upon the machinery for a constitutional convention. Now that we have presented to the people for nine months the picture of a flat income tax, I am of the firm conviction that if the people have a choice they will vote for a graduated income tax. Sooner or later the Legislatures that will come in 1953, in 1955, in 1957 will find that this tax program, no matter what we decide upon, will be inadequate, because preceding Legislatures have added to the cost of government by mandated increases in education and by the new health program.

I am convinced, Mr. President, that if the new health program reaches its final stages, after a study of the bill, in a ten year period this Legislature will have to find funds amounting to three hundred to four hundred millions of dollars. You see, we voted for the health program. In this biennium, you are going to need \$10,000,000 more than what the Governor asked for in

March to meet that program that we voted for. You have to take that into consideration when you figure how much money we need. So, Mr. President, although the income tax appears to be at this moment a dead piece of legislation, and although it may again flutter its wings in December, I doubt, unless there is a great deal of change of heart, that that bill will pass.

Mr. President, the conferees who work during the interim must make a sincere effort to come before the Legislature with a program, and alternative program other than the income tax, because if they come back in December with the income tax as the only vehicle for this Legislature to ride on, they may find that we will have to recess again and again and again.

Mr. President, I am hoping that the Republican Party will accept the offer of the Democratic Party. We are men of ordinary intelligence, and I have found that that is all we need, and I think that we will give it an honest effort. We will try to help solve the problem. It is not your problem, it is our problem. Maybe some people in Pennsylvania think we have not worked too hard. Well, maybe we haven't. I know that there have been days when men on my side of the Senate have unwittingly contributed to the misunderstanding, have given out reports to the newspapers that have caused some newspaper writers, on occasions to try to destroy the character of one or two of the Members of the Senate. I understand that a piece was written about me in the paper, but you know a long time ago I decided that during a campaign, and during a Session of the Legislature, I do not read editorials. I try to read the news and the funnies. I do not read editorials because the men that write those editorials do not have to vote on the Senate floor, and what they say today they can change tomorrow, but when I vote today I cannot change it tomorrow. Mr. President, in going through a book last night I ran across a poem. I would like to read it to the Senate because to me it sums up what I think are a man's ideals.

#### "A MAN'S IDEAL"

"To live as gently as I can;  
To be, no matter where, a man;  
To take what comes of good or ill  
And cling to faith and honor still;  
To do my best and let that stand,  
The record of my brain and hand;  
And then, should failure come to me,  
Still work and hope for victory.  
To have no secret place wherein  
I stoop unseen to shame and sin;  
To be the same when I'm alone,  
As when my every deed is known;  
To live undaunted, unafraid,  
Of any step that I have made;  
To be without pretense or sham;  
Exactly what men think I am."

#### PERMISSION TO ADDRESS SENATE

Mr. WALKER asked and obtained unanimous consent to address the Senate.

Mr. WALKER. Mr. President, I have no desire to create an anticlimax. I do not want to debate whatever tax program might be before us in December. I know there is a thought that there is serious hope in certain places that as far as the tax programs are concerned, perhaps some more of the Senators will love it in December more than in May.



Mr. President, I just want to say to the gentleman from Westmoreland, much of what he said I agree to. He knows as well as I do that when we come back in December, he and I will debate the Duff tax program and the Duff Administration, because when he talks about the dereliction in the Duff Administration he touches me where it hurts, and he and I will debate it in December because I do not propose to overlook it during the recess.

Mr. President, may I say also I will certainly join the Minority Leader if there is an attempt made to surround Doctor Logan and see if we can get his estimates back up where all economists in the United States put them. I would be very happy to have him join me in that venture, because we have had at least a nine months' struggle now.

Mr. President, if we can turn our attention for just a moment from the problem of taxation and return to the Calendar, unless the gentleman has something further.

#### HOUSE BILL No. 1703 CALLED UP

Mr. WALKER. Mr. President, I call up from the Second Reading Calendar House Bill No. 1703, for the purpose of amendment.

The PRESIDENT. Is there objection? The Chair hears none.

#### BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1703, entitled:

An Act making an appropriation to the Senate and the House of Representatives of the General Assembly and to the Legislative Reference Bureau for the payment of mileage compensation of employes and contingent expenses

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. WALKER offered the following amendments:

Amend Sec. 1, page 4, lines 7 and 8, by striking out the words "thirty-five thousand dollars (\$35,000)" and inserting in lieu thereof "fifty thousand dollars (\$50,000)"; Amend Section 1, page 2, line 9, by striking out the words and figures "six thousand dollars (\$6000)" and inserting in lieu thereof "eight thousand dollars (\$8000)"; Amend Sec. 1, page 4, lines 10 and 11, by striking out the words "two thousand five hundred dollars (\$2,500)" and inserting in lieu thereof "five thousand dollars (\$5,000)"; Amend Section 1, page 2, lines 11 and 12, by striking out the words and figures "twenty thousand dollars (\$20,000)" and inserting in lieu thereof "ninety thousand dollars (\$90,000)."

They were agreed to.

The section was agreed to as amended.

The second section and title were read and agreed to. And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

#### BILL SIGNED

The PRESIDENT (Lieutenant-Governor Lloyd H. Wood)

announced that the Chief Clerk having reported that the following bill had passed both houses of the General Assembly and the same being correct, the title was publicly read as follows:

#### Senate Bill No. 656, entitled:

An Act to amend section 401 of the act, approved the twenty-first day of May, one thousand nine hundred forty-three (P. L. 571), entitled "An act relating to assessment for taxation in counties of the fourth, fifth, sixth, seventh and eighth classes; designating the subjects, property and persons subject to and exempt from taxation for county, borough, town, township, school except in cities and county institution district purposes; and providing for and regulating the assessment and valuation thereof or such purposes; creating in each such county a board for the assessment and revision of taxes; defining the powers and duties of such boards; providing for the acceptance of this act by cities; regulating the office of ward, borough, town and township assessors; abolishing the office of assistant triennial assessor in townships of the first class; providing for the appointment of a chief assessor, assistant assessors and other employes; providing for their compensation payable by such counties; prescribing certain duties of and certain fees to be collected by the recorder of deeds; and eliminating the triennial assessment," by changing the provisions relating to the appointment of chief assessors; requiring that the chief assessor devote full time to his office; imposing duties and conferring power on the Department of Internal Affairs; providing for examinations for chief assessors and creating a committee to prepare such examinations.

Whereupon,

The PRESIDENT (Lieutenant-Governor Lloyd H. Wood) in the presence of the Senate signed the same.

#### HOUSE MESSAGE

#### RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 356

The Clerk of the House of Representatives being introduced presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, September 26, 1951.

Resolved, (If the Senate concur), That House Bill No. 356, Printer's No. 897, entitled:

An Act to further amend the act, approved the second day of May, one thousand nine hundred forty-five (P. L. 382), entitled "Municipality Authorities Act of 1945," by extending the provisions thereof to school districts for limited purposes; changing provisions for incorporation, withdrawal from and joinder in authorities, amendment of articles of incorporation, boards of Authorities and citizenship of members thereof; and providing for extensions of corporate existence, transfers of existing facilities to Authorities, and conveyance of projects upon termination or assumption of liabilities.

be recalled from the Governor for the purpose of further consideration.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### FORMER SENATOR LEADER PRESENTED TO SENATE

The PRESIDENT. The Chair would like to take advantage of this opportunity to inform the Senate that one of its very distinguished former Members, Senator Leader, of York County, is in the Chamber.



# FORMER SENATOR TALLMAN PRESENTED TO SENATE

The PRESIDENT. The Chair would like to advise the Senate that a very distinguished former Majority Leader of the Senate is with us today, Senator Tallman, of Lehigh County.

## CALENDAR

Mr. WALKER. Mr. President, I request at this time, that we take up the Second Reading Calendar in order to expedite the printing.

The PRESIDENT. Is there objection? The Chair hears none.

## SECOND READING CALENDAR

### BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 148, on second reading, entitled:

An Act to further amend section one of the act approved the twenty-fifth day of April one thousand nine hundred twenty-nine (P. L. 723) entitled "An act regulating the investment of funds by administrative departments boards commissions and officers of the State Government" by authorizing the investment of such funds in bonds notes or other obligations issued assumed or guaranteed by International Bank for Reconstruction and Development

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 149, on second reading, entitled:

An Act to amend section three of the act approved the twenty-sixth day of May one thousand nine hundred forty-nine (P. L. 1828) entitled "An act concerning the investment powers and duties of guardians committees trustees and other fiduciaries except personal representatives and prescribing the nature and kind of investments which may be made and retained by such fiduciaries" by adding a new paragraph (4) to authorize such fiduciaries to invest in bonds notes or other obligations issued assumed or guaranteed by International Bank or Reconstruction and Development

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 285, on second reading, entitled:

An Act making an appropriation to the Elwyn Training School at Elwyn Delaware County to provide adequate school building facilities and providing for a lien against the property improved thereby

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 309, on second reading, entitled:

An Act making an appropriation to the Pennsylvania State College of Optometry Philadelphia Pennsylvania

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 431, on second reading, entitled:

An Act to further amend clause (c) of Section 9 of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance; providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged persons, blind persons, and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooperate with, and to accept and disburse moneys received from, the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Boards of Trustees of the Mothers' Assistance Fund, and Boards of Trustees of Pension Fund for the Blind; and repealing laws relating to mothers' assistance, pensions for the blind old age assistance and the State Emergency Relief Board" by increasing pensions for the blind and changing the provisions relating to eligibility therefor

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 557, on second reading, entitled:

An Act making an appropriation to the Department of Mines for the purpose of administering the provisions of "The Coal Mine Sealing Act of 1947"

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 561, on second reading, entitled:

An Act making an appropriation to the Department of Welfare for the purpose of administering the "Pennsylvania Hospital Survey and Construction Act of 1947"

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 572, on second reading, entitled:

An Act making an appropriation to the State Veterans' Commission for the expenses of the commission furnishing certain assistance to needy Pennsylvania veterans of any war or their dependents for participation in certain defense activities for the rehabilitation and care of veterans including the acquisition of land by purchase condemnation or gift and construction of buildings for such purpose

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 623, on second reading, entitled:

An Act to amend subsection (f) of section two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 748) entitled as amended "An act relating to and regulating the purchase and sale of securities providing for the registration and regulation of certain individuals and entities selling contracting to sell or dispose of attempting or offering to dispose of soliciting offers to buy or inducing holders thereof to exchange securities defined herein including securities issued by them or engaging in the business of inducing holders of securities to effect the sale thereof in order to produce funds to pay for other investments sold by



them or in the business of buying securities directly from individuals who are not registered hereunder or in the business of advising others as to the value or investment qualifications of securities and the management of investment accounts and the solicitors of such investment advisors providing for the revocation and suspension of registrations conferring powers and imposing duties on the Pennsylvania Securities Commission and otherwise providing for appeals to the Court of Common Pleas of Dauphin County and to the Supreme Court of Pennsylvania conferring jurisdiction upon the several courts of common pleas to issue injunctions against violations of this act and to appoint receivers and prescribing fees and penalties" by changing the exemptions of certain corporations the number of whose stockholders does not exceed twenty-five to companies the number of whose security holders does not exceed twenty-five by exempting certain offerings to directors officers and employees of the issuing company and certain private offerings by companies without any selling commission or fee by extending to companies certain exemptions now available only to corporations by eliminating the requirement that certain exemptions are not available until five days after a claim therefor is mailed or filed

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 732, on second reading, entitled:

An Act making an appropriation to the Department of Military Affairs for the payment of certain moral claims providing for the hearing adjustment and paying of moral claims growing out of property damages to certain persons as a result of accidents occurring through negligence in the operation of airplanes of or under the control of the Pennsylvania National Guard.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 735, on second reading, entitled:

An Act making an appropriation to the Department of Welfare for the conversion and maintenance of the Oak-bourne Colony Hospital to a psychiatric hospital for children.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 754, on second reading, entitled:

An Act making an appropriation to the trustees of Pennsylvania State College for the establishment and maintenance of a research laboratory for the study of animal and poultry diseases of economic concern to the poultry and livestock raisers of the Commonwealth.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 764, on second reading, entitled:

An Act making an appropriation to the Department of Forests and Waters for the use of the Valley Forge Park Commission for purchase of lands and for the necessary expenses incurred incident thereto.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 825, on second reading, entitled:

An Act making an appropriation to the State Planning Board for the purpose of aiding local governmental agencies in solving certain regional planning problems.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 854, on second reading, entitled:

An Act to add sections 324.1 and 324.2 to the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by providing for credit for years of service for certain former state employees and for the furnishing of information and the transfer of certain monies by the board to the State Employees' Retirement Board.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 855, on second reading, entitled:

An Act to add Sections 11.1 and 11.2 to the act approved the twenty-eighth day of May one thousand nine hundred fifteen (P. L. 596) entitled "An act requiring cities of the second class to establish a pension fund for employees of said cities and regulating the administration and the payment of such pensions" by providing for credit for years of service for certain former State employees and for the furnishing of information and the transfer of certain monies by the pension board to the State Employees' Retirement Board.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 856, on second reading, entitled:

An Act to add sections 10.2 and 10.3 to the act approved the fourth day of June one thousand nine hundred thirty-seven (P. L. 1625) entitled "An act providing for the creation maintenance and operation of a county employees retirement system in counties of the third class and imposing certain charges on counties" by providing for credit for years of service for certain former state employees and for the furnishing of information and the transfer of certain monies by the board to the State Employees' Retirement Board.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 857, on second reading, entitled:

An Act to add sections 10.1 and 10.2 to the act approved the fifth day of August one thousand nine hundred forty-one (P. L. 803) entitled as amended "An act providing for the creation maintenance and operation of a county employees' retirement system in counties of the fifth sixth seventh and eighth class imposing certain charges on counties and prescribing penalties" by providing for credit for years of service for certain former state employees and for the furnishing of information and the transfer of certain monies by the board to the State Employees' Retirement Board.

go over in its order.



The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 858, on second reading, entitled:

An Act to add sections 11.1 and 11.2 to the act approved the eighth day of July one thousand nine hundred forty-one (P. L. 298) entitled "An act authorizing the creation of and providing for and regulating the maintenance and operation of a county employes' retirement system in counties of the fourth class imposing certain charges on counties and fixing penalties" by providing for credit for years of service for certain former state employes and for the furnishing of information and the transfer of certain monies by the board to the State Employes' Retirement Board.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 859, on second reading, entitled:

An Act to add Sections 10.1 and 10.2 to the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the use and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of Departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by providing for credit for years of service for certain former employes of counties and municipalities and for the furnishing of information and the transfer of certain moneys by the board to the retirement boards of counties and municipalities.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 860, on second reading, entitled:

An Act to add subdivision (d) to Article XLIII of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by providing for credit for years of service for certain former State employes and for the furnishing of information and the transfer of certain monies by pension boards to the State Employes' Retirement Board.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 861, on second reading, entitled:

An Act to add Sections 10.1 and 10.2 to the act approved the fourth day of June one thousand nine hundred forty-three (P. L. 886) entitled as amended "An act creating a Municipal Employes' Retirement System for the payment of retirement allowances to officers and employes of subdivisions and municipal authorities and of institutions supported and maintained by political subdivisions and providing for the administration of the same by a board composed of certain state officers and others appointed by the Governor imposing certain duties on the State Employes' Retirement Board and the actuary thereof providing the procedure whereby political subdivisions and

municipal authorities may join such system and imposing certain liabilities and obligations on such political subdivisions and municipal authorities in connection therewith and as to certain existing retirement and pension systems and upon officers and employes of such political subdivisions institutions supported and maintained by political subdivisions and upon municipal authorities providing certain exemptions from taxation execution attachment levy and sale and making an appropriation" by providing for credit for years of service for certain former state employes and for the furnishing of information and the transfer of certain monies by the board to the State Employes' Retirement Board.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 862, on second reading, entitled:

An Act to add Sections 11.1 and 11.2 to the act approved the twentieth day of May one thousand nine hundred fifteen (P. L. 566) entitled "An act requiring cities of the first class to establish a pension fund for employes of said cities and all county or other public employes if any paid by appropriation of the city councils thereof and out of the treasury of said cities and regulating the administration and the payment of such pensions" by providing for credit for years of service for certain former State employes and for the furnishing of information and the transfer of certain moneys by the Board of Pensions to the State Employes' Retirement Board.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 863, on second reading, entitled:

An Act to amend the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 912) entitled "An act to regulate the drilling and abandoning of oil and gas wells and providing a penalty for violation of the provisions of this act" by requiring the approval of the Department of Mines authorizing injunctions and changing the disposition of fines.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 865, on second reading, entitled:

An Act making an appropriation to the Department of Forests and Waters for a survey and research study of the extent of infection of woodlands of Pennsylvania by the oak wilt disease and the determination of measures for control and eradication.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

## BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 867, entitled:

An Act to add section 2315.2 to the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Depart-



ment thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by authorizing the Department of Welfare to enter into certain contracts for utility services at State institutions and providing for the payment of services furnished and for the Commonwealth's share of expenses and charges incurred

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 868, entitled:

An Act to amend section 1 of the act approved the sixth day of April one thousand nine hundred fifty-one (P. L. 68) entitled "An act authorizing the Department of Welfare the Department of Health or any departmental administrative board commission or officer of either department to proceed by injunction or other process in the court of common pleas in any county where an alleged unauthorized activity is committed to prohibit and restrain any unlicensed person association copartnership or corporation from engaging in an activity for which a license is required to be issued by either department and setting out the method of procedure therefor" by clarifying the provisions thereof to include periods when licenses are revoked and periods after violation of laws rules and regulations governing private institutions

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 869, on second reading, entitled:

An Act to further amend section 322 of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by clarifying the provisions of said section as to the minimum and maximum retirement allowance payments to be made from the employees retirement fund in counties of the second class to beneficiaries having heretofore retired

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1116, on second reading, entitled:

An Act to further amend Sections 1 and 2 of the act approved the twenty-fourth day of July one thousand nine

hundred thirteen (P. L. 965) entitled "An act defining commodities regulating the sale thereof and providing penalties for violation hereof" by defining further words and terms and regulating the sale of certain additional commodities

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1247, on second reading, entitled:

An Act to further amend section two of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 720) entitled "An act providing for the taking over by the Commonwealth under certain terms conditions and limitations of certain streets in cities of the second class second class A and third class as State highways and for the improvement construction reconstruction resurfacing and maintenance by the Commonwealth of certain defined widths of said streets imposing duties on such cities and on public utility companies using such streets providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon authorizing cities persons associations or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance providing for the assessment of certain portions of the cost of street improvements on abutting property owners regulating the replacement of certain facilities of public utility companies prohibiting the opening of said streets after improvement without a permit and providing penalty therefor regulating the maintenance of detours authorizing the increase of city indebtedness in certain cases and appropriating money in the Motor License Fund for the purpose of this act" by changing or deleting certain routes and adding certain new routes

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1248, on second reading, entitled:

An Act to further amend the act approved the fifth day of May one thousand nine hundred twenty-seven (P. L. 787) entitled "An act establishing certain public roads as State Highways and providing for their construction and maintenance at the expense of the Commonwealth" by changing certain routes

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1249, on second reading, entitled:

An Act to further amend the act approved the eighteenth day of May one thousand nine hundred forty-five (P. L. 809) entitled "An act removing certain roads or sections of road from the State highway system and providing for their future maintenance and construction" by removing additional roads from the State highway system

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1252, on second reading, entitled:

An Act to establish certain roads or sections of road as State Highways

go over in its order.



The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1253, on second reading, entitled:

An Act to amend the act approved the eighth day of April one thousand nine hundred twenty-five (P. L. 191) entitled "An act establishing certain public roads as State highways and providing for their construction and maintenance at the expense of the Commonwealth" by changing certain routes

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1287, on second reading, entitled:

An Act to further amend subsection B of section one thousand nine of the act, approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 624), entitled as amended "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private bankers and employees' mutual banking associations; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers and employees' mutual banking associations, and of the officers, directors, trustees, shareholders, attorneys, and other employees of all such corporations, employees' mutual banking associations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts," by further limiting the amount which may be invested in shares of other banking institutions.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1331, on second reading, entitled:

An Act authorizing and directing the Department of Highways to erect and maintain a bridge over the Susquehanna River between a point in or near the Borough of Millersburg Dauphin County and a point in Perry County and to provide the necessary approaches and connections with State highways empowering counties to pay certain damages and making an appropriation

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1428, on second reading, entitled:

An Act to further amend the act approved the seventeenth day of May one thousand nine hundred seventeen (P. L. 208) entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words "drug" and "poison" and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality

strength and purity" by defining "prescription" further providing for meetings of the board and examination of pharmacists by the board further regulating experience requirements of applicants for examination and registration as pharmacists exempting physicians from certain requirements of the act

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1429, on second reading, entitled:

An Act to amend Section 1 of the act approved the twenty-seventh day of April one thousand nine hundred twenty-five (P. L. 299) entitled A supplement to an act approved the seventeenth day of May one thousand nine hundred seventeen (P. L. 208) entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words "drug" and "poison" and providing for the appointment of a board which shall have in charge the enforcement of said laws and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity providing for the registration of apprentices in pharmacy requiring employers of such apprentices to see that they are registered and imposing penalties" by requiring persons entering reputable and properly chartered colleges of pharmacy to apply to the State Board of Pharmacy for registration and certification as registered apprentices

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1441, on second reading, entitled:

An Act to further amend the act approved the second day of June one thousand nine hundred fifteen (P. L. 736) entitled as amended "An act defining the liability of an employer to pay damages for injuries received by an employee in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties" by increasing maximum and minimum rates and deleting the limitation of number of weeks and aggregate of compensation for total disability increasing the maximum amounts payable upon death and increasing the minimum and maximum wages upon which death compensation shall be paid and changing procedure

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1442, on second reading, entitled:

An Act to further amend the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 566) entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employee arising out of and in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder imposing duties on the Department of Labor and Industry the Workmen's Compensation Board Workmen's Compensation Referees and deans of medical schools creating a medical board to determine controverted medical issues establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases making an appropriation and prescribing



penalties" by increasing maximum and minimum rates and total amounts and aggregate of compensation and changing time for mailing medical report

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1503, on second reading, entitled:

An Act to amend the title and to further amend sections two four five seven and fifteen of the act approved the twenty-seventh day of April one thousand nine hundred twenty-seven (P. L. 465) entitled "An act to provide for the safety of persons employed housed or assembled in certain buildings and structures not in cities of the first class second class and second class A by requiring certain construction and ways of egress equipment and maintenance providing for the licensing of projectionists requiring the submission of plans for examination and approval providing for the promulgation of rules and regulations for the enforcement of this act providing for the enforcement of this act by the Department of Labor and Industry and in certain cases by the chiefs of fire departments in cities of the third class providing penalties for violations of the provisions of this act and repealing certain acts" by excluding cities of the first class and second class and including cities of the second class A for the licensing of projectionists covering in Class 1 buildings not formerly covered and authorizing the increase of ways of egress

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1533, on second reading, entitled:

An Act to further amend Section 28 of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 414) entitled "An act relating to vital statistics and to make uniform the law which reference thereto" by further providing for payment of the compensation of local registrars

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1550, on second reading, entitled:

An Act to further amend Section 1 of the act approved the twenty-fifth day of April one thousand nine hundred twenty-nine (P. L. 723) entitled "An act regulating the investment of funds by administrative departments boards commissions and officers of the State Government" by expanding the investment powers of State administrative departments, boards, commissions, or officers

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1553, on second reading, entitled:

An Act to further amend section twenty-seven of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 748) entitled as amended "An act relating to and regulating the purchase and sale of securities providing for the registration and regulation of certain individuals and entities selling contracting to sell or dispose of attempting or offering to dispose of soliciting offers to buy or inducing holders thereof to exchange securities defined herein including securities issued by them or engaging in the business of inducing

holders of securities to effect the sale thereof in order to produce funds to pay for other investments sold by them or in the business of buying securities directly from individuals who are not registered hereunder or in the vestment accounts and the solicitors of such investment qualifications of securities and the management of investment accounts and the solicitors of such investment advisers providing for the revocation and suspension of registrations conferring powers and imposing duties on the Pennsylvania Securities Commission and otherwise providing for the administration of this act providing for appeals to the Court of Common Pleas of Dauphin County and to the Supreme Court of Pennsylvania conferring jurisdiction upon the several courts of common pleas to issue injunctions against violations of this act and to appoint receivers and prescribing fees and penalties" increasing the fees charged by the Pennsylvania Securities Commission

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1585, on second reading, entitled:

An Act to amend Section 9 of the act, approved the eighteenth day of April, one thousand nine hundred forty-nine (P. L. 604), entitled "An act to promote the welfare of the people of the Commonwealth; creating a State Highway and Bridge Authority as a body corporate and politic with power to construct, reconstruct, improve, maintain, equip, furnish, and operate highway and bridge projects, and roadside rests, and to lease the same, and to fix and collect fees, rentals, and charges for the use thereof; authorizing and regulating the issuance of bonds by said Authority, and providing for the payment of such bonds, and the rights of the holders thereof; and to enter into agreements with the Government of the United States or any Federal Agency; and authorizing the Department of Highways to grant, assign, convey, or lease to the Authority lands, easements, or rights of way of the Commonwealth and interests therein, and to acquire lands therefor; authorizing said Authority and the Department of Highways to enter into agreements providing for mutual cooperation in furtherance of the construction of any project hereby authorized; granting the right of eminent domain; empowering said Authority to sell and convey projects and property to the Commonwealth; and providing that no debt of the Commonwealth or any of its political subdivisions shall be incurred in the exercise of any of the powers granted by this act; and making an appropriation," by further providing for examination of the accounts and books of the Authority.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that house Bill No. 1587, on second reading, entitled:

An Act to amend section 8 of the act, approved the thirty-first day of March, one thousand nine hundred forty-nine (P. L. Laws 372), entitled "An act to promote the welfare of the people of the Commonwealth; creating the General State Authority as a body corporate and politic with power to construct, improve, equip, furnish and operate projects, and to lease the same, and to fix fees, rentals, and charges for the use thereof; authorizing and regulating the issuance of bonds for said Authority, and providing for the payment of such bonds, and the rights of the holders thereof; and to enter into agreement with the Government of the United States or any Federal agency; and authorizing the Department of Property and Supplies to grant, assign, convey, or lease to the Authority lands of the Commonwealth and interests therein, and to acquire lands therefor; granting the right of eminent domain; empowering The General State Authority to sell and convey projects and property to the Commonwealth; and provid-



ing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act," by further providing for examination of the accounts and books of the Authority.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

### BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1603, entitled:

An Act to further amend Section 4 to amend subsection (d) of Section 4.1 to add Sections 4.2 and 4.3 and to amend paragraph (1) of Section 14 of the act approved the twentieth day of May one thousand nine hundred fifteen (P. L. 566) entitled "An act requiring cities of the first class to establish a pension fund for employes of said cities and all county or other public employes if any paid by appropriations of the city councils thereof and out of the treasury of said cities and regulating the administration and the payment of such pensions" by clarifying the amount of contributions by certain pensioners and the method of computing lesser pensions changing date of completing certain payments and the age to which pension increments may be computed fixing minimum pensions and providing benefits for surviving spouse

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### HOUSE BILL NO. 1678 CALLED UP

Mr. WALKER. Mr. President, I call up, out of order, House Bill No. 1678 on the Second Reading Calendar, for consideration at this time.

The PRESIDENT. Is there objection? The Chair hears none.

### BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1678, entitled:

An Act to further amend the act approved the twenty-first day of January one thousand nine hundred forty-seven (P. L. 3) entitled "An act relating to officers and employes of the General Assembly fixing the number qualifications compensation mileage and duties of the officers and employes of the Senate and of the House of Representatives providing for their election or appointment term of office or of service removal and manner of filling vacancies and making appropriations to the Senate House of Representatives and Legislative Reference Bureau" by providing for compensation on a daily basis for certain employes of the General Assembly when a regular biennial session of the General Assembly remains in session beyond the fifteenth day of June making appropriations

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### SECOND READING CALENDAR

### BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1607, on second reading, entitled:

An Act providing for the marking of liquified petroleum gas containers and prohibiting the refilling or use of such containers without authorization by the owner thereof authorizing the Department of Labor and Industry after public hearing to prescribe uniform regulations for safety in the design construction location installation and operation of equipment for storing handling transporting by tank truck or tank trailer and utilizing liquified petroleum gases for fuel purposes and for the odorization of said gases used therewith prohibiting the adoption by municipalities or other political subdivisions of ordinances or regulations in conflict with this act providing for prosecutions for violations of this act by summary proceedings and prescribing the penalty therefor.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1640, on second reading, entitled:

An Act to amend subsection (b) of Section 1403 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by further providing for the composition of the return board.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1641, on second reading, entitled:

An Act to add Section 599-A to Article V subdivision (j) of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by authorizing the appointment of special school police and defining their powers and duties.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1644, on second reading, entitled:

An Act declaring the Communist Party and similar revolutionary organizations illegal making membership in or participation in the revolutionary activities of the Communist Party or any organization furthering the revolutionary conspiracy by force and violence a felony and providing penalties.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1648, on second reading, entitled:

An Act to further amend the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Sec-



retary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by further regulating the date of the primary election.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1660, on second reading, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by requiring that logs carried on certain vehicles and trailers be securely fastened

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1664, on second reading, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of the highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by further fixing fees for annual registration and chassis and maximum gross weights of certain commercial vehicles.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1671, on second reading, entitled:

An Act to amend Section 902 of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1242) entitled "An act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto" by requiring the supervisors of townships of the second class to furnish the Department of Highways copies of petitions ordinances agreements and resolutions laying out or vacating public roads

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1680, on second reading, entitled:

An Act to further amend the act approved the fifth day of May one thousand nine hundred eleven (P. L. 198) entitled "An act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" by conferring exclusive jurisdiction on the county court of Allegheny County in cases of appeals from decisions of the collector of mercantile taxes imposed by political subdivisions within the territorial limits of its jurisdiction

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

## SENATE RESOLUTION

### JOINT STATE GOVERNMENT COMMISSION TO STUDY THE PROBLEMS CONNECTED WITH THE PHYSICAL EXPANSION OF LINCOLN UNIVERSITY

Mr. STIEFEL. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Messrs. STIEFEL, SCARLETT, KEPHART, NEFF and ROSENFELD, offered the following resolution which was twice read, considered and agreed to:

Whereas, Lincoln University the oldest institution in the world established to provide a higher education for young Negroes, is facing on the threshold of its centennial milestone of magnificent service, multifaceted problems, of physical expansion, and

Whereas, the location of Lincoln University in the proximity of the Philadelphia Metropolitan area, makes this constantly-expending Seat of Learning easily accessible to a large segment of Pennsylvania's citizenry, and

Whereas, the reputation of Lincoln University for scholarship attainments, quality of teaching and contributions to communal leadership has been acknowledged universally, and

Whereas, the expansion problems of Lincoln University, located in the heart of rural Chester County are not in the realm of land acquisition, so characteristic of Pennsylvania's great urban Seats of Learning, but require a solution mainly through building constructions such as the erection of a New Dining Hall, addition of wing to Science Building, enlargement of present Library, replacement alteration and new construction of dormitory facilities and enlargement of physical education facilities, and

Whereas, the solution of the expansion problems of Lincoln University through an adequate construction program, will make this honored 98-year old institution more serviceable to Pennsylvania, and

Whereas, the citizenry of Pennsylvania has thus a vital interest in the success of such program, now therefore be it



Resolved that the Joint State Government Commission be authorized and directed and is hereby authorized and directed to make a study of the problems connected with the physical expansion of Lincoln University, reporting and making recommendations to the General Assembly at its next regular Session as the Commission may deem necessary together with such legislation that may be required for the implementation of said recommendations.

### CALENDAR

#### BILLS ON CONCURRENCE IN HOUSE AMENDMENTS RECALLED FROM THE GOVERNOR

#### BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 900, on concurrence in House amendments recalled from the Governor, entitled:

An Act to further amend section one thousand and twenty-seven of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including lien encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by changing the requirements that certain vehicles stop at railway grade crossings

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 984, on concurrence in House amendments recalled from the Governor, entitled:

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further providing for exceptions to compulsory attendance

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

#### BILLS ON CONCURRENCE IN HOUSE AMENDMENTS

#### BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 615, on concurrence in House amendments, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L.

905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by increasing annual registration fees for certain commercial motor vehicles truck tractors trailers and semi-trailers prescribing additional equipment requirements for certain vehicles increasing the maximum gross weight and axle loads allowed for certain vehicles changing the requirements for weighing vehicles removal of excess loads and prescribing and changing penalties providing that certain penalties shall be enforced by liens upon vehicles and the sale of such vehicles free of all liens and encumbrances and imposing duties upon operators owners magistrates and sheriffs

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 736, on concurrence in House amendments, entitled:

An Act providing for the registration of professional bondsmen in cities of the first class providing for criminal offenses and penalties

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 789, on concurrence in House amendments, entitled:

An Act to further amend clause (b) of Section 507 and clause (c) of Section 2403 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commission defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by making special provision for the purchase of fuel for use in any State hospital or any other State institution



go over in its order.

The PRESIDENT. Is there objection? The Chair hears none

### THIRD READING CALENDAR

#### BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 571, as follows:

An Act making an appropriation to the Department of Property and Supplies for the payment of rates rentals and other charges that may become due on leases and other contracts executed by such department with The General State Authority for the use and occupancy by the Commonwealth of various projects structures buildings and facilities of the Authority or for the services rendered by the Authority or its projects

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of thirteen million one hundred ninety-four thousand dollars (\$13,194,000) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Property and Supplies for the two fiscal years beginning June first one thousand nine hundred fifty-one for the payment by the Commonwealth of annual rates rentals and other charges for the use and occupancy of or the right to use or occupy the projects structures buildings equipment and facilities leased by The General State Authority to the Commonwealth or for services rendered by the Authority or its projects Payment of such annual rates rentals and other charges shall be made in equal monthly quarterly or annual installments or otherwise as required by the respective leases

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Bane,	Haluska,	McPherson, Jr.	Stevenson,
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peelor,	Wade,
Byrne,	Lane,	Proper,	Wagner,
Chapman,	Leader,	Robinson,	Walker,
Crowe,	Letzler,	Rosenfeld,	Watkins,
Dent,	Mahanay,	Ruth,	Watson,
Diehm,	Mallery,	Scarlett,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,	McMenamin,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

#### HOUSE BILL No. 1118 CALLED UP

Mr. WALKER. Mr. President, I call up for consideration at this time House Bill No. 1118 on the Third Reading Calendar.

The PRESIDENT. Is there objection? The Chair hears none.

#### BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1118, as follows:

An Act making an appropriation from the Toll Bridge Fund to the Board of Finance and Revenue to meet interest and sinking fund requirements on Toll Bridge Bonds

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one million four hundred fifty-four thousand dollars (\$1,454,000) is hereby specifically appropriated from the Toll Bridge Fund to the Board of Finance and Revenue for payment into the Toll Bridge Sinking Fund to meet interest and sinking fund requirements on Toll Bridge Bonds for the two fiscal years beginning June first one thousand nine hundred fifty-one The amount hereinbefore appropriated shall be transferred by the Auditor General and the State Treasurer upon requisition of the Board of Finance and Revenue from the Toll Bridge Fund to the Toll Bridge Sinking Fund on or before the dates and in the manner set forth in the following schedule

Dates	Principal	Interest	Total
October 1 1951	\$ 650,000.00	\$ 42,075.00	\$ 692,075.00
April 1 1952		38,500.00	38,500.00
October 1 1952	650,000.00	38,500.00	688,500.00
April 1 1953		34,925.00	34,925.00
	\$1,300,000.00	\$ 154,000.00	\$1,454,000.00

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Bane,	Haluska,	McPherson, Jr.	Stevenson,
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peelor,	Wade,
Byrne,	Lane,	Proper,	Wagner,
Chapman,	Leader,	Robinson,	Walker,
Crowe,	Letzler,	Rosenfeld,	Watkins,
Dent,	Mahanay,	Ruth,	Watson,
Diehm,	Mallery,	Scarlett,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed,	McMenamin,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

#### HOUSE BILL No. 1557 CALLED UP

Mr. WALKER. Mr. President, I call up for consideration at this time House Bill No. 1557 on the Third Reading Calendar.

The PRESIDENT. Is there objection? The Chair hears none.

#### BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,



The Senate proceeded to the third reading and consideration of House Bill No. 1557, as follows:

An Act to amend clause (h) of Section 9 of the act approved the twenty-fourth day of May one thousand nine hundred forty-five (P. L. 991) entitled "An act to promote elimination of blighted areas and supply sanitary housing in areas throughout the Commonwealth by declaring acquisition sound replanning and redevelopment of such areas to be for the promotion of health safety convenience and welfare creating public bodies corporate and politic to be known as Redevelopment Authorities authorizing them to engage in the elimination of blighted areas and to plan and contract with private corporate or governmental redevelopers for their redevelopment providing for the organization of such authorities defining and providing for the exercise of their powers and duties including the acquisition of property by purchase gift or eminent domain the leasing and selling of property including borrowing money issuing bonds and other obligations and giving security therefor restricting the interest of members and employees of authorities providing for notice and hearing supplying certain mandatory provisions to be inserted in contracts with redevelopers prescribing the remedies of obligees of redevelopment authorities conferring certain duties upon local planning commissions the governing bodies of cities and counties and on certain State officers boards and departments" by clarifying the provisions of said section with respect to the power of Redevelopment Authorities to purchase real property

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (h) of Section 9 of the act approved the twenty-fourth day of May one thousand nine hundred forty-five (P. L. 991) entitled "An act to promote elimination of blighted areas and supply sanitary housing in areas throughout the Commonwealth by declaring acquisition sound replanning and redevelopment of such areas to be for the promotion of health safety convenience and welfare creating public bodies corporate and politic to be known as Redevelopment Authorities authorizing them to engage in the elimination of blighted areas and to plan and contract with private corporate or governmental redevelopers for their redevelopment providing for the organization of such authorities defining and providing for the exercise of their powers and duties including the acquisition of property by purchase gift or eminent domain the leasing and selling of property including borrowing money issuing bonds and other obligations and giving security therefor restricting the interest of members and employees of authorities providing for notice and hearing supplying certain mandatory provisions to be inserted in contracts with redevelopers prescribing the remedies of obligees of redevelopment authorities conferring certain duties upon local planning commissions the governing bodies of cities and counties and on certain State officers boards and departments" is hereby amended to read as follows

Section 9 Powers of an Authority An Authority shall constitute a public body corporate and politic exercising public powers of the Commonwealth as an agency thereof which powers shall include all powers necessary or appropriate to carry out and effectuate the purposes and provisions of this act including the following powers in addition to those herein otherwise granted

\* \* \* \* \*

(h) To assemble purchase obtain options upon acquire by gift grant bequest devise or otherwise any real or personal property or any interest therein from any person firm corporation municipality or government Provided That no real property located outside of a redevelopment area which is not necessary to the corporate purposes of the Authority nor necessary to the successful redevelopment of a redevelopment project shall be purchased by the Authority

\* \* \* \* \*

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Bane,	Haluska,	McPherson, Jr.	Stevenson,
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peelor,	Wade,
Byrne,	Lane,	Propert,	Wagner,
Chapman,	Leader,	Robinson,	Walker,
Crowe,	Letzler,	Rosenfeld,	Watkins,
Dent,	Mahanay,	Ruth,	Watson,
Diehm,	Mallery,	Scarlett,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed.	McMenamin,		

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

### THIRD READING CALENDAR

#### BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 769, on third reading, entitled:

An Act to further amend clause (a) of section one thousand eight hundred three and clause (e) of section one thousand eight hundred six of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" by further regulating the leasing and sale of State forest and park lands by the Commonwealth and defining the powers and duties of the Department of Forests and Waters and the rights of lessees with respect to such leased lands

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 811, on third reading, entitled:

An Act to add section 1501.1 to the act approved the first day of May, one thousand nine hundred thirty-three



(P. L. 103), entitled "The Second Class Township Law" by empowering township supervisors to compel connection with and use of sewer systems constructed by municipal authorities to impose penalties, to enforce regulations and orders, and to connect properties of owners failing or neglecting to make connection.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 851, on third reading, entitled:

An Act to amend Section 16 of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1237) entitled "An act affecting marital relations prescribing grounds and regulating proceedings for divorce and the annulment of bigamous marriages and amending revising and consolidating the law relating thereto" by further defining residence of the libellant

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 967, on third reading, entitled:

An Act to further amend the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" providing for disability leave with salary and hospital and medical expenses for employes of jails and workhouses in counties of the second class temporarily incapacitated in the performance of duties

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1228, on third reading, entitled:

An Act establishing The Pennsylvania State School for the Deaf providing for its operation and maintenance by the Department of Public Instruction and for the admission of pupils thereto and the expense of maintaining pupils therein authorizing and acquisition of a site by The General State Authority or the use of land now owned by the Commonwealth the conveying of Commonwealth owned land to The General State Authority and the erection or construction and the furnishing and equipping of buildings and structures by The General State Authority and the leasing thereof by the Commonwealth and conferring powers and imposing duties on district and county superintendents of schools

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1312, on third reading, entitled:

An Act to provide for the better protection of life and health of the citizens of this Commonwealth by requiring and regulating the examination licensure and registration of persons and registration of corporations engaging in the care preparation and disposition of the bodies of deceased persons and providing penalties providing for a State Board of Funeral Directors in the Department of Health and repealing other laws

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1518, on third reading, entitled:

An Act to amend Section 2001 of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by changing the provisions relating to protests by property owners to the exercise of zoning powers.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1669, on third reading, entitled:

An Act to amend section one thousand three hundred ten point one of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor of the Commonwealth" by providing for the sale of escheatable property by the Secretary of Revenue.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1715, on third reading, entitled:

An Act making an appropriation to The Brandywine Battlefield Park Commission for the payment of necessary expenses.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

## HOUSE MESSAGE

### HOUSE CONCURS IN RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL No. 249

The Clerk of the House of Representatives being introduced presented communication from the House of Representatives informing the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate, September 26, 1951.

Resolved (If the House of Representatives concur) That Senate Bill No. 249, Printer's No. 514, entitled:

An Act to amend subsection (a) of section 411 of the



act, approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 1053), entitled "An act relating to the regulation of public utilities; defining as public utilities certain corporations, companies, associations, and persons; providing for the regulation of public utilities, including, to a limited extent, municipalities engaging in public utility business, by prescribing, defining, and limiting their duties, powers, and liabilities, and regulating the exercise, surrender, or abandonment of their powers, privileges, and franchises; defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle; conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons, associations, companies, and corporations, including, to a limited extent, municipal corporations subject to this act, and administering the provisions of this act; authorizing the commission to fix temporary rates; placing the burden of proof on public utilities to sustain their rates and certain other matters; authorizing a permissive or mandatory sliding scale method of regulating rates; providing for the supervision of financial and contractual relations between public utilities and affiliated interests, and supervision and regulation of accounts and securities or obligations issued, assumed or kept by persons, associations, companies, corporations, or municipal corporations subject to this act; conferring upon the commission power to vary, reform, or revise certain contracts; conferring upon the commission the exclusive power to regulate or order the construction, alteration, relocation, protection, or abolition of crossings of facilities of public utilities, and of such facilities by or over public highways, to appropriate property for the construction or improvement of such crossings, and to award or apportion resultant costs and damages; authorizing owners of such property to sue the Commonwealth for such damages; providing for ejectment proceedings in connection with the appropriation of property for crossings; conferring upon the commission power to control and regulate budgets of public utilities; imposing upon persons, associations, companies and corporations (except municipal corporations) subject to regulation, the cost of administering this act; prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action; giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings; prescribing penalties, fines, and imprisonment for violations of the provisions of this act and regulations and orders of the commission, and the procedure for enforcing such fines and penalties; and repealing legislation supplied and superseded by or inconsistent with this act," by relieving cities of the second class A and third class and the counties in which they are located from payment of damages occasioned by and costs of construction, reconstruction, repair and maintenance of certain bridges and viaducts.

be recalled from the Governor for the purpose of further study.

#### COMMITTEE OF CONFERENCE APPOINTED ON SENATE BILL No. 752

The PRESIDENT. The Chair announces on behalf of the President pro tempore the appointment of Messrs. MAL-  
LERY, STEVENSON and LANE, as a committee of conference on the part of the Senate to confer with a similar committee of the House (if the House shall appoint such committee) to confer the differences existing between the two houses in relation to Senate Bill No. 752.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### BILLS ON FIRST READING

Mr. WALKER. Mr. President, I move that the Senate

do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 207, entitled:

An Act to further amend the second paragraph of section 2 of the act approved the seventh day of June one thousand nine hundred one (P. L. 493) entitled as amended "An act providing for the examination licensure and registration of persons firms or corporations engaged or engaging in the business of work of plumbing or house drainage and prescribing certain rules regulations and requirements for the construction of plumbing house drainage and cesspools in cities of the second class second class A and third class and imposing fines penalties and forfeiture for violation thereof" by further providing for the appointment of the plumbing inspector in certain cases in third class cities

And said bill having been read at length the first time,  
Ordered to be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 488, entitled:

An Act to impose a temporary tax on real estate for public school purposes in school districts of the first class A for current expenses

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 862, entitled:

An Act to add Section 510.1 to the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing school directors of school districts in townships of the second class to appoint special school police and defining the power and duties of such police.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 937, entitled:

An Act to amend Section 3 of the act approved the twenty-sixth day of March one thousand nine hundred twenty-five (P. L. 83) entitled "An act for the protection of public health by regulating the serving of milk for drinking purposes to patrons of hotels restaurants lunch rooms fountains and dining cars and providing penalties" by permitting regulating and requiring a license for the purchase and sale of milk in bulk for use in certain automatic milk dispensing machines.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1047, entitled:

An Act to further amend the act approved the first day



of May one thousand nine hundred twenty-nine (P. L. 1216) entitled "An act to define real estate brokers and real estate salesman and providing for the licensing regulation and supervision of resident and more nonresident real estate brokers and real estate salesmen and their business" by further defining "real estate brokers" and "real estate salesmen" authorizing the issuance of limited real estate brokers' and salesmen's licenses within a limited field or branch of the real estate business and prescribing the powers and duties of the department and commission with respect thereto further regulating licensing and the suspension and revocation of such licenses regulating the use of names of real estate salesmen in the corporate or partnership names of corporations or partnerships engaged in the real estate business and further regulating the payment of commissions.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1051, entitled:

An Act creating a Bituminous Mine Law Study Commission for the purpose of making a study and investigation of all laws relating to bituminous coal mines and the preparation of a modern code relating thereto and making an appropriation.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1246, entitled:

An Act to amend the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by providing for farm fish pond licenses regulating the use of such ponds and the terms of such licenses and prescribing penalties.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1264, entitled:

An Act to further amend Section 1201 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by providing that in cities of

the first and second classes informations charging violations of any summary provisions of The Vehicle Code shall be brought before the traffic court in such cities.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1350, entitled:

An Act to amend Section 2508 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for the allocation of funds to school districts for programs essential to mobilization or demobilization of civilian manpower.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1421, entitled:

An Act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred fifty-one and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred fifty-one

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1546, entitled:

An Act to amend Section 504 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further regulating the operation and maintenance of cafeterias by boards of school directors.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1566, entitled:

An Act to further amend subsection C of Section 1 of the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 1145) entitled "An act empowering cities of the second class cities of the second class A cities of the third class boroughs towns townships of the first class school districts of the second class school districts of the third class and school districts of the fourth class to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employees to assess and collect such taxes and permitting penalties to be imposed and enforced providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court" by authorizing financially handicapped and distressed school districts to levy additional taxes with certain limitations



And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1567, entitled:

An Act to amend Subsection (b) of Section 672 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing financially handicapped or distressed school districts to levy additional taxes with certain limitations.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1581, entitled:

An Act to amend the act approved the eleventh day of May one thousand nine hundred five (P. L. 518) entitled "An act making an appropriation for the erection of a home or school for indigent orphans to be called the Thaddeus Stevens Industrial and Reform School of Pennsylvania in which school provision shall be made for giving instruction in reading writing arithmetic drawing duties of citizenship elementary manual training the elements of farming and other requisite branches" by further providing for the course of instruction and the admission of students at such institution and authorizing certain tuition charges for its use.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1589, entitled:

An Act to further amend Section 9 of the act approved the fifth day of July one thousand nine hundred forty-seven (P. L. 1217) entitled "An act to promote the education facilities of the people of the Commonwealth of Pennsylvania creating a State Public School Building Authority as a body corporate and politic with power to construct improve and operate projects and to lease the same and to fix and collect fees rentals and charges for the use thereof authorizing school districts to enter into contracts to lease authorizing and regulating the issuance of bonds by said Authority and providing for the payment of such bonds and the rights of the holders thereof granting the right of eminent domain increasing the powers and duties of the Department of Public Instruction and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted under this act and making an appropriation to said Authority to pay expenses incident to its formation" by further providing for examination of the books and accounts of the Authority.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

## RECESS

Mr. WALKER. Mr. President, I move that the Senate do now take a recess until 10 o'clock, Eastern Standard Time.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to

## AFTER RECESS

The PRESIDING OFFICER (Fred P. Hare) in the Chair.

The PRESIDING OFFICER. The time of recess having elapsed the Senate will be in order

## HOUSE MESSAGES

### RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL NO. 826

The Clerk of the House of Representatives being introduced presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, September 26, 1951.

Resolved, (if the Senate concur) That House Bill No. 826, Printer's No. 854, entitled:

An Act to further amend the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "School Employes' Retirement Law," by redefining the term "final salary" and further providing the manner of computing employes' annuities.

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

### HOUSE CONCURS IN RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL NO. 836

He also presented communication from the House of Representatives informing the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate, September 26, 1951.

Resolved (If the House of Representatives concur) That Senate Bill No. 836, Printer's No. 544, entitled:

An Act making an appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first, one thousand nine hundred fifty-one.

be recalled from the Governor for the purpose of amendment.

### NOMINATION BY THE GOVERNOR REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows, and referred to the Committee on Executive Nominations.

## JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, September 26, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John H. Demler, R. D. 2, Jonestown, Lebanon County, for appointment as Justice of the Peace in and for the Township of Union, Lebanon County, until the first Monday of January, 1952, vice Howard E. Ditzler, resigned.

JOHN S. FINE



## COMMUNICATION FROM THE GOVERNOR

He also presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

## APPROVED AND SIGNED SENATE CONCURRENT RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL No. 836

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, September 26, 1951.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Concurrent Resolution recalling from the Governor Senate Bill No. 836, Printer's No. 544, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

JOHN S. FINE.

The PRESIDING OFFICER. The bill will be laid on the table.

## SENATE RESOLUTION

## ACTUARY OF THE STATE EMPLOYEES' RETIREMENT SYSTEM TO STUDY CERTAIN SENATE BILLS

Mr. WADE. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Messrs. WADE, STEVENSON, and DENT, offered the following resolution which was twice read, considered and agreed to:

In the Senate, September 26, 1951.

Whereas, a group of Senate Bills (Nos. 854 to 862, Printer's Nos. 592 to 600), appear on the Senate Calendar for action, and the Members of the Senate desire more complete information upon the effect of the various Retirement Funds.

Whereas, It would be unwise to pass upon this group of bills without full knowledge of the facts pertinent to their effect on the affected retirement funds, particularly with respect to the resultant additional costs to the State system; now therefore be it

Resolved (by the Senate), That the actuary for the State Employees' Retirement System shall study Senate Bills Nos. 854 to 862 (Printer's Nos. 592 to 600), with a view to presenting to the Senate a concise statement of the effect of each and all of such bills, if enacted into law, upon various Employees' retirement System with especial emphasis upon the added financial burden there-to; and be it further

Resolved, That such report shall be presented to the Senate not later than December 10, 1951.

## SENATE BILL NO. 836 TAKEN FROM TABLE

Mr. WALKER. Mr. President, I call from the table Senate Bill No. 836, just returned by the Governor.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

## RECONSIDERATION OF SENATE BILL No. 836

Mr. WALKER. Mr. President, I move that the Senate do now reconsider the vote by which Senate Bill No. 836, entitled:

An Act making an appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public

Assistance Law for the two fiscal years beginning June first, one thousand nine hundred fifty-one.

passed finally.

The PRESIDING OFFICER. How did the Senator vote?

Mr. WALKER. Mr. President, I voted with the majority.

Mr. FLEMING. Mr. President, I second the motion.

The PRESIDING OFFICER. How did the Senator vote?

Mr. FLEMING. Mr. President, I voted with the majority.

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. WALKER. Mr. President, I move to reconsider the vote by which the bill passed third reading.

The PRESIDING OFFICER. How did the Senator vote?

Mr. WALKER. Mr. President, I voted with the majority.

Mr. FLEMING. Mr. President, I second the motion.

The PRESIDING OFFICER. How did the Senator vote?

Mr. FLEMING. Mr. President, I voted with the majority.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. WALKER. Mr. President, I ask unanimous consent to offer amendments.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Section 1, page 1, line 1, by striking out after the word "of" and before the word "or", the following: "ten million dollars (\$10,000,000)" and inserting in lieu thereof, the following: "twenty-five million dollars (\$25,000,000);" Amend Section 3, page 3, lines 1 and 2, by striking out before the word "and" in line 2, the following: "one hundred twenty thousand dollars (\$120,000)" and inserting in lieu thereof, the following: "two hundred thousand dollars (\$200,000);" Amend Section 3, page 3, lines 3 and 4, by striking out after the word "of" in line 3, and before the word "to" in line 4, the following: "sixty-five thousand dollars (\$65,000,000)" and inserting in lieu thereof, the following: "one hundred forty thousand dollars (\$140,000)."

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

## BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 836, on third reading, go over in its order, as amended.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The bill will appear on the Third Reading Calendar.

## COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

## APPROVED AND SIGNED SENATE CONCURRENT RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL No. 249

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, September 26, 1951.



To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Concurrent Resolution recalling from the Governor Senate Bill No. 249, Printer's No. 514, for the purpose of further study.

Accordingly, the original bill is herewith returned.

JOHN S. FINE.

The PRESIDING OFFICER. The bill will be laid on the table.

#### PERMISSION TO ADDRESS SENATE

Mr. HOLLAND asked and obtained unanimous consent to address the Senate.

Mr. HOLLAND. Mr. President, we have been here nine months, and there have been many many figures given by different Members of the Senate of what the appropriations for the present fiscal policy in the State can be cut to. Some Members have said it could be cut \$20,000,000. I think I read in the paper the other day where the Majority Leader said it could be cut \$30,000,000, and I have submitted a detailed account where it can be cut \$40,000,000.

Now, Mr. President, that we have come to a place where we are not going anywhere, and are calling a recess so we can get back on the track to go somewhere, I think it might be well that during this recess a committee be formed by the Senate to co-operate with business, industry, the Pennsylvania Economy League and the Chamber of Commerce to study the figures of the appropriations that are appearing in the budget, and see where cuts can be had and study the suggestions made by different Members of the Senate. Then maybe we can get back on the track to economy in government, that we all love to talk so much about but do nothing about.

#### SENATE RESOLUTION

##### SUBCOMMITTEE OF THE SENATE APPROPRIATIONS COMMITTEE TO MAKE CERTAIN STUDIES

Mr. HOLLAND. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. HOLLAND, offered the following resolution which was twice read, as follows:

In the Senate, September 26, 1951.

Resolved, (by the Senate) That a subcommittee of five members of the Appropriations Committee of the Senate, three from the majority party and two from the minority party, to be appointed by the Chairman of such Senate Committee, shall make a study of all appropriations presently before the Senate for consideration to determine where reductions in such proposed appropriations can and cannot be made. In such study, they shall consult with the State Chamber of Commerce, the Pennsylvania Economy League, the heads of departments of the State government and other parties in interest; and be it further

Resolved, That such subcommittee shall submit a report of its findings and recommendations to the Senate on December 10, 1951.

#### REQUEST THAT RULE 39 BE SUSPENDED

Mr. HOLLAND. Mr. President, I ask unanimous consent that Rule 39, which requires resolutions be referred to an appropriate committee, be dispensed with and the Senate proceed to the consideration of the foregoing resolution.

The PRESIDING OFFICER. Is there objection?

Mr. WALKER. Mr. President, I object to immediate consideration.

The PRESIDING OFFICER. The resolution is referred to the Committee on Rules.

#### PERMISSION TO ADDRESS SENATE

Mr. HOLLAND asked and obtained unanimous consent to address the Senate.

Mr. HOLLAND. Mr. President, there are fifty Members of the Senate, and I think if we consulted the fifty Members, each individually, they would disagree with the figures of that wizard, Logan. I have had the opportunity in the last few weeks to have a very careful study of these estimates made by men who know a great deal about how industry is progressing at this time, the profits being made, the difference in capital stocks and especially, judging from the income that has been made up to date, the corporate net income. The "Wizard of Oz," Mr. Logan, is completely out in his estimates.

Mr. President, I think it is time for us to get a true fiscal picture of the state of affairs, and after nine months here, judging from the incomes that are now in, we can make an estimate of what the future is on incomes from taxes now on the books. For instance, take as an example, one of the large steel corporations of this State has estimated on the basis of the first nine months, and they show that in this biennium they shall pay to the State an increase in corporate net incomes of ninety-one per cent over the last biennium. This is at a conservative estimate because most of these concerns are enlarging their plants, increasing their steel production, and this estimate will go much higher than ninety-one per cent in their extension. However, when you talk to the Budget Controller, he does not wish to discuss with you the reports from Wall Street, financial reports from the companies in this State. He does not consider the estimates given to him by business, which is paying the taxes, and he says these figures are holy. You cannot in any way differ with them because he has not made only his figures holy, but he has made himself holier than thou.

Now, Mr. President, I believe that the time has come when we should get the right figures, and if we are going to have this recess, do not let us come back here on December 10 and go over this same squabble we have gone over the last nine months, of not finding out the true figures of what the taxes take in.

Therefore, Mr. President, I hope that this will not go the way of all resolutions which are offered to bring economy into government, into the ash can. I hope at least they will consider it. The Chairman of the Finance Committee is here, and I think it is up to him, if he wishes to object, and not the Majority Leader of the Republican Party of the Senate. I think that the Chairman of the Finance Committee, who is a very serious, hard worker, should go along with this resolution because the matter is in his committee. He has the right to appoint the committee that I asked him to appoint, and to bring back to us the true figures of his fiscal policy of this State.

Mr. President, with a fervent prayer, I present this resolution and hope that we will have the consent of the Chairman of the Finance Committee to see that this is enacted immediately. He has the opportunity of appointing the committee to go to work, so that at least the people



of the State of Pennsylvania will not look upon the Senate of Pennsylvania as just followers of a man who thinks he can figure but can't.

#### PERMISSION TO ADDRESS SENATE

Mr. WALKER asked and obtained unanimous consent to address the Senate.

Mr. WALKER. Mr. President, it is my fervent hope that what I am about to do will not destroy the gentleman's faith in his prayers.

#### SENATE RESOLUTION

##### SUBCOMMITTEE OF THE COMMITTEE OF FINANCE TO MAKE A STUDY OF TAX COLLECTIONS

Mr. HOLLAND. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. HOLLAND offered the following resolution which was twice read, as follows:

In the Senate, September 26, 1951.

Whereas, Almost four months of the new fiscal biennium have passed and the Senate does not have definite information on taxes actually collected during such period; and

Whereas, Until such information is received, it cannot know whether the budget estimates of tax collections which have been submitted are reliable and therefore cannot act upon any further taxation measures with assurance; therefore be it

Resolved (by the Senate), That a subcommittee of five members from the Senate Finance Committee, three from the majority party and two from the minority party, to be appointed by the Chairman of such committee, shall study the estimated tax collections as set forth in the budget for the period beginning with the new fiscal year to date as against actual collections for such period to determine the accuracy of the budget figures; and be it further

Resolved, That in making such study they shall consult with representatives of industry and the Pennsylvania Economy League with particular respect to the said figures for the capital stock tax and the corporate net income tax with representatives of public utilities with respect to the gross receipts tax figures; and be it further

Resolved, That such committee shall submit its report to the Senate on December 10, 1951.

#### REQUEST THAT RULE 39 BE SUSPENDED

Mr. HOLLAND. Mr. President, I ask unanimous consent that Rule 39, which requires resolutions be referred to an appropriate committee, be dispensed with and the Senate proceed to the consideration of the foregoing resolution.

The PRESIDING OFFICER. Is there objection?

Mr. WALKER. Mr. President, I object to immediate consideration.

The PRESIDING OFFICER. The resolution is referred to the Committee on Rules.

#### PERMISSION TO ADDRESS SENATE

Mr. HOLLAND asked and obtained unanimous consent to address the Senate.

Mr. HOLLAND. Mr. President, so that the gentleman will not think that I have lost faith in prayer, I really believe that the Senate has gone so far today that even prayer cannot help them.

The PRESIDING OFFICER. The gentleman's remarks will be noted in the record.

#### POINT OF INFORMATION

Mr. HALUSKA. Mr. President, I rise to a point of information.

The PRESIDING OFFICER. The gentleman from Cambria, Mr. Haluska, will state his point of information.

Mr. HALUSKA. Mr. President, this afternoon this body passed a resolution asking for a recess, along with a sine die resolution dated the twenty-second day of December. I have been informed that since that resolution passed, the House of Representatives rejected the resolution. Now, of course, they are still in session and I am told they may reconsider the previous action, but my point is, Mr. President, in the event that the House should reject our resolution to a recess until the tenth day of December, what is the status of this body?

The PRESIDING OFFICER. The Senate and the desk, at the present moment, have no information as to any action the House may have taken in regard to the resolution you mentioned.

Mr. HALUSKA. Mr. President, in the event that, since we are at ease more or less, the House should reject the resolution, could we now arrive at a decision?

The PRESIDING OFFICER. For the information of the gentleman from Cambria, there is nothing before the Senate which would require a ruling of that type, and until it is before the Senate, it would be rather insincere for us to attempt a ruling upon a matter that is not before us.

Mr. HALUSKA. That is correct, and I shall renew the question later on.

The PRESIDING OFFICER. The Chair thanks the gentleman from Cambria.

#### SENATE CONCURRENT RESOLUTION

##### RECALLING FROM THE GOVERNOR SENATE BILL No. 668

Mr. STEVENSON. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. STEVENSON, offered the following resolution which was twice read, considered and agreed to:

In the Senate, September 26, 1951.

Resolved (if the House of Representatives concur), that Senate Bill No. 668, Printer's No. 357, entitled "An act to designate the several judicial districts of the Commonwealth as required by the Constitution and to provide for the election and commissioning of judges learned in the law for the said districts," be recalled from the Governor for the purpose of further consideration.

Ordered, That the Clerk present same to the House of Representatives for concurrence.

The PRESIDENT pro tempore (M. Harvey Taylor) in the Chair.

#### BILLS SIGNED

The President pro tempore (M. Harvey Taylor) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:



House Bill No. 1118, entitled:

An Act making an appropriation from the Toll Bridge Fund to the Board of Finance and Revenue to meet interest and sinking fund requirements on Toll Bridge Bonds.

House Bill No. 1557, entitled:

An Act to amend clause (h) of Section 9 of the act, approved the twenty-fourth day of May, one thousand nine hundred forty-five (P. L. 991), entitled "Urban Redevelopment Law," by clarifying the provisions of said section with respect to the power of redevelopment Authorities to acquire real property.

Whereupon,

The President pro tempore (M. Harvey Taylor) in the presence of the Senate signed the same.

(The Senate was at ease.)

The PRESIDING OFFICER (Fred P. Hare) in the Chair.

#### NOMINATION BY THE GOVERNOR REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows, and referred to the Committee on Executive Nominations.

#### JUDGE OF THE COURT OF COMMON PLEAS OF THE FIFTH JUDICIAL DISTRICT OF PENNSYLVANIA

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, September 26, 1951.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John Drew, 6550 Beacon Street, Pittsburgh, Allegheny County, for appointment as Judge of the Court of Common Pleas of the Fifth Judicial District of Pennsylvania, composed of the County of Allegheny, vice Hon. Frank Patterson, deceased, until the first Monday of January, 1954.

JOHN S. FINE.

(The Senate was at ease.)

#### REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. WOLFE. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WOLFE, from the Committee on Executive Nominations reported with a favorable recommendation the following nomination, made by His Excellency, the Governor of the Commonwealth:

#### JUDGE OF THE COURT OF COMMON PLEAS OF THE FIFTH JUDICIAL DISTRICT OF PENNSYLVANIA

Commonwealth of Pennsylvania.  
Governor's Office, Harrisburg, September 26, 1951.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to

nominate for the advice and consent of the Senate John Drew, 6550 Beacon Street, Pittsburgh, Allegheny County, for appointment as Judge of the Court of Common Pleas of the Fifth Judicial District of Pennsylvania, composed of the County of Allegheny, vice Hon. Frank Patterson, deceased, until the first Monday of January, 1954.

JOHN S. FINE.

#### CONSIDERATION OF EXECUTIVE NOMINATION

Mr. WALKER, asked and obtained unanimous consent for immediate consideration of the nomination read by the Clerk.

#### EXECUTIVE SESSION

A motion was made by Mr. WALKER and Mr. TAYLOR,

That the Senate do now resolve itself into Executive Session, for the purpose of acting upon the nomination just reported.

Which was agreed to.

Whereupon,

A motion was made by Mr. WALKER and Mr. TAYLOR, That the Senate do advise and consent to the nomination reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Bane,	Haluska,	McPherson, Jr.,	Stevenson,
Barr,	Hare,	Meade,	Stiefel,
Barrett,	Holland,	Neff,	Taylor,
Berger,	Kephart,	Pechan,	Tcols,
Blass,	Kessler,	Peelor,	Wade,
Byrne,	Lane,	Probert,	Wagner,
Chapman,	Leader,	Robinson,	Walker,
Crowe,	Letzler,	Rosenfeld,	Watkins,
Dent,	Mahany,	Ruth,	Watson,
Diehm,	Mallery,	Scarlett,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko,
Freed	McMenamin,		

#### NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

#### EXECUTIVE SESSION RISES

Mr. WALKER. Mr. President, I move that the Executive Session do no rise.

Mr. MALLERY. Mr. President, I second the motion.

The motion was agreed to.

#### ADJOURNMENT

Mr. WALKER. Mr. President, I move that the Senate do now adjourn until Thursday, September 27, 1951, at 9 o'clock, a. m., Eastern Standard Time.

Mr. PEELOR. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 11:59 o'clock, p. m., Eastern Standard Time, until Thursday, September 27, 1951, at 9 o'clock, a. m., Eastern Standard Time.



## HOUSE OF REPRESENTATIVES

WEDNESDAY, September 26, 1951.

The House met at 11:00 a. m. EST.

The SPEAKER (Herbert P. Sorg) in the Chair.

## PRAYER

The Chaplain, Reverend William Hugh Fryer, offered the following prayer:

O Almighty and Everlasting God, Who, with Thy strong arm and sleepless vigilance, dost govern those nations and states that look to Thee for guidance, we rejoice in the tokens of Thy favour which have been our heritage. To those who are called to positions of authority and responsibility in our State impart purity of motive, right judgment in counsel, direction in administration; to the people of the land grant loyalty, industry and godliness, that all things may tend to the healing of divisions, the establishment of peace and the promotion of Thy kingdom among men; through Jesus Christ our Lord. Amen.

## JOURNAL APPROVED

The SPEAKER. Are there any corrections to the Journal of Tuesday, September 25, 1951? If not, and without objection, the Journal is approved.

## SENATE MESSAGE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

## SENATE BILL No. 667.

An Act to amend subsection (c) of Section 2 of the act approved the twenty-seventh day of June one thousand nine hundred forty-seven (P. L. 1046) entitled "An act providing for equalization of assessed valuations of real property throughout the Commonwealth for use in determining the amount and allocation of Commonwealth subsidies to school districts creating a State Tax Equalization Board and prescribing its powers and duties imposing duties on certain local officers agents boards commissions and departments and making an appropriation" by increasing the compensation of the members of board.

Referred to the Committee on Appropriations.

## SENATE BILL No. 831.

An Act to further amend the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees defining the use and purposes thereof and the manner of payments therefrom an providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by further extending the time for present employees to elect to be covered by the retirement system and granting retirement rights to certain additional persons who have withdrawn from and returned to school service.

Referred to the Committee on Education.

## SENATE BILL No. 840.

An Act to amend the title and Section 1 of the act ap-

proved the tenth day of August one thousand nine hundred fifty-one (P. L. Act No 265) entitled "An act regulating the appointment promotion suspension reduction removal and reinstatement of employes (except superintendents assistant superintendents inspectors and chief clerks) in bureaus of police in cities of the second class and defining the powers and duties of civil service commissions in such cities for such purposes" by excepting therefrom certain women police and school guards.

Referred to the Committee on Cities and County—Second Class.

## SENATE BILL No. 842.

An Act to amend Section 1673 of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" by further regulating publication of notice of land subdivision ordinances.

Referred to the Committee on Boroughs.

## SENATE BILL No. 845.

An Act to further amend Rule 12 and to amend Rule 14 of Article XII of the act approved the second day of June one thousand eight hundred ninety-one (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" by authorizing the use of roof bolts and other practical devices in working places.

Referred to the Committee on Mines and Mining.

## SENATE BILL No. 850.

An Act to amend the act approved the twelfth day of April one thousand nine hundred fifty-one (P. L. 90) entitled "An act relating to alcoholic liquors and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" by authorizing catering licenses for clubs licensed to sell malt and brewed beverages and fixing the license fees therefor.

Referred to the Committee on Liquor Control.

## SENATE BILL No. 864.

An Act to further amend the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1053) entitled "An act relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utility business by prescribing defining and limiting their duties powers and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicles and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations



subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale method of regulating rates providing for the supervision of financial and contractual relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alteration relocation protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulation the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" by requiring the issuance of an order and in certain cases a preliminary hearing prior thereto by the commission before the effective date of certain voluntary rate increases making such order the basis of appeal and setting forth when such appeal may act as a supersedes.

Referred to the Committee on Public Utilities.

#### RESOLUTIONS INTRODUCED AND REFERRED

By Messrs. JOHN C. MILLER and ROBERT K. HAMILTON. RESOLUTION No. 82.

In the House of Representatives, September 25, 1951.

Whereas, The increased number of housing developments in suburban and rural areas has superimposed problems upon these areas with which they are often unprepared to cope; and

Whereas, The laws governing these suburban and rural areas and the attitudes of the population therein are frequently attuned to life in sparsely settled rural areas rather than the dense population now burdening them and creating problems associated with the gathering of dense masses of people in small areas; and

Whereas, The problem of sewerage, sanitation, and collection of refuse, which require municipal guidance, control and action in order to safeguard the well-being and health of the populace often cannot be met by newly organized communities or by old communities newly saturated with population overflowing the borders of nearby cities; and

Whereas, Individual attempts at sewerage disposal such as septic tanks have frequently proved inadequate and inefficient, and consequently the cause of disease and discomfort; and

Whereas, Lack of garbage collection has caused the piling up and collection of refuse near human habitations and along public highways in such a manner as to create eyesores, spread disease and to emit other manifestations of filth and uncleanness so as to raise grave doubts about our much vaunted high standards of living; therefore be it

Resolved, That the Joint State Government Commission is hereby directed to study the problem of sanitation in

the various suburban communities of this Commonwealth with particular stress on sewerage and collection of garbage and other refuse, and the effects upon the population of the communities concerned; and be it further

Resolved, That the commission shall report its findings and recommendations to the next regular session of the General Assembly, together with such proposed legislation as may be necessary to carry out the same.

Referred to the Committee on Rules.

By Mr. VAN SANT, Mrs. MARKLEY and Mr. STIMMEL. RESOLUTION No. 83.

In the House of Representatives, September 25, 1951.

Whereas, Mr. Charles Ettinger, legislative reporter for the Allentown newspapers, celebrates a birthday anniversary on this twenty-fifth day of September; and

Whereas, Mr. Ettinger's interest in boxing as a manager and promoter, and his intensive interest in baseball, as well as his public spirited work as chairman of the Allentown Housing Authority have marked him as a person who has caught the public fancy and well deserves the commendation and plaudits of his fellow citizens; and

Whereas, Mr. Ettinger's long career in newspaper work which started immediately upon his graduation from Muhlenberg College in 1907, has been of a varied nature and has distinguished him as a man of integrity who has observed his duties of informing the reading public of all facts concerning issues or happenings covered by his reports; therefore be it

Resolved, That this House of Representatives hereby congratulates Mr. Ettinger on his recent birthday anniversary and extends to him its wishes for many more such anniversaries in the future; and be it further

Resolved, That the Chief Clerk of this House transmit a copy of this resolution to Mr. Charles Ettinger.

Referred to the Committee on Rules.

#### PERMISSION GRANTED COMMITTEES TO MEET DURING SESSION

Mr. HALL asked and obtained permission for the Committee on Ways and Means to meet during the session of the House.

Mr. SOLLENBERGER asked and obtained permission for the Committee on Education to meet during the session of the House.

#### SENATE MESSAGES

##### CONCURRENCE IN HOUSE RESOLUTION

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, September 24, 1951.

Resolved (if the Senate concur), that House Bill No. 1505, Printer's No. 805, entitled "An act to amend the act approved the twelfth day of June one thousand nine hundred thirty-one (P. L. 510) entitled 'An act providing for the licensure and regulation of certain private nursing homes and private hospitals conferring certain powers and duties upon the Department of Welfare and providing penalties' by further providing for the licensure and regulation of such nursing homes and hospitals," be recalled from the Governor for the purpose of amendment.

#### AMENDED HOUSE BILLS RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:



## HOUSE BILL No. 1283.

An Act authorizing the Orphans' Courts of the several counties upon application therefor to place documents defined as historical documents in the temporary custody of certain associations maintaining facilities for public display of historical writings conferring powers and imposing duties on registers of wills.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER.. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the title, page 1, line 3, by inserting after the word "the" the word "temporary."

Amend Section 4, page 3, line 5, by inserting after the word "certified" the word "photostatic."

Amend the bill, page 3, by striking out all of lines 7 to 14 inclusive and inserting in lieu thereof the following

Section 5 The register of will may at any time without cause petition the Orphans' Court for the return of any historical document the custody of which had been previously transferred to any association.

Section 6 The Orphans' Court of any county after having taken jurisdiction of the transfer of any historical document may without cause and upon its own motion order the association having such temporary custody to return such document to the register of will of the county wherein it had been originally filed

This act shall become effective on January 15 1952.

On the question,

Will the House concur in the amendments made by the Senate?

Mr. JOHNSON. I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—205

Amarando,	Goodling,	Markley,	Rovansek,
Andrews,	Graybill,	Maxwell,	Royer,
Banker,	Greenwood,	Mazza,	Rubin,
Barkdoll,	Greer,	McConnell,	Sarra,
Baumunk,	Guarnieri,	McCormack,	Sax,
Bear,	Gutendorf,	McCullough,	Scanlon,
Beaver,	Guthrie,	McDermitt,	Schmidt,
Beech,	Hagerty,	McGee,	Schuster,
Berkstresser,	Hall,	McInroy,	Scott,
Blair,	Hamilton, R. K.,	McKinney,	Seyler,
Bloom,	Hamilton, W. H.,	McMillen,	Shoemaker,
Boles,	Harney,	McNally,	Shotwell,
Bolton,	Haudenshield,	Metz,	Smith,
Bomberger,	Headlee,	Mihm,	Snider,
Boorse,	Helm,	Mikula,	Sollenberger,
Bower,	Hersch,	Miller, H. G.,	Spencer,
Breisch,	Hewitt,	Miller, J. C.,	Stank,
Breth,	Hocker,	Mills,	Stimmel,
Brown,	Hoggard,	Mintess,	Stoner,
Bucchin,	Hunter,	Monroe,	Swartz,
Byrne,	Jenkins,	Moore, C. E.,	Swope,
Cella,	Johnson,	Moore, H. A.,	Tahl,
Clapper,	Jones, G. E.,	Moran,	Taylor,
Clendening,	Jones, J. M.,	Muldowney,	Thompson, E. F.,
Cochran,	Jones, P. F.,	Munley,	Thompson, R. L.,
Conway,	Jones, T. H. W.,	Murray,	Toil,
Cooper,	Jump,	Musto,	Tompkins,
Corr,	Kamyk,	Najaka,	Toomey,
Costa,	Keller,	Naugle,	VanSant,
Coyle,	Kent,	Needham,	Varallo,
Dalrymple,	Kline,	Olsen,	Varner,
Davis,	Kohl,	Penglase,	Verona,
Dennison,	Kolankiewicz,	Peta,	Wachhaus,
Dougherty,	Kornick,	Petrosky,	Wargo,
Dowling,	Kratz,	Pettigrew,	Waterhouse,
Duffy,	Kubacki,	Pfaff,	Watkins,
Dunn,	Lafore,	Pichney,	Weldner,
Erb,	Lederer,	Pitzer,	Welsh,
Ewing,	Leisey,	Polaski,	Wescott,
Fenrich,	Leonard, L.,	Polen,	Whalley,

Ferster,	Leonard, W. C.,	Price, H. W. Jr.,	Wheeler,
Filip,	Leven,	Price, R. A.,	White,
Filo,	Light,	Readinger,	Williams,
Firmstone,	Limper,	Reagan,	Wilt,
Flack,	Loftus,	Reese,	Wood,
Frost,	Lopresti,	Reidenbach,	Yeakel,
Gaffney,	Lovett,	Reilly, J. M.,	Yester,
Geer,	Lutty,	Rigby,	Yetzer,
Gibson,	Lyons,	Riley, R. L.,	Young,
Gleason,	Madden,	Robertson,	Ziegler,
Good,	Madigan,	Rose,	Sorg,
		Rosen,	Speaker

## NAYS—0

## NOT VOTING—2

DuBois, Westrick.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 1326.

An Act to further amend the act approved the nineteenth day of March one thousand nine hundred nine (P. L. 46) entitled "An act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing of osteopaths in this State and to provide penalties for the violation of this act" by providing for the licensing without examination of persons licensed by the provinces of the Dominion of Canada in certain cases.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 3, page 5, line 14, by inserting after the word "enactment" the following: "and in so far as it pertains to persons licensed by provinces of the Dominion of Canada and who have practiced osteopathy therein shall remain in effect for a period of sixty days thereafter."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. JOHNSON. I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—205

Amarando,	Goodling,	Markley,	Rovansek,
Andrews,	Graybill,	Maxwell,	Royer,
Banker,	Greenwood,	Mazza,	Rubin,
Barkdoll,	Greer,	McConnell,	Sarra,
Baumunk,	Guarnieri,	McCormack,	Sax,
Bear,	Gutendorf,	McCullough,	Scanlon,
Beaver,	Guthrie,	McDermitt,	Schmidt,
Beech,	Hagerty,	McGee,	Schuster,
Berkstresser,	Hall,	McInroy,	Scott,
Blair,	Hamilton, R. K.,	McKinney,	Seyler,
Bloom,	Hamilton, W. H.,	McMillen,	Shoemaker,
Boles,	Harney,	McNally,	Shotwell,
Bolton,	Haudenshield,	Metz,	Smith,
Bomberger,	Headlee,	Mihm,	Snider,
Boorse,	Helm,	Mikula,	Sollenberger,
Bower,	Hersch,	Miller, H. G.,	Spencer,
Breisch,	Hewitt,	Miller, J. C.,	Stank,
Breth,	Hocker,	Mills,	Stimmel,



Brown,	Hoggard,	Mintess,	Stoner,
Bucchin,	Hunter,	Monroe,	Swartz,
Byrne,	Jenkins,	Moore, C. E.,	Swope,
Cella,	Johnson,	Moore, H. A.,	Tahl,
Clapper,	Jones, G. E.,	Moran,	Taylor,
Clendenning,	Jones, J. M.,	Muldowney,	Thompson, E. F.,
Cochran,	Jones, P. F.,	Munley,	Thompson, R. L.,
Conway,	Jones, T. H. W.,	Murray,	Toll,
Cooper,	Jump,	Musto,	Tompkins,
Corr,	Kamyk,	Najaka,	Toomey,
Costa,	Keller,	Naugle,	VanSant,
Coyle,	Kent,	Needham,	Varallo,
Dalrymple,	Kilne,	Olsen,	Varner,
Davis,	Kohl,	Penglase,	Verona,
Dennison,	Kolankiewicz,	Peta,	Wachhaus,
Dougherty,	Kornick,	Petrosky,	Wargo,
Dowling,	Kratz,	Pettigrew,	Waterhouse,
Duffy,	Kubacki,	Pfaff,	Watkins,
Dunn,	Lafore,	Pichney,	Weidner,
Erb,	Lederer,	Pitzer,	Welsh,
Ewing,	Leisey,	Polaski,	Wescott,
Fenrich,	Leonard, L.,	Polen,	Whalley,
Ferster,	Leonard, W. C.,	Price, H. W. Jr.,	Wheeler,
Filip,	Leven,	Price, R. A.,	White,
Filo,	Light,	Readinger,	Williams,
Firmstone,	Limper,	Reagan,	Wilt,
Flack,	Loftus,	Reese,	Wood,
Frost,	Lopresti,	Reidenbach,	Yeakel,
Gaffney,	Lovett,	Reilly, J. M.,	Yester,
Geer,	Lutty,	Rigby,	Yetzer,
Gibson,	Lyons,	Riley, R. L.,	Young,
Gleason,	Madden,	Robertson,	Ziegler,
Good,	Madigan,	Rose,	Sorg,
		Rosen,	Speaker

NAYS—0

NOT VOTING— 2

DuBois, Westrick,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 726.

An Act to amend the title and further amend Subsections A C and E of Section 1 one of the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 1145) entitled "An act empowering cities of the second class cities of the second class A cities of the third class boroughs towns townships of the first class school districts of the second class school districts of the third class and school districts of the fourth class to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employees to assess and collect such taxes and permitting penalties to be imposed and enforced providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court" by extending the provisions thereof to include townships of the second class as to certain taxes

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the title, page 1, line 1, by striking out after the letter "A" the word "and" and inserting in lieu thereof "C and E"; page 2, line 9, by striking out after the word "by" the following: "including townships of the second class within the classes of political subdivisions

authorized to impose taxes under the provisions thereof" and inserting in lieu thereof the following: "extending the provisions thereof to include townships of the second class as to certain taxes."

Amend section 2, page 4, line 6, by striking out after the letter "A" the word "and" and inserting in lieu thereof "C and E"; page 4, line 13, by striking out after the second word "class" the words "townships of the second class"; page 6, by inserting after line 15 the following: "Subject to the limitations prescribed in this act the duly constituted authorities of townships of the second class may in their discretion by ordinance or resolution for general revenue purposes levy assess and collect or provide for the levying assessment and collection of any one or more of the following taxes within the limits of such townships

(1) A per capita tax upon individuals

(2) A tax on sales involving the transfer of title of real property

(3) A tax on admissions to places of amusement athletic events and the like

(4) A tax on the use or occupancy of house trailers suitable for living quarters

No township shall levy a per capita tax for the same period for which it levies an occupation tax."

Page 8, by inserting after line 7 the following:

"E Limitations on rates of specific taxes no taxes shall be levied by any political subdivisions on the following subjects exceeding the rates specified in this subsection

(A) Per capita poll or other similar head taxes \$10 except in townships of the second class \$5

(B) On each dollar of the whole volume of business transacted by wholesale dealers in goods wares and merchandise 1 mill by retail dealers in goods wares and merchandise and by proprietors of restaurants or other places where food drink and refreshments are served 1½ mills except in cities of the second class where rates shall not exceed 1 mill on wholesale dealers and 2 mills on retail dealers and proprietors no such tax shall be levied on the dollar volume of business transacted by wholesale and retail dealers derived from the resale of goods wares and merchandise taken by any dealer as a trade-in or as part payment for other goods wares and merchandise except to the extent that the resale price exceeds the trade-in allowance

(C) On wages salaries commissions and other earned income of individuals 1%

(D) On retail sales involving the transfer of title or possession of tangible personal property 2%

(E) On sales involving the transfer of title of real property 1%

(F) On admissions to places of amusement athletic events and the like 10%

(G) On use or occupancy of house trailers suitable for living quarters in townships of the second class \$10

If at any time two political subdivisions shall impose any one of the above taxes on the same person subject business transaction or privilege located within both such political subdivisions during the same year or part of the same year under the authority of this act then the tax levied by a political subdivision under the authority of this act shall during the time such duplication of the tax exists except as hereinafter otherwise provided be one-half of the rate as above limited and such one-half rate shall become effective by virtue of the requirements of this act from the day such duplication becomes effective without any action on the part of the political subdivision imposing the tax under the authority of this act it is the intent and purpose of his provision to limit rates of taxes referred to in this subsection so that the entire burden of one tax on a person subject business transaction or privilege shall not exceed the limitations prescribed in this subsection provided however that any two political subdivisions which impose any one of the above taxes on the same person subject business transaction or privilege during the same year or part of the same year may agree among themselves that instead of limiting their respective rates to one-half of the maximum rate herein provided



they will impose respectively different rates the total of which shall not exceed the maximum rate as above permitted

Section 3 The provisions of this act shall become effective immediately upon final enactment."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. JOHNSON. I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—205

Amarando,	Goodling,	Markley,	Rovansek,
Andrews,	Graybill,	Maxwell,	Royer,
Banker,	Greenwood,	Mazza,	Rubin,
Barkdoll,	Greer,	McConnell,	Sarraf,
Baumunk,	Guarneri,	McCormack,	Sax,
Bear,	Gutendorf,	McCullough,	Scanlon,
Beaver,	Guthrie,	McDermitt,	Schmidt,
Beech,	Hagerty,	McGee,	Schuster,
Berkstresser,	Hall,	McInroy,	Scott,
Blair,	Hamilton, R. K.,	McKinney,	Seyler,
Bloom,	Hamilton, W. H.,	McMillen,	Shoemaker,
Boles,	Harney,	McNally,	Shotwell,
Bolton,	Haudenschild,	Metz,	Smith,
Bomberger,	Headlee,	Mihm,	Snider,
Boorse,	Helm,	Mikula,	Sollenberger,
Bower,	Hersch,	Miller, H. G.,	Spencer,
Brelsch,	Hewitt,	Miller, J. C.,	Stank,
Breth,	Hocker,	Mills,	Stimmel,
Brown,	Hoggard,	Mintess,	Stoner,
Bucchin,	Hunter,	Monroe,	Swartz,
Byrne,	Jenkins,	Moore, C. E.,	Swope,
Cella,	Johnson,	Moore, H. A.,	Tahl,
Clapper,	Jones, G. E.,	Moran,	Taylor,
Clendening,	Jones, J. M.,	Muldowney,	Thompson, E. F.,
Cochran,	Jones, P. F.,	Munley,	Thompson, R. L.,
Conway,	Jones, T. H. W.,	Murray,	Toll,
Cooper,	Jump,	Musto,	Tompkins,
Corr,	Kamyk,	Najaka,	Toomey,
Costa,	Keller,	Naugle,	VanSant,
Coyle,	Kent,	Needham,	Varallo,
Dalrymple,	Kline,	Olsen,	Varnier,
Davis,	Kohl,	Penglase,	Verona,
Dennison,	Kolankiewicz,	Peta,	Wachhaus,
Dougherty,	Kornick,	Petrosky,	Wargo,
Dowling,	Kratz,	Pettigrew,	Waterhouse,
Duffy,	Kubacki,	Pfaff,	Watkins,
Dunn,	Lafore,	Pichney,	Weidner,
Erb,	Lederer,	Pitzer,	Welsh,
Ewing,	Leisey,	Polaski,	Wescott,
Fenrich,	Leonard, L.,	Polen,	Whalley,
Ferster,	Leonard, W. C.,	Price, H. W. Jr.,	Wheeler,
Fillp,	Leven,	Price, R. A.,	White,
Filo,	Light,	Readinger,	Williams,
Firmstone,	Limper,	Reagan,	Wilt,
Flack,	Loftus,	Reese,	Wood,
Frost,	Lopresti,	Reidenbach,	Yeakel,
Gaffney,	Lovett,	Reilly, J. M.,	Yester,
Geer,	Lutty,	Rigby,	Yetzer,
Gibson,	Lyons,	Riley, R. L.,	Young,
Gleason,	Madden,	Robertson,	Ziegler,
Good,	Madigan,	Rose,	Sorg,
		Rosen,	Speaker

#### NAYS—0

#### NOT VOTING—2

DuBois, Westrick,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

#### SENATE MESSAGE

#### APPOINTMENT OF COMMITTEE OF CONFERENCE ON SENATE BILL NO. 598

The Clerk of the Senate being introduced, informed that

the Senate insists on its nonconcurrence in the amendments made and insisted upon by the House of Representatives to Senate Bill No. 598, entitled:

An Act to further amend Section 10 of the act approved the twenty-ninth day of May one thousand eight hundred eighty-five (P. L. 29) entitled "An act to provide for the incorporation and regulation of natural gas companies" by providing that natural gas companies shall have the right of eminent domain for underground storage of natural gas or manufactured fuel gas and regulating the exercise of such right.

And has appointed Messrs. Stevenson, Pechan and Dent a committee of conference to confer with a similar committee of the House of Representatives (If the House of Representatives shall appoint such committee) on the subject of the differences existing between the two Houses in relation to said bill.

Mr. JOHNSON. Mr. Speaker, I move that the House insist upon its amendments non-concurred in by the Senate to Senate Bill No. 598 and that a Committee of Conference be appointed.

The motion was agreed to.

#### APPOINTMENT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 598

The Speaker. The Chair appoints as a Committee of Conference on the part of the House, Messrs. Costa, Johnson and Readinger.

Ordered, That the Clerk inform the Senate accordingly.

#### SENATE MESSAGE

#### AMENDED SENATE BILL NON-CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has non-concurred in the amendments made by the House of Representatives to Senate bill numbered and entitled as follows:

#### SENATE BILL No. 752.

An Act to further amend the act approved the twenty-sixth day of June one thousand nine hundred thirty-one (P. L. 1379) entitled "An act creating in counties of the third class a board for the assessment and revision of taxes providing for the appointment of the members of such board by the county commissioners providing for their salaries payable by the county abolishing existing boards defining the powers and duties of such board regulating the assessment of persons property and occupations for county borough town township school and poor purposes authorizing the appointment of subordinate assessors a solicitor engineers and clerks providing for their compensation payable by such counties abolishing the office of ward borough and township assessors so far as the making of assessments and valuations for taxation is concerned and providing for the acceptance of this act by cities" by further regulating the assessment and valuation of property for local taxation purposes further defining the duties of subordinate assessors and the board changing the time for the preparation and inspection of the assessment roll and duplicate assessment roll notice of appeal and hearings on appeals prescribing duties and fees to be collected by municipal officers who issue building permits imposing duties on taxables making improvements on land and grantees of land and prescribing penalties.

Mr. JOHNSON. Mr. Speaker, I move that the House insist upon its amendments non-concurred in by the Senate to Senate Bill No. 752.



The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

### BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title were publicly read as follows:

#### HOUSE BILL No. 548:

An Act to amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by providing penalties for removal or transfer of certificates of inspection from vehicles and official inspection stations

#### HOUSE BILL No. 726:

An Act to amend the title and further amend Subsections A C and E of Section 1 of the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 1145) entitled "An act empowering cities of the second class cities of the second class A cities of the third class boroughs towns townships of the first class school districts of the second class school districts of the third class and school districts of the fourth class to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employees to assess and collect such taxes and permitting penalties to be imposed and enforced providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court" by extending the provisions thereof to include townships of the second class as to certain taxes

#### HOUSE BILL No. 1283:

An Act authorizing the Orphans' Courts of the several counties upon application therefor to place documents defined as historical documents in the temporary custody of certain associations maintaining facilities for public display of historical writings conferring powers and imposing duties on registers of wills

#### HOUSE BILL No. 1326:

An Act to further amend the act approved the nineteenth day of March one thousand nine hundred nine (P. L. 46) entitled "An act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing of osteopaths in this State and to provide penal-

ties for the violation of this act" by providing for the licensing without examination of persons licensed by the provinces of the Dominion of Canada in certain cases

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

### PERMISSION TO ADDRESS HOUSE

Mr. BRETH asked and obtained unanimous consent to address the House.

Mr. Speaker, I have a very interesting letter to read to you that involves everyone of you.

This letter did not come to me; it was sent to the Chairman of the Game Commission, George Goodling and the Chairman of the Fish Committee, Allen Gibson. But I think it is interesting and important, because it marks a definite milestone in the relations that exist between the Assembly and the sportsmen of the state.

I can remember quite a few years back when game and fish legislation was proposed and was being considered in the House when various sportsmen and in fact sportsmen's groups considered the whole program as being in the hands of a bunch of politicians who could not be trusted with the future laws and rules and regulations regarding the effective management of our wild-life resources.

So it was with surprise and also with pleasure that I learned that the Northcentral Division of the Pennsylvania Federation of Sportsmen's Clubs which includes the counties of Cameron, Clearfield, Elk, Jefferson, McKean and Potter, at their last meeting this fall passed a resolution, and the resolution is incorporated into the letters which were sent to Mr. Goodling, Mr. Gibson and also to the Honorable Arthur Blass, Senator and Chairman of the Senate Committee on Game, Fish and Forestry.

If you will bear with me a little while I think you will be interested in what the letter says.

"The Officers and Members of the Northcentral Division of the Pennsylvania Federation of Sportsmen's Clubs wishes to express to you, the members of your committee, and to all the members of the House of Representatives their thanks and appreciation for your efforts in having the laws that were approved by the State Federation enacted into law.

At our meeting of August 5, 1951, a resolution was adopted that the thanks of the sportsmen of our division to be sent to you and your committee for your efforts in our behalf. Below is a copy of the resolution that was adopted for your further information.

Resolved:

That the Officers and Members of the Northcentral Division of the Pennsylvania Federation of Sportsmen's Clubs express their thanks and appreciation to the Honorable Arthur Blass, Chairman, Senate Committee on Game and Fish, and to the Honorable George A. Goodling, Chairman, Game and Forestry Committee and Honorable Allen Gibson, Chairman of the Fish Committee, House of Representatives, and the members of their committees, and to all the members of the State Legislature, for their efforts in having the laws that were approved by the Pennsylvania Federation of Sportsmen's Clubs enacted into law.

Approved, August 5, 1951  
Northcentral Division  
Pennsylvania Federation  
of Sportsmen's Clubs.  
H. E. DuBroux, Division Secretary"



Well gentlemen, I want to say that considerable credit for the game and fish laws that were enacted and passed by this House, must be given to all the Members of this House. Almost all of them passed without a dissenting vote. There were a few of them that were controversial and of course they did not get unanimous consent. However, the vote was usually overwhelming in favor of the legislation because it was considered legislation, it was legislation that was needed for the management of wild life resources.

But I, as one of those who took part in having this legislation pass this House, want to call your attention to a few other Members of this House who deserve particular mention.

One of those is George Shoemaker. The day this session opened there was not a feeling of cooperation. The sportsmen, the various Commissions, particularly the Game Commission in this House were as wide apart as could be. There was a lot of dissension. There were quite a number of bills considered by various Members that they would like to have enacted that would have damaged the Game and Fish program in this State. But George Shoemaker took it upon himself to be the great peacemaker. He got the various elements together; he got Members of the House and Members of the Senate and members of the Game Commission, members of the Fish Commission and representatives of the Sportsmen's Clubs together and he drew them together; figuratively he knocked their heads together, and he said, "Now wait a minute. Work this thing out so that we can all be satisfied." And that has happened, as this letter proves and is testimony to the fact.

Also Ed Tompkins took a very active part in the program that was passed, and the various members of the committee and, of course, we on this side have our members too. In fact, I can say truthfully that every Member of this House at some particular time during the past nine months has played an important part in getting the game and fish bills through that we have passed.

I say that it is greatly to your credit and it has now been openly and publicly acknowledged that this House is a great friend of the wildlife resources of this state.

I want to say too that I think in the future whether or not one of us is here or all of us are here, the program concerning wild-life at the next session of the Legislature will be carried on with as much credit to this House as the one this year.

I want to thank you for your efforts on behalf of the program and add my appreciation to the appreciation of the sportsmen.

#### PERMISSION TO ADDRESS HOUSE

Mr. HEADLEE asked and obtained unanimous consent to address the House.

Mr. Speaker, being a new Member in the House of Representatives perhaps I should keep quiet. But the editorial that I am about to read before this House and into the record affects practically all of Pennsylvania's ten million plus population. This editorial appeared last week in Greene County's daily newspaper, The Democrat-Messenger. The subject of this editorial was 'Pounded to Pieces.'

Just how much damage is heavy commercial truck traffic doing to our highways?

Any motorist can pretty well answer that with the evidence of his own eyes. And, in addition, he can substantiate that evidence with the views of the experts.

In October, 1949, the American Association of State Highway Officials said in a resolution: "This ruinous practice of overloading our roads is destroying our primary highways faster than we can build or replace them."

In February, 1949, the American Automobile Association said: "Billions of dollars worth of the nation's finest highways are being pounded to pieces by overweight and overloading commercial vehicles."

At the same time, Thomas H. MacDonald, U. S. Commissioner of Public Roads, said: "We are overloading our highways in their traffic volume capacity and in their structural capacity. There is more than ample proof . . . Prior to the war, damage had reached alarming proportions. With the marked increase in heavy loads since the end of the war, the damage has become even more alarming."

The highway departments of 41 states have reported that overloaded trucks are damaging their roads.

Evidence of this character could be recited for page after page. What, then, is the solution? First, loads should be kept within reasonable limits, and violators of the law should be severely punished. Second, the commercial users of our highways should foot their fair share of the bill for building and maintaining roads which are required to handle their heavy loads. Neither of those things is being done today.

Mr. Speaker, to me this Legislature should have reduced the load limit instead of increasing it. Just last week an editorial appeared in a Harrisburg paper saying that two trucks would now do the work of three; that the Turnpike Commission would lose one truck toll out of each three trucks that previously used the Turnpike.

You only need to travel the Turnpike and there you can see mute evidence of how the trucks are pounding the road to pieces. There you see the new sections of concrete being constructed to replace those pounded to pieces. The Turnpike is not the only road where new sections are being constructed. Right on our principal United States Route 19 in Green County you will find this condition. You will also find such construction on United States Route 19 in Washington County, and to my understanding this is going on all over the state.

I talked with a captain of our State Police recently and he is very much concerned over the way our highways are being pounded to pieces.

I could continue reciting such conditions, but I just wanted to bring this to the attention of the House. This is a problem that will require a lot of study and understanding between the two factions.

#### PERMISSION TO ADDRESS HOUSE

Mr. McMILLEN asked and obtained unanimous consent to address the House.

Mr. Speaker, I think we this morning still feel very freshly in our minds the magnificent presentations that took place here last night.

The beautiful resolutions that were presented in connection with the ceremonies, I feel should again be made into a record made available to us as a collective unit, and for that purpose, Mr. Speaker, I offer the following resolution.

THE CHIEF CLERK (William E. Habbyslaw) In The Chair



## RESOLUTIONS

## PRESENTATION CEREMONIES TO BE PRINTED

Mr. McMILLEN offered a resolution which was read, considered and adopted as follows:

In the House of Representatives, September 26, 1951

Resolved, that the Chief Clerk of the House be directed to have printed the resolution of congratulation to the Speaker of the House, introduced by the gentleman from Philadelphia, Mr. Charles C Smith, on September 25, 1951, together with the remarks of the members of the House relating thereto; and be it further

Resolved, that a copy thereof be sent to each member of the House.

THE SPEAKER (Herbert P. Sorg) In The Chair

## RESOLUTION

DISCHARGING COMMITTEE ON HOUSE  
RESOLUTION No. 46

Mr. GUARNIERI offered a resolution which was read by the Clerk as follows:

In the House of Representatives, September 26, 1951.

Resolved, that the committee on Rules be discharged from further consideration of House Resolution No. 46, Serial No. 55, said resolution having been in the hands of said committee for a period of ten days and more, having been referred on May 16th, 1951.

On the question,

Will the House adopt the resolution?

Mr. GUARNIERI. Mr. Speaker, at this late date in the session of the House it is not for us to delay the House over long or any resolution at this time.

However, this resolution to give the Members the benefit of the contents thereof, proposes that the Joint State Government Commission be appointed to make a study of the various branches of the State Government, especially the executive department, with the end in view that a necessary reorganization be recommended, overlapping functions be eliminated and that administration be made more efficient. The stated purpose, of course, being that in that manner we can effect economy.

At this time, Mr. Speaker, not to belabor the House, we know that there has been much discussion as to need for appropriations for this or that bureau or agency, whether the budget requests asked by the Governor have been appropriate or not. There has been much difference of opinion and men have differed in their opinions honestly in many cases, because we did not have all the facts.

I think, Mr. Speaker, such a commission is called for at this time. In fact, the Council of State Governments has been working with various state organizations and making recommendations for state activity for reorganization purposes.

In the issue of "State Government" for January 1951, there is an article on governmental organization on page 13, in which the Council of State Governments which is the council for the various State Governments of the United States, sees the necessity for effective economical administration through proper reorganization administration of trained personnel. Other states have been doing this very thing today.

The year 1951 is pointed out as the year for reorganization, and I think we should have the benefit of that resolution on the floor of this House. In fact, Mr. Speaker, Mr. Ray L. Riley, on the other side of the House, my Republican friend, has also introduced Bill 1686 which has a similar purpose. It is immaterial whether it is a Democratically inspired bill or resolution or Republican inspired bill or resolution. The need for such action at this time is urgent, and in view of the great confusion we have had about the budget it is very necessary.

Mr. SMITH. Mr. Speaker, time and time again I have said on the floor of this House that voting for a resolution to discharge a committee is not a vote on the merits or the demerits of any bill or resolution.

Our committees are still operating; we are meeting every day, sometimes two and three times a day. I personally have great faith in the democratic process of committee meetings, and because of our confidence and the way our committees have worked in the past I would ask that this House vote down all discharge resolutions.

On the question recurring,

Will the House adopt the resolution?

The yeas and nays were required by Mr. Guarneri and Mr. Petrosky and were as follows:

## YEAS—88

Amarando,	Hersch,	Mihm,	Rosen,
Andrews,	Hoggard,	Miller, J. C.,	Rovansek.
Beaver,	Hunter,	Mills,	Sarraff,
Berkstresser,	Jenkins,	Monroe,	Scanlon,
Boles,	Jones, G. E.,	Moran,	Schmidt,
Breth,	Jones, J. M.,	Muldowney,	Schuster,
Bucchin,	Jones, P. F.,	Munley,	Seyler,
Byrne,	Kamyk,	Musto,	Snider,
Cochran,	Kolankiewicz,	Needham,	Stank,
Conway,	Kornick,	Olsen,	Swartz,
Coyle,	Kubacki,	Penglase,	Swope,
Dougherty,	Lederer,	Peta,	Taylor,
Duffy,	Leonard, L.,	Petrosky,	Toll,
Fenrich,	Leven,	Pettigrew,	Varallo,
Filip,	Limper,	Pfaff,	Verona,
Filo,	Lopresti,	Polaski,	Wargo,
Gaffney,	Lovett,	Polen,	Welsh,
Good,	Lutty,	Price, R. A.,	Wheeler,
Guarnieri,	Maxwell,	Readinger,	Williams,
Hagerty,	McDermitt,	Reese,	Yester,
Hamilton, R. K.,	McGee,	Reidenbach,	Yetzer,
Headlee,	McNally,	Rose,	

## NAYS—117

Banker,	Frost,	Lyons,	Sax,
Barkdoll,	Geer,	Madden,	Scott,
Baumunk,	Gibson,	Madigan,	Shoemaker,
Bear,	Gleason,	Markley,	Shotwell,
Beech,	Goodling,	Mazza,	Smith,
Blair,	Graybill,	McConnell,	Sollenberger,
Bloom,	Greenwood,	McCormack,	Spencer,
Bolton,	Greer,	McCullough,	Stimmel,
Bomberger,	Gutendorf,	McInroy,	Stoner,
Boorse,	Guthrie,	McKinney,	Tahl,
Bower,	Hall,	McMillen,	Thompson, E. F.,
Breisch,	Hamilton, W. H.,	Metz,	Thompson, R. L.,
Brown,	Harney,	Mikula,	Tompkins,
Cella,	Haudenschild,	Miller, H. G.,	Toomey,
Clapper,	Helm,	Mintess,	VanSant,
Clendening,	Hewitt,	Moore, C. E.,	Varner,
Cooper,	Hocker,	Moore, H. A.,	Wachhaus,
Corr,	Johnson,	Murray,	Waterhouse,
Costa,	Jones, T. H. W.,	Najaka,	Watkins,
Dalrymple,	Jump,	Naugle,	Weldner,
Davis,	Keller,	Pichney,	Wescott,
Dennison,	Kent,	Pitzer,	Whalley,
Dowling,	Kline,	Price, H. W. Jr.,	White,
Dunn,	Kohl,	Reagan,	Wilt,
Erb,	Kratz,	Reilly, J. M.,	Wood,
Ewing,	Lafore,	Rigby,	Yeakel,
Ferster,	Lelsey,	Riley, R. L.,	Young,
Firmstone,	Leonard, W. C.,	Robertson,	Ziegler,
Flack,	Light,	Royer,	Sorg,
	Loftus,	Rubin,	Speaker



## NOT VOTING—2

DuBois, Westrick,

So the question was determined in the negative and the resolution was not adopted.

## RESOLUTION

## DISCHARGING COMMITTEE ON HOUSE BILL No. 307

Mr. GUARNIERI offered a resolution which was read by the Clerk as follows:

In the House of Representatives, September 26, 1951.

Resolved, That the Committee on City and County—First Class, be discharged from further consideration of House Bill No. 307, entitled "An act to extend the powers of the board of health in cities of the first class to abate certain public nuisances," said bill having been in the hands of said committee for a period of ten days and more, having been referred on February 14th, 1951.

On the question,

Will the House adopt the resolution?

Mr. GUARNIERI. Mr. Speaker, House Bill 307 was referred to the Committee on City and County—First Class February 14th. House Bill 308, 309, 310 are companion measures to House Bill 307.

These bills seek to eliminate the use of open grounds in the City of Philadelphia for dumping purposes. Especially in the lower end of South Philadelphia there is a tremendous area which has been devoted to public dumping. In fact the Board of Health in Philadelphia licenses various licensees to use these areas for dumping purposes. Right adjacent thereto is a tremendous populated area which I represent and my friends Mr. Dougherty, Amaranando, Mr. Peta and Mrs. Varallo.

In the last session of the Legislature, identical bills such as these were introduced and no action was taken. Again Mr. Tahl, the Chairman of the Committee of City and County—First Class has had, since February 14, 1951 to consider these measures but no action has been taken thereon to date.

I want to say this, Mr. Speaker, without laboring too far, despite the House Rule Charter of Philadelphia this is still a matter within the jurisdiction of the Legislature to pass upon, and it affects public health. It is a very necessary piece of legislation for this House to consider.

The yeas and nays were required by Mr. Guarnieri and Mr. Petrasky and were as follows:

## YEAS—86

Amarando,	Hersch,	Mihm,	Rosen,
Andrews,	Hoggard,	Miller, J. C.,	Rovansek,
Beaver,	Hunter,	Mills,	Sarra,
Berkstresser,	Jenkins,	Monroe,	Scanlon,
Boles,	Jones, G. E.,	Moran,	Schmidt,
Breth,	Jones, J. M.,	Muldowney,	Schuster,
Bucchin,	Jones, P. F.,	Munley,	Seyler,
Byrne,	Kamyk,	Musto,	Snider,
Cochran,	Kolankiewicz,	Needham,	Stank,
Conway,	Kornick,	Olsen,	Swartz,
Coyle,	Kubacki,	Penglase,	Swope,
Dougherty,	Lederer,	Peta,	Taylor,
Duffy,	Leonard, L.,	Petrosky,	Toll,
Fenrich,	Leven,	Pettigrew,	Varallo,
Fillp,	Limper,	Pfaff,	Verona,
Filo,	Lopresti,	Polaski,	Wargo,
Gaffney,	Lovett,	Polen,	Welsh,
Good,	Lutty,	Price, R. A.,	Wheeler,
Guarnieri,	Maxwell,	Readinger,	Williams,
Hagerty,	McDermitt,	Reese,	Yester,
Hamilton, R. K.,	McGee,	Reidenbach,	Yetzer,
Headlee,	McNally,	Rose,	

## NAYS—119

Banker,	Geer,	Madden,	Scott,
Barkdoll,	Gibson,	Madigan,	Shoemaker,
Baumunk,	Gleason,	Markley,	Shotwell,
Bear,	Goodling,	Mazza,	Smith,
Beech,	Graybill,	McConnell,	Sollenberger,
Blair,	Greenwood,	McCullough,	Spencer,
Bloom,	Greer,	McCormack,	Stimmel,
Bolton,	Gutendorf,	McInroy,	Stoner,
Bomberger,	Guthrie,	McKinney,	Tahl,
Boorse,	Hall,	McMillen,	Thompson, E. F.,
Bower,	Hamilton, W. H.,	Metz,	Thompson, R. L.,
Breisch,	Harney,	Mikula,	Tompkins,
Brown,	Haudenschild,	Miller, H. G.,	Toomey,
Cella,	Helm,	Mintess,	VanSant,
Clapper,	Hewitt,	Moore, C. E.,	Varner,
Clendening,	Hocker,	Moore, H. A.,	Wachhaus,
Cooper,	Johnson,	Murray,	Waterhouse,
Corr,	Jones, T. H. W.,	Najaka,	Watkins,
Costa,	Jump,	Naugle,	Weidner,
Dalrymple,	Keller,	Pichney,	Wescott,
Davis,	Kent,	Pitzer,	Whalley,
Dennison,	Kline,	Price, H. W. Jr.,	White,
Dowling,	Kohl,	Reagan,	Wilt,
Dunn,	Kratz,	Reilly, J. M.,	Wood,
Erb,	Lafore,	Rigby,	Yeakel,
Ewing,	Lelsey,	Riley, R. L.,	Young,
Ferster,	Leonard, W. C.,	Robertson,	Ziegler,
Firmstone,	Light,	Royer,	Sorg,
Flack,	Loftus,	Rubin,	Speaker
Frost,	Lyons,	Sax,	

## NOT VOTING—2

DuBois, Westrick,

So the question was determined in the negative and the resolution was not adopted.

## RESOLUTION

## DISCHARGING COMMITTEE ON HOUSE BILL No. 308

Mr. GUARNIERI offered a resolution which was read by the Clerk as follows:

In the House of Representatives, September 26, 1951.

Resolved, That the Committee on City and County—First Class, be discharged from further consideration of House Bill No. 308, entitled "An act making it a public nuisance to dump, deposit or place any rubbish, trash or refuse anywhere within any city of the first class, or to maintain a place for that purpose within any such city," said bill having been in the hands of said committee for a period of ten days and more, having been referred on February 14th, 1951.

On the question,

Will the House adopt the resolution?

The yeas and nays were required by Mr. Guarnieri and Mr. Petrosky and were as follows:

## YEAS—86

Amarando,	Hersch,	McNally,	Rose,
Andrews,	Hoggard,	Mihm,	Rosen,
Beaver,	Hunter,	Mills,	Rovansek,
Berkstresser,	Jenkins,	Monroe,	Sarra,
Boles,	Jones, G. E.,	Moran,	Scanlon,
Breth,	Jones, J. M.,	Muldowney,	Schmidt,
Bucchin,	Jones, P. F.,	Munley,	Schuster,
Byrne,	Kamyk,	Musto,	Seyler,
Cochran,	Kolankiewicz,	Needham,	Snider,
Conway,	Kornick,	Olsen,	Stank,
Coyle,	Kubacki,	Penglase,	Swartz,
Dougherty,	Lederer,	Peta,	Swope,
Duffy,	Leonard, L.,	Petrosky,	Taylor,
Fenrich,	Leven,	Pettigrew,	Toll,
Fillp,	Limper,	Pfaff,	Varallo,
Filo,	Lopresti,	Polaski,	Verona,
Gaffney,	Lovett,	Polen,	Wargo,
Good,	Lutty,	Price, R. A.,	Welsh,
Guarnieri,	Maxwell,	Readinger,	Wheeler,
Hagerty,	McDermitt,	Reese,	Williams,
Hamilton, R. K.,	McGee,	Reidenbach,	Yester,
Headlee,			Yetzer,



## NAYS—119

Banker,	Geer,	Madden,	Sax,
Barkdoll,	Gibson,	Madigan,	Scott,
Baumunk,	Gleason,	Markley,	Shoemaker,
Bear,	Goodling,	Mazza,	Shotwell,
Beech,	Graybill,	McConnell,	Smith,
Blair,	Greenwood,	McCormack,	Sollenberger,
Bloom,	Greer,	McCullough,	Spencer,
Bolton,	Gutendorf,	McInroy,	Stimmel,
Bomberger,	Guthrie,	McKinney,	Stoner,
Boorse,	Hall,	McMillen,	Tahl,
Bower,	Hamilton, W. H.,	Metz,	Thompson, E. F.,
Brelsch,	Harney,	Mikula,	Thompson, R. L.,
Brown,	Haudenshield,	Miller, H. G.,	Tompkins,
Cella,	Helm,	Miller, J. C.,	Toomey,
Clapper,	Hewitt,	Mintess,	VanSant,
Clendenning,	Hocker,	Moore, C. E.,	Varner,
Cooper,	Johnson,	Moore, H. A.,	Wachhaus,
Corr,	Jones, T. H. W.,	Murray,	Waterhouse,
Costa,	Jump,	Najaka,	Watkins,
Dalrymple,	Keller,	Naugle,	Weldner,
Davis,	Kent,	Pichney,	Wescott,
Dennison,	Kline,	Pitzer,	Whalley,
Dowling,	Kohl,	Price, H. W. Jr.,	White,
Dunn,	Kratz,	Reagan,	Wilt,
Erb,	Lafore,	Reilly, J. M.,	Wood,
Ewing,	Lelsey,	Rigby,	Yeakel,
Ferster,	Leonard, W. C.,	Riley, R. L.,	Young,
Firmstone,	Light,	Robertson,	Ziegler,
Flack,	Lofus,	Royer,	Sorg,
Frost,	Lyons,	Rubin,	Speaker

## NOT VOTING—2

DuBois, Westrick,

So the question was determined in the negative and the resolution was not adopted.

## RESOLUTION

## DISCHARGING COMMITTEE ON HOUSE BILL No. 309

Mr. GUARNIERI offered a resolution which was read by the Clerk as follows:

In the House of Representatives, September 26, 1951.

Resolved, That the Committee on City and County—First Class, be discharged from further consideration of House Bill No. 309, entitled "An act prohibiting cities of the first class from dumping trash, rubbish or refuse on any open lands or areas within said cities," said bill having been in the hands of said committee more than ten days, having been referred on February 14th, 1951.

On the question,

Will the House adopt the resolution?

The yeas and nays were required by Mr. Guarnieri and Mr. Petrosky and were as follows:

## YEAS—86

Amarando,	Hersch,	Mihm,	Rosen,
Andrews,	Hoggard,	Mills,	Rovansek,
Beaver,	Hunter,	Monroe,	Sarra,
Berkstresser,	Jenkins,	Moran,	Scanlon,
Boles,	Jones, G. E.,	Muldowney,	Schmidt,
Breth,	Jones, J. M.,	Munley,	Schuster,
Bucchin,	Jones, P. F.,	Musto,	Seyler,
Byrne,	Kamyk,	Needham,	Snider,
Cochran,	Kolankiewicz,	Olsen,	Stank,
Conway,	Kornick,	Penglase,	Swartz,
Coyle,	Kubacki,	Peta,	Swope,
Dougherty,	Lederer,	Petrosky,	Taylor,
Duffy,	Leonard, L.,	Pettigrew,	Toll,
Fenrich,	Leven,	Pfaff,	Varallo,
Filip,	Limper,	Polaski,	Verona,
Filo,	Lopresti,	Polen,	Wargo,
Gaffney,	Lovett,	Price, R. A.,	Welsh,
Good,	Lutty,	Readinger,	Wheeler,
Guarnieri,	Maxwell,	Reese,	Williams,
Hagerty,	McDermitt,	Reidenbach,	Yester,
Hamilton, R. E.,	McGee,	Rose,	Yetzer,
Headlee,	McNally,		

## NAYS—119

Banker,	Geer,	Madden,	Sax,
Barkdoll,	Gibson,	Madigan,	Scott,
Baumunk,	Gleason,	Markley,	Shoemaker,
Bear,	Goodling,	Mazza,	Shotwell,
Beech,	Graybill,	McConnell,	Smith,
Blair,	Greenwood,	McCormack,	Sollenberger,
Bloom,	Greer,	McCullough,	Spencer,
Bolton,	Gutendorf,	McInroy,	Stimmel,
Bomberger,	Guthrie,	McKinney,	Stoner,
Boorse,	Hall,	McMillen,	Tahl,
Bower,	Hamilton, W. H.,	Metz,	Thompson, E. F.,
Brelsch,	Harney,	Mikula,	Thompson, R. L.,
Brown,	Haudenshield,	Miller, H. G.,	Tompkins,
Cella,	Helm,	Miller, J. C.,	Toomey,
Clapper,	Hewitt,	Mintess,	VanSant,
Clendenning,	Hocker,	Moore, C. E.,	Varner,
Cooper,	Johnson,	Moore, H. A.,	Wachhaus,
Corr,	Jones, T. H. W.,	Murray,	Waterhouse,
Costa,	Jump,	Najaka,	Watkins,
Dalrymple,	Keller,	Naugle,	Weldner,
Davis,	Kent,	Pichney,	Wescott,
Dennison,	Kline,	Pitzer,	Whalley,
Dowling,	Kohl,	Price, H. W. Jr.,	White,
Dunn,	Kratz,	Reagan,	Wilt,
Erb,	Lafore,	Reilly, J. M.,	Wood,
Ewing,	Lelsey,	Rigby,	Yeakel,
Ferster,	Leonard, W. C.,	Riley, R. L.,	Young,
Firmstone,	Light,	Robertson,	Ziegler,
Flack,	Lofus,	Royer,	Sorg,
Frost,	Lyons,	Rubin,	Speaker

## NOT VOTING—2

DuBois, Westrick,

So the question was determined in the negative and the resolution was not adopted.

## RESOLUTION

## DISCHARGING COMMITTEE ON HOUSE BILL No. 310

Mr. GUARNIERI offered a resolution which was read by the Clerk as follows:

In the House of Representatives, September 26, 1951.

Resolved, That the Committee on City and County—First Class, be discharged from further consideration of House Bill No. 310, entitled "An act prohibiting the maintaining of dumping grounds within any city of the first class," said bill having been in the hands of said committee for a period of ten days and more, having been referred on February 14th, 1951.

On the question,

Will the House adopt the resolution?

The yeas and nays were required by Mr. Guarnieri and Mr. Petrosky and were as follows:

## YEAS—87

Amarando,	Hersch,	Mihm,	Rosen,
Andrews,	Hoggard,	Miller, J. C.,	Rovansek,
Beaver,	Hunter,	Mills,	Sarra,
Berkstresser,	Jenkins,	Monroe,	Scanlon,
Boles,	Jones, G. E.,	Moran,	Schmidt,
Breth,	Jones, J. M.,	Muldowney,	Schuster,
Bucchin,	Jones, P. F.,	Munley,	Seyler,
Byrne,	Kamyk,	Musto,	Snider,
Cochran,	Kolankiewicz,	Needham,	Stank,
Conway,	Kornick,	Olsen,	Swartz,
Coyle,	Kubacki,	Penglase,	Swope,
Dougherty,	Lederer,	Peta,	Taylor,
Duffy,	Leonard, L.,	Petrosky,	Toll,
Fenrich,	Leven,	Pettigrew,	Varallo,
Filip,	Limper,	Pfaff,	Verona,
Filo,	Lopresti,	Polaski,	Wargo,
Gaffney,	Lovett,	Polen,	Welsh,
Good,	Lutty,	Price, R. A.,	Wheeler,
Guarnieri,	Maxwell,	Readinger,	Williams,
Hagerty,	McDermitt,	Reese,	Yester,
Hamilton, R. E.,	McGee,	Reidenbach,	Yetzer,
Headlee,	McNally,	Rose,	



## NAYS—118

Banker.	Geer,	Madden,	Sax,
Barkdoll,	Gibson,	Madigan,	Scott,
Baumunk,	Gleason,	Markley,	Shoemaker,
Bear,	Goodling,	Mazza,	Shotwell,
Beech,	Graybill,	McConnell,	Smith,
Blair,	Greenwood,	McCormack,	Sollenberger,
Bloom,	Greer,	McCullough,	Spencer,
Bolton,	Gutendorf,	McInroy,	Stimmel,
Bomberger,	Guthrie,	McKinney,	Stoner,
Boorse,	Hall,	McMillen,	Tahl,
Bower,	Hamilton, W. H.,	Metz,	Thompson, E. F.,
Breisch,	Harney,	Mikula,	Thompson, R. L.,
Brown,	Haudenshield,	Miller, H. G.,	Tompkins,
Cella,	Helm,	Mintess,	Toomey,
Clapper,	Hewitt,	Moore, C. E.,	VanSant,
Clendening,	Hocker,	Moore, H. A.,	Varner,
Cooper,	Johnson,	Murray,	Wachhaus,
Corr,	Jones, T. H. W.,	Najaka,	Waterhouse,
Costa,	Jump,	Naugle,	Watkins,
Dalrymple,	Keller,	Pichney,	Weldner,
Davis,	Kent,	Pitzer,	Wescott,
Dennison,	Kline,	Price, H. W. Jr.,	Whalley,
Dowling,	Kohl,	Reagan,	White,
Dunn,	Kratz,	Reilly, J. M.,	Wilt,
Erb,	Lafore,	Rigby,	Wood,
Ewing,	Leisey,	Riley, R. L.,	Yeakel,
Ferster,	Leonard, W. C.,	Robertson,	Young,
Firmstone,	Light,	Royer,	Ziegler,
Flack,	Loftus,	Rubin,	Sorg,
Frost,	Lyons,		Speaker

## NOT VOTING—2

DuBois, Westrick,

So the question was determined in the negative and the resolution was not adopted.

## PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. HEWITT asked and obtained permission for the Committee on Mines and Mining to meet during the session of the House.

## PERMISSION TO ADDRESS HOUSE

Mr. PETROSKY asked and obtained unanimous consent to address the House.

Mr. Speaker, we the Members of the Democratic minority in this House are about to present a series of discharge resolutions on legislation which is bottled up in committees which is very beneficial, which is social and humane legislation that is very essential to the people of the Commonwealth.

In order not to take up too much time of the House in a presentation of this series of resolutions we will present them and accept a party vote on the resolutions. We will finally present on omnibus discharge resolution incorporating many bills in various committees.

We ask the Membership of the House to vote in favor of these discharge resolutions, and if the Majority agrees to it, we are agreed to take a party vote on them.

## RESOLUTION

## DISCHARGING COMMITTEE ON HOUSE BILL No. 1359

Mr. PETROSKY offered a resolution which was read by the Clerk as follows:

In the House of Representatives September 26, 1951.

Resolved, That the Committee on Workmen's Compensation be discharged from further consideration of

House Bill No. 1359, Titled: "An Act to further amend the act, approved the fifth day of December, one thousand nine hundred thirty-six (1937 P. L. 2897), entitled: 'Unemployment Compensation Law,' by further regulating eligibility for compensation."

Said bill having been referred to the Committee on Workmen's Compensation, on May 24, 1951.

On the question,

Will the House adopt the resolution?

The yeas and nays were required by Mr. Petrosky and Mr. Guarnieri and were as follows:

## YEAS—88

Amarando,	Hersch,	Mihm,	Rosen,
Andrews,	Hoggard,	Miller, J. C.,	Rovansek,
Beaver,	Hunter,	Mills,	Sarra,
Berkstresser,	Jenkins,	Monroe,	Scanlon,
Boles,	Jones, G. E.,	Moran,	Schmidt,
Breth,	Jones, J. M.,	Muldowney,	Schuster,
Bucchin,	Jones, P. F.,	Munley,	Seyler,
Byrne,	Kamyk,	Musto,	Snider,
Cochran,	Kolankiewicz,	Needham,	Stank,
Conway,	Kornick,	Olsen,	Swartz,
Coyle,	Kubacki,	Penglase,	Swope,
Dougherty,	Lederer,	Peta,	Taylor,
Duffy,	Leonard, L.,	Petrosky,	Toll,
Fenrich,	Leven,	Pettigrew,	Varallo,
Filip,	Limper,	Pfaff,	Verona,
Filo,	Lopresti,	Polaski,	Wargo,
Gaffney,	Lovett,	Polen,	Weish,
Good,	Lutty,	Price, R. A.,	Wheeler,
Guarnieri,	Maxwell,	Readinger,	Williams,
Hagerty,	McDermitt,	Reese,	Yester,
Hamilton, R. K.,	McGee,	Reidenbach,	Yetzer,
Headlee,	McNally,	Rose,	

## NAYS—117

Banker,	Geer,	Madden,	Scott,
Barkdoll,	Gibson,	Madigan,	Shoemaker,
Baumunk,	Gleason,	Markley,	Shotwell,
Bear,	Goodling,	Mazza,	Smith,
Beech,	Graybill,	McConnell,	Sollenberger,
Blair,	Greenwood,	McCormack,	Spencer,
Bloom,	Greer,	McCullough,	Stimmel,
Bolton,	Gutendorf,	McInroy,	Stoner,
Bomberger,	Guthrie,	McKinney,	Tahl,
Boorse,	Hall,	McMillen,	Thompson, E. F.,
Bower,	Hamilton, W. H.,	Metz,	Thompson, R. L.,
Breisch,	Harney,	Mikula,	Tompkins,
Brown,	Haudenshield,	Miller, H. G.,	Toomey,
Cella,	Helm,	Mintess,	VanSant,
Clapper,	Hewitt,	Moore, C. E.,	Varner,
Clendening,	Hocker,	Moore, H. A.,	Wachhaus,
Cooper,	Johnson,	Murray,	Waterhouse,
Corr,	Jones, T. H. W.,	Najaka,	Watkins,
Costa,	Jump,	Naugle,	Weldner,
Dalrymple,	Keller,	Pichney,	Wescott,
Davis,	Kent,	Pitzer,	Whalley,
Dennison,	Kline,	Price, H. W. Jr.,	White,
Dowling,	Kohl,	Reagan,	Wilt,
Dunn,	Kratz,	Reilly, J. M.,	Wood,
Erb,	Lafore,	Rigby,	Yeakel,
Ewing,	Leisey,	Riley, R. L.,	Young,
Ferster,	Leonard, W. C.,	Robertson,	Ziegler,
Firmstone,	Light,	Royer,	Sorg,
Flack,	Loftus,	Rubin,	
Frost,	Lyons,	Sax,	Speaker

## NOT VOTING—2

DuBois, Westrick,

So the question was determined in the negative and the resolution was not adopted.

## RESOLUTION

## DISCHARGING COMMITTEE ON HOUSE BILL No. 1169

Mr. SCHMIDT offered a resolution which was read by the Clerk as follows:



In the House of Representatives September 26, 1951.

Resolved, That the Committee on Railroads and Railways be discharged from further consideration of House Bill No. 1169, Title: An Act to repeal section 662, 663, and 664 of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled 'The Penal Code,' which relate to the penal provisions imposed for the interference with railroad employees and for the abandonment of trains and refusal to move cars or discharge other duties by railroad employees in the furtherance of or aid to any strike."

Said bill having been referred to the Committee on Railroads and Railways, on May 8, 1951.

On the question,

Will the House adopt the resolution?

The yeas and nays were required by Mr. Schmidt and Mr. Petrosky and were as follows:

#### NAYS—87

Amarando,	Hersch,	Mihm,	Rosen,
Andrews,	Hoggard,	Miller, J. C.,	Rovansek,
Beaver,	Hunter,	Mills,	Sarra,
Berkstresser,	Jenkins,	Monroe,	Scanlon,
Boles,	Jones, G. E.,	Moran,	Schmidt,
Breth,	Jones, J. M.,	Muldowney,	Schuster,
Bucchin,	Jones, P. F.,	Munley,	Seyler,
Byrne,	Kamyk,	Musto,	Snider,
Cochran,	Kolankiewicz,	Needham,	Stank,
Conway,	Kornick,	Olsen,	Swartz,
Coyle,	Kubacki,	Penglase,	Swope,
Dougherty,	Lederer,	Peta,	Taylor,
Duffy,	Leonard, L.,	Petrosky,	Toll,
Fenrich,	Leven,	Pettigrew,	Varallo,
Filip,	Limper,	Pfaff,	Verona,
Filo,	Lopresti,	Polaski,	Wargo,
Gaffney,	Lovett,	Polen,	Welsh,
Good,	Lutty,	Price, R. A.,	Wheeler,
Guarnieri,	Maxwell,	Readinger,	Williams,
Hagerty,	McDermitt,	Reese,	Yester,
Hamilton, R. K.,	McGee,	Reidenbach,	Yetzer,
Headlee,	McNally,	Rose,	

#### NAYS—118

Banker,	Geer,	Madden,	Scott,
Barkdoll,	Gibson,	Madigan,	Shoemaker,
Baumunk,	Gleason,	Markley,	Shotwell,
Bear,	Goodling,	Mazza,	Smith,
Beech,	Graybill,	McConnell,	Sollenberger,
Blair,	Greenwood,	McCormack,	Spencer,
Bloom,	Greer,	McCullough,	Stimmel,
Bolton,	Gutendorf,	McInroy,	Stoner,
Bomberger,	Guthrie,	McKinney,	Tahl,
Boorse,	Hall,	McMillen,	Thompson, E. F.,
Bower,	Hamilton, W. H.,	Metz,	Thompson, R. L.,
Brelsich,	Harney,	Mikula,	Tompkins,
Brown,	Haudenshield,	Miller, H. G.,	Toomey,
Cella,	Helm,	Mintess,	VanSant,
Clapper,	Hewitt,	Moore, C. E.,	Varnier,
Clendenning,	Hocker,	Moore, H. A.,	Wachhaus,
Cooper,	Johnson,	Murray,	Waterhouse,
Corr,	Jones, T. H. W.,	Najaka,	Watkins,
Costa,	Jump,	Naugle,	Weidner,
Dalrymple,	Keller,	Pichney,	Wescott,
Davis,	Kent,	Pitzer,	Whalley,
Dennison,	Kline,	Price, H. W. Jr.,	White,
Dowling,	Kohl,	Reagan,	Wilt,
Dunn,	Kratz,	Reilly, J. M.,	Wood,
Erb,	Lafore,	Rigby,	Yeakel,
Ewing,	Lelsey,	Riley, R. L.,	Young,
Ferster,	Leonard, W. C.,	Robertson,	Ziegler,
Firmstone,	Light,	Royer,	Sorg,
Flack,	Loftus,	Rubin,	
Frost,	Lyons,	Sax,	Speaker

#### NOT VOTING—2

DuBols, Westrick,

So the question was determined in the negative and the resolution was not adopted.

#### PERMISSION TO ADDRESS HOUSE

Mr. MORAN asked and obtained unanimous consent to address the House.

Mr. Speaker, I would like to offer a discharge resolution, and in addition to that I would like to ask permission to present a petition signed by a number of citizens from western Pennsylvania regarding the increased rates on buses and trolleys.

This bill is House Bill 9; it is a bill that will not permit any increase in utility rates until public hearings have been granted by the Public Utility Commission.

Mr. Speaker, in offering this resolution, I would like to also offer this petition for the record.

The SPEAKER. The petition presented by the gentleman from Allegheny, Mr. Moran, is referred to the Committee on Public Utilities.

#### RESOLUTION

##### DISCHARGING COMMITTEE ON HOUSE BILL No. 9

Mr. MORAN offered a resolution which was read by the Clerk as follows:

In the House of Representatives, September 26, 1951.

Resolved, That the Committee on Public Utilities be discharged from further consideration of House Bill No. 9, Title: "An Act to amend Section 308 of the act, approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 1053), entitled 'Public Utility Law,' by prohibiting increases in rates by public utilities without public hearing."

Said bill having been referred to the Committee on Public Utilities, on February 5, 1951.

On the question,

Will the House adopt the resolution?

The yeas and nays were required by Mr. Moran and Mr. Schmidt and were as follows:

#### YEAS—88

Amarando,	Hersch,	Mihm,	Rosen,
Andrews,	Hoggard,	Miller, J. C.,	Rovansek,
Beaver,	Hunter,	Mills,	Sarra,
Berkstresser,	Jenkins,	Monroe,	Scanlon,
Boles,	Jones, G. E.,	Moran,	Schmidt,
Breth,	Jones, J. M.,	Muldowney,	Schuster,
Bucchin,	Jones, P. F.,	Munley,	Seyler,
Byrne,	Kamyk,	Musto,	Snider,
Cochran,	Kolankiewicz,	Needham,	Stank,
Conway,	Kornick,	Olsen,	Swartz,
Coyle,	Kubacki,	Penglase,	Swope,
Dougherty,	Lederer,	Peta,	Taylor,
Duffy,	Leonard, L.,	Petrosky,	Toll,
Fenrich,	Leven,	Pettigrew,	Varallo,
Filip,	Limper,	Pfaff,	Verona,
Filo,	Lopresti,	Polaski,	Wargo,
Gaffney,	Lovett,	Polen,	Welsh,
Good,	Lutty,	Price, R. A.,	Wheeler,
Guarnieri,	Maxwell,	Readinger,	Williams,
Hagerty,	McDermitt,	Reese,	Yester,
Hamilton, R. K.,	McGee,	Reidenbach,	Yetzer,
Headlee,	McNally,	Rose,	

#### NAYS—117

Banker,	Geer,	Madden,	Scott,
Barkdoll,	Gibson,	Madigan,	Shoemaker,
Baumunk,	Gleason,	Markley,	Shotwell,
Bear,	Goodling,	Mazza,	Smith,
Beech,	Graybill,	McConnell,	Sollenberger,
Blair,	Greenwood,	McCormack,	Spencer,
Bloom,	Greer,	McCullough,	Stimmel,
Bolton,	Gutendorf,	McInroy,	Stoner,
Bomberger,	Guthrie,	McKinney,	Tahl,
Boorse,	Hall,	McMillen,	Thompson, E. F.,
Bower,	Hamilton, W. H.,	Metz,	Thompson, R. L.,



Breisch,	Harney,	Mikula,	Tompkins,
Brown,	Haudenschild,	Miller, H. G.,	Toomey,
Cella,	Helm,	Mintess,	VanSant,
Clapper,	Hewitt,	Moore, C. E.,	Varner,
Clendening,	Hocker,	Moore, H. A.,	Wachhaus,
Cooper,	Johnson,	Murray,	Waterhouse,
Corr,	Jones, T. H. W.,	Najaka,	Watkins,
Costa,	Jump,	Naugle,	Weidner,
Dairymple,	Keller,	Pichney,	Wescott,
Davis,	Kent,	Pitzer,	Whalley,
Dennison,	Kline,	Price, H. W. Jr.,	White,
Dowling,	Kohl,	Reagan,	Wilt,
Dunn,	Kratz,	Reilly, J. M.,	Wood,
Erb,	Lafore,	Rigby,	Yeakel,
Ewing,	Leisey,	Riley, R. L.,	Young,
Ferster,	Leonard, W. C.,	Robertson,	Ziegler,
Firmstone,	Light,	Royer,	Sorg,
Flack,	Loftus,	Rubin,	Speaker
Frost,	Lyons,	Sax,	

## NOT VOTING—2

DuBois, Westrick,

So the question was determined in the negative and the resolution was not adopted.

## RESOLUTION

## DISCHARGING COMMITTEE ON HOUSE BILL No. 1003

Mr. TAYLOR offered a resolution which was read by the Clerk as follows:

In the House of Representatives, September 26, 1951.

Resolved, That the Committee on Labor Relations be discharged from further consideration of House Bill 1003, "An Act to amend the act, approved the twenty-fifth day of April, one thousand nine hundred twenty-seven (P. L. 381), entitled 'Arbitration by Contract Law,' extending the provisions thereof with certain exceptions to written collective bargaining contracts for arbitration of controversies; further providing for modification or correction of awards and further defining the effect of judgments, confirming, modifying or correcting awards.

Said bill having been referred to the Committee on Labor Relations, on April 16, 1951.

On the question,

Will the House adopt the resolution?

The yeas and nays were required by Mr. Taylor and Mr. Petrosky and were as follows:

## YEAS—88

Amarando,	Hersch,	Mihm,	Rosen,
Andrews,	Hoggard,	Miller, J. C.,	Rovansek,
Beaver,	Hunter,	Mills,	Sarraf,
Berkstresser,	Jenkins,	Monroe,	Scanlon,
Boles,	Jones, G. E.,	Moran,	Schmidt,
Breth,	Jones, J. M.,	Muldowney,	Schuster,
Bucchin,	Jones, P. F.,	Munley,	Seyler,
Byrne,	Kamyk,	Musto,	Snider,
Cochran,	Kolankiewicz,	Needham,	Stank,
Conway,	Kornick,	Olsen,	Swartz,
Coyle,	Kubacki,	Penglase,	Swope,
Dougherty,	Lederer,	Peta,	Taylor,
Duffy,	Leonard, L.,	Petrosky,	Toll,
Fenrich,	Leven,	Pettigrew,	Varallo,
Filip,	Limper,	Pfaff,	Verona,
Filo,	Lopresti,	Polaski,	Wargo,
Gaffney,	Lovett,	Polen,	Welsh,
Good,	Lutty,	Price, R. A.,	Wheeler,
Guarnieri,	Maxwell,	Readinger,	Williams,
Hagerty,	McDermitt,	Reese,	Yester,
Hamilton, R. E.,	McGee,	Reidenbach,	Yetzer,
Headlee,	McNally,	Rose,	

## NAYS—117

Banker,	Geer,	Madden,	Scott,
Barkdoll,	Gibson,	Madigan,	Shoemaker,
Baumunk,	Gleason,	Markley,	Shotwell,
Bear,	Goodling,	Mazza,	Smith,

Beech,	Graybill,	McConnell,	Sollenberger,
Blair,	Greenwood,	McCormack,	Spencer,
Bloom,	Greer,	McCullough,	Stimmel,
Bolton,	Gutendorf,	McInroy,	Stoner,
Bomberger,	Guthrie,	McKinney,	Tahl,
Boorse,	Hall,	McMillen,	Thompson, E. F.,
Bower,	Hamilton, W. H.,	Metz,	Thompson, R. L.,
Breisch,	Harney,	Mikula,	Tompkins,
Brown,	Haudenschild,	Miller, H. G.,	Toomey,
Cella,	Helm,	Mintess,	VanSant,
Clapper,	Hewitt,	Moore, C. E.,	Varner,
Clendening,	Hocker,	Moore, H. A.,	Wachhaus,
Cooper,	Johnson,	Murray,	Waterhouse,
Corr,	Jones, T. H. W.,	Najaka,	Watkins,
Costa,	Jump,	Naugle,	Weidner,
Dairymple,	Keller,	Pichney,	Wescott,
Davis,	Kent,	Pitzer,	Whalley,
Dennison,	Kline,	Price, H. W. Jr.,	White,
Dowling,	Kohl,	Reagan,	Wilt,
Dunn,	Kratz,	Reilly, J. M.,	Wood,
Erb,	Lafore,	Rigby,	Yeakel,
Ewing,	Leisey,	Riley, R. L.,	Young,
Ferster,	Leonard, W. C.,	Robertson,	Seyler,
Firmstone,	Light,	Royer,	Sorg,
Flack,	Loftus,	Rubin,	Speaker
Frost,	Lyons,	Sax,	

## NOT VOTING—2

DuBois, Westrick,

So the question was determined in the negative and the resolution was not adopted.

## RESOLUTION

## DISCHARGING COMMITTEE ON HOUSE BILL No. 1446

Mr. HUNTER offered a resolution which was read by the Clerk as follows:

In the House of Representatives, September 26, 1951.

Resolved, That the Committee on Labor Relations be discharged from further consideration of House Bill 1446, "An Act to further amend clause (f) of subsection (1) of Section 6 of the act, approved the first day of June, one thousand nine hundred thirty-seven (P. L. 1168), entitled 'Pennsylvania Labor Relations Act,' by further regulating the practice of union dues check offs by employers as an unfair labor practice.

Said bill having been referred to the Committee on Labor Relations on June 18, 1951.

On the question,

Will the House adopt the resolution?

The yeas and nays were required by Mr. Hunter and Mr. Schmidt and were as follows:

## YEAS—88

Amarando,	Hersch,	Mihm,	Rosen,
Andrews,	Hoggard,	Miller, J. C.,	Rovansek,
Beaver,	Hunter,	Mills,	Sarraf,
Berkstresser,	Jenkins,	Monroe,	Scanlon,
Boles,	Jones, G. E.,	Moran,	Schmidt,
Breth,	Jones, J. M.,	Muldowney,	Schuster,
Bucchin,	Jones, P. F.,	Munley,	Seyler,
Byrne,	Kamyk,	Musto,	Snider,
Cochran,	Kolankiewicz,	Needham,	Stank,
Conway,	Kornick,	Olsen,	Swartz,
Coyle,	Kubacki,	Penglase,	Swope,
Dougherty,	Lederer,	Peta,	Taylor,
Duffy,	Leonard, L.,	Petrosky,	Toll,
Fenrich,	Leven,	Pettigrew,	Varallo,
Filip,	Limper,	Pfaff,	Verona,
Filo,	Lopresti,	Polaski,	Wargo,
Gaffney,	Lovett,	Polen,	Welsh,
Good,	Lutty,	Price, R. A.,	Wheeler,
Guarnieri,	Maxwell,	Readinger,	Williams,
Hagerty,	McDermitt,	Reese,	Yester,
Hamilton, R. E.,	McGee,	Reidenbach,	Yetzer,
Headlee,	McNally,	Rose,	



## NAYS—117

Banker,	Geer,	Madden,	Scott,
Barkdoll,	Gibson,	Madigan,	Shoemaker,
Baumunk,	Gleason,	Markley,	Shotwell,
Bear,	Goodling,	Mazza,	Smith,
Beech,	Graybill,	McConnell,	Sollenberger,
Blair,	Greenwood,	McCormack,	Spencer,
Bloom,	Greer,	McCullough,	Stimmel,
Bolton,	Gutendorf,	McInroy,	Stoner,
Bomberger,	Guthrie,	McKinney,	Tahl,
Boorse,	Hall,	McMillen,	Thompson, E. F.,
Bower,	Hamilton, W. H.,	Metz,	Thompson, R. L.,
Brelsich,	Harney,	Mikula,	Tompkins,
Brown,	Haudenshield,	Miller, H. G.,	Toomey,
Cella,	Helm,	Mintess,	VanSant,
Clapper,	Hewitt,	Moore, C. E.,	Varner,
Clendenning,	Hocker,	Moore, H. A.,	Wachhaus,
Cooper,	Johnson,	Murray,	Waterhouse,
Corr,	Jones, T. H. W.,	Najaka,	Watkins,
Costa,	Jump,	Naugle,	Weldner,
Dalrymple,	Keller,	Pichney,	Wescott,
Davis,	Kent,	Pitzer,	Whalley,
Dennison,	Kline,	Price, H. W. Jr.,	White,
Dowling,	Kohl,	Reagan,	Wilt,
Dunn,	Kratz,	Relly, J. M.,	Wood,
Erb,	Lafore,	Rigby,	Yeakel,
Ewing,	Lelsey,	Riley, R. L.,	Young,
Ferster,	Leonard, W. C.,	Robertson,	Ziegler,
Firmstone,	Light,	Royer,	Sorg,
Flack,	Loftus,	Rubin,	Speaker
Frost,	Lyons,	Sax,	

## NOT VOTING—2

DuBois, Westrick,

So the question was determined in the negative and the resolution was not adopted.

## RESOLUTION

## DISCHARGING COMMITTEE ON HOUSE BILL No. 898

Mr. WILLIAMS offered a resolution which was read by the Clerk as follows:

In the House of Representatives, September 26, 1951.

Resolved, That the Committee on Education be discharged from further consideration of House Bill No. 989, "An Act to amend the act, approved the twenty-second day of May, one thousand nine hundred forty-five (P. L. 849), entitled 'Vocational Rehabilitation Act,' by extending vocational rehabilitation.

Said bill having been referred to the Committee on Education, on April 4, 1951.

On the question,

Will the House adopt the resolution?

The yeas and nays were required by Mr. Williams and Mr. Petrosky and were as follows:

## YEAS—88

Amarando,	Hersch,	Mihm,	Rosen,
Andrews,	Hoggard,	Miller, J. C.,	Rovansek,
Beaver,	Hunter,	Mills,	Sarra,
Berkstresser,	Jenkins,	Monroe,	Scanlon,
Boles,	Jones, G. E.,	Moran,	Schmidt,
Breth,	Jones, J. M.,	Muldowney,	Schuster,
Buccchin,	Jones, P. F.,	Munley,	Seyler,
Byrne,	Kamyk,	Musto,	Snider,
Cochran,	Kolankiewicz,	Needham,	Stank,
Conway,	Kornick,	Olsen,	Swartz,
Coyle,	Kubacki,	Penglase,	Swope,
Dougherty,	Lederer,	Peta,	Taylor,
Dunn,	Lecnard, L.,	Petrosky,	Toll,
Fenrich,	Leven,	Pettigrew,	Varallo,
Filip,	Limper,	Pfaff,	Verona,
Filo,	Lopresti,	Polaski,	Wargo,
Gaffney,	Lovett,	Polen,	Welsh,
Good,	Lutty,	Price, R. A.,	Wheeler,
Guarnieri,	Maxwell,	Readinger,	Williams,
Hagerty,	McDermitt,	Reese,	Yester,
Hamilton, R. K.,	McGee,	Reidenbach,	Yetzer,
Headlee,	McNally,	Rose,	

## NAYS—117

Banker,	Geer,	Madden,	Scott,
Barkdoll,	Gibson,	Madigan,	Shoemaker,
Baumunk,	Gleason,	Markley,	Shotwell,
Bear,	Goodling,	Mazza,	Smith,
Beech,	Graybill,	McConnell,	Sollenberger,
Blair,	Greenwood,	McCormack,	Spencer,
Bloom,	Greer,	McCullough,	Stimmel,
Bolton,	Gutendorf,	McInroy,	Stoner,
Bomberger,	Guthrie,	McKinney,	Tahl,
Boorse,	Hall,	McMillen,	Thompson, E. F.,
Bower,	Hamilton, W. H.,	Metz,	Thompson, R. L.,
Brelsich,	Harney,	Mikula,	Tompkins,
Brown,	Haudenshield,	Miller, H. G.,	Toomey,
Cella,	Helm,	Mintess,	VanSant,
Clapper,	Hewitt,	Moore, C. E.,	Varner,
Clendenning,	Hocker,	Moore, H. A.,	Wachhaus,
Cooper,	Johnson,	Murray,	Waterhouse,
Corr,	Jones, T. H. W.,	Najaka,	Watkins,
Costa,	Jump,	Naugle,	Weldner,
Dalrymple,	Keller,	Pichney,	Wescott,
Davis,	Kent,	Pitzer,	Whalley,
Dennison,	Kline,	Price, H. W. Jr.,	White,
Dowling,	Kohl,	Reagan,	Wilt,
Duffy,	Kratz,	Relly, J. M.,	Wood,
Erb,	Lafore,	Rigby,	Yeakel,
Ewing,	Lelsey,	Riley, R. L.,	Young,
Ferster,	Leonard, W. C.,	Robertson,	Ziegler,
Firmstone,	Light,	Royer,	Sorg,
Flack,	Loftus,	Rubin,	Speaker
Frost,	Lyons,	Sax,	

## NOT VOTING—2

DuBois, Westrick,

So the question was determined in the negative and the resolution was not adopted.

## RESOLUTION

## DISCHARGING COMMITTEE ON HOUSE BILL No. 885

Mr. KAMYK offered a resolution which was read by the Clerk as follows:

In the House of Representatives, September 26, 1951.

Resolved, That the Committee on Judiciary be discharged from further consideration of House Bill No. 885, "An Act to add Section 438 to the act, approved the second day of June, one thousand nine hundred fifteen (P. L. 736), entitled, as amended 'Workmen's Compensation Act of 1915' by permitting claimant to appear before the board or any referee either with or without an attorney at law.

Said bill having been referred to the Committee on Judiciary, on April 4, 1951.

On the question,

Will the House adopt the resolution?

The yeas and nays were required by Mr. Kamyk and Mr. Petrosky and were as follows:

## YEAS—87

Amarando,	Hersch,	Mihm,	Rosen,
Andrews,	Hoggard,	Miller, J. C.,	Rovansek,
Beaver,	Hunter,	Mills,	Sarra,
Berkstresser,	Jenkins,	Monroe,	Scanlon,
Boles,	Jones, G. E.,	Moran,	Schmidt,
Breth,	Jones, J. M.,	Muldowney,	Schuster,
Buccchin,	Jones, P. F.,	Munley,	Seyler,
Byrne,	Kamyk,	Musto,	Snider,
Cochran,	Kolankiewicz,	Needham,	Stank,
Conway,	Kornick,	Olsen,	Swartz,
Coyle,	Kubacki,	Penglase,	Swope,
Dougherty,	Lederer,	Peta,	Taylor,
Duffy,	Leonard, L.,	Petrosky,	Toll,
Fenrich,	Leven,	Pettigrew,	Varallo,
Filip,	Limper,	Pfaff,	Verona,
Filo,	Lopresti,	Polaski,	Wargo,
Gaffney,	Lovett,	Polen,	Welsh,
Good,	Lutty,	Price, R. A.,	Wheeler,



Guarnieri,  
Hagerty,  
Hamilton, R. K.,  
Headlee,  
Maxwell,  
McDermitt,  
McGee,  
McNally,

## NAYS—118

Banker,  
Barkdoll,  
Baumunk,  
Bear,  
Beech,  
Blair,  
Bloom,  
Bolton,  
Bomberger,  
Boorse,  
Bower,  
Breisch,  
Brown,  
Cella,  
Clapper,  
Clendenning,  
Cooper,  
Corr,  
Costa,  
Dalrymple,  
Davis,  
Dennison,  
Dowling,  
Dunn,  
Erb,  
Ewing,  
Ferster,  
Firmstone,  
Flack,  
Frost,  
Geer,  
Gibson,  
Gleason,  
Goodling,  
Graybill,  
Greenwood,  
Greer,  
Gutendorf,  
Guthrie,  
Hall,  
Hamilton, W. H.,  
Harney,  
Haudenshield,  
Helm,  
Hewitt,  
Hocker,  
Johnson,  
Jones, T. H. W.,  
Jump,  
Keller,  
Kent,  
Kline,  
Kohl,  
Kratz,  
Lafore,  
Lelsey,  
Leonard, W. C.,  
Light,  
Loftus,  
Lyons,  
Madden,  
Madigan,  
Markley,  
Mazza,  
McConnell,  
McCormack,  
McCullough,  
McInroy,  
McKinney,  
McMillen,  
Metz,  
Mikula,  
Miller, H. G.,  
Mintess,  
Moore, C. E.,  
Moore, H. A.,  
Murray,  
Najaka,  
Naugle,  
Pichney,  
Pitzer,  
Price, H. W. Jr.,  
Reagan,  
Reilly, J. M.,  
Rigby,  
Riley, R. L.,  
Robertson,  
Royer,  
Rubin,  
Sax,  
Scott,  
Shoemaker,  
Shotwell,  
Smith,  
Sollenberger,  
Spencer,  
Stimmel,  
Stoner,  
Tahl,  
Thompson, E. F.,  
Thompson, R. L.,  
Tompkins,  
Toomey,  
VanSant,  
Varner,  
Wachhaus,  
Waterhouse,  
Watkins,  
Weidner,  
Wescott,  
Whalley,  
White,  
Wilt,  
Wood,  
Yeakel,  
Young,  
Ziegler,  
Sorg,

Speaker.

## NOT VOTING—2

DuBois,  
Westrick,

So the question was determined in the negative and the resolution was not adopted.

## RESOLUTION

## DISCHARGING COMMITTEE ON HOUSE BILL No. 72

Mr. LEVEN offered a resolution which was read by the Clerk as follows:

In the House of Representatives, September 26, 1951.

Resolved, That the Committee on Judiciary be discharged from further consideration of House Bill 72, "An Act prohibiting discrimination in leased or rental agreement against occupancy by children; making unlawful refusal to enter into a lease or actual agreement because of occupancy by children and providing penalties therefor.

Said bill having been referred to the Committee on Judiciary, February 6, 1951.

On the question,

Will the House adopt the resolution?

The yeas and nays were required by Mr. Leven and Mr. Petrosky and were as follows:

## YEAS—87

Amarando,  
Andrews,  
Beaver,  
Berkstresser,  
Boies,  
Breth,  
Bucchin,  
Byrne,  
Cochran,  
Conway,  
Coyle,  
Dougherty,  
Duffy,  
Fenrich,  
Fillip,  
Hersch,  
Hoggard,  
Hunter,  
Jenkins,  
Jones, G. E.,  
Jones, J. M.,  
Jones, P. F.,  
Kamyk,  
Kolankiewicz,  
Kornick,  
Kubacki,  
Lederer,  
Leonard, L.,  
Leven,  
Limper,  
Mihm,  
Miller, J. C.,  
Mills,  
Monroe,  
Moran,  
Muldowney,  
Munley,  
Musto,  
Needham,  
Olsen,  
Penglase,  
Peta,  
Petrosky,  
Pettigrew,  
Pfaff,  
Rosen,  
Rovanseck,  
Sarraf,  
Scanlon,  
Schmidt,  
Schuster,  
Seyler,  
Snider,  
Stank,  
Swartz,  
Swope,  
Taylor,  
Toll,  
Varallo,  
Verona,

Filo,  
Gaffney,  
Good,  
Guarnieri,  
Hagerty,  
Hamilton, R. K.,  
Headlee,  
Lopresti,  
Lovett,  
Lutty,  
Maxwell,  
McDermitt,  
McGee,  
McNally,

Polaski,  
Polen,  
Price, R. A.,  
Readinger,  
Reese,  
Reidenbach,  
Rose,

Wargo,  
Welsh,  
Wheeler,  
Williams,  
Yester,  
Yetzer,

## NAYS—118

Banker,  
Barkdoll,  
Baumunk,  
Bear,  
Beech,  
Blair,  
Bloom,  
Bolton,  
Bomberger,  
Boorse,  
Bower,  
Breisch,  
Brown,  
Cella,  
Clapper,  
Clendenning,  
Cooper,  
Corr,  
Costa,  
Dalrymple,  
Davis,  
Dennison,  
Dowling,  
Dunn,  
Erb,  
Ewing,  
Ferster,  
Flack,  
Firmstone,  
Frost,  
Geer,  
Gibson,  
Gleason,  
Goodling,  
Graybill,  
Greenwood,  
Greer,  
Gutendorf,  
Guthrie,  
Hall,  
Hamilton, W. H.,  
Harney,  
Haudenshield,  
Helm,  
Hewitt,  
Hocker,  
Johnson,  
Jones, T. H. W.,  
Jump,  
Keller,  
Kent,  
Kline,  
Kohl,  
Kratz,  
Lafore,  
Lelsey,  
Leonard, W. C.,  
Light,  
Loftus,  
Lyons,  
Madden,  
Madigan,  
Markley,  
Mazza,  
McConnell,  
McCormack,  
McCullough,  
McInroy,  
McKinney,  
McMillen,  
Metz,  
Mikula,  
Miller, H. G.,  
Mintess,  
Moore, C. E.,  
Moore, H. A.,  
Murray,  
Najaka,  
Naugle,  
Pichney,  
Pitzer,  
Price, H. W. Jr.,  
Reagan,  
Reilly, J. M.,  
Rigby,  
Riley, R. L.,  
Robertson,  
Royer,  
Rubin,  
Sax,  
Scott,  
Shoemaker,  
Shotwell,  
Smith,  
Sollenberger,  
Spencer,  
Stimmel,  
Stoner,  
Tahl,  
Thompson, E. F.,  
Thompson, R. L.,  
Tompkins,  
Toomey,  
VanSant,  
Varner,  
Wachhaus,  
Waterhouse,  
Watkins,  
Weidner,  
Wescott,  
Whalley,  
White,  
Wilt,  
Wood,  
Yeakel,  
Young,  
Ziegler,  
Sorg,

Speaker

## NOT VOTING—2

DuBois,  
Westrick,

So the question was determined in the negative and the resolution was not adopted.

## RESOLUTION

## DISCHARGING COMMITTEE ON HOUSE BILL No. 908

Mr. McDERMITT offered a resolution which was read by the Clerk as follows:

In the House of Representatives, September 26, 1951.

Resolved, That the Committee on State Government be discharged from further consideration of House Bill 908, "An Act to amend Section 215 of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled 'Administrative Code of 1929,' by providing for the payment of additional compensation to employees obliged to work overtime.

Said bill having been referred to the Committee on State Government, on April 4, 1951.

On the question,

Will the House adopt the resolution?

The yeas and nays were required by Mr. McDermitt and Mr. Petrosky and were as follows:

## YEAS—88

Amarando,  
Andrews,  
Beaver,  
Berkstresser,  
Boies,  
Breth,  
Bucchin,  
Byrne,  
Cochran,  
Conway,  
Coyle,  
Dougherty,  
Hersch,  
Hoggard,  
Hunter,  
Jenkins,  
Jones, G. E.,  
Jones, J. M.,  
Jones, P. F.,  
Kamyk,  
Kolankiewicz,  
Kornick,  
Kubacki,  
Lederer,  
Mihm,  
Miller, J. C.,  
Mills,  
Monroe,  
Moran,  
Muldowney,  
Munley,  
Musto,  
Needham,  
Olsen,  
Penglase,  
Peta,  
Rosen,  
Rovanseck,  
Sarraf,  
Scanlon,  
Schmidt,  
Schuster,  
Seyler,  
Snider,  
Stank,  
Swartz,  
Swope,  
Taylor,



Duffy,  
Fenrich,  
Filip,  
Filo,  
Gaffney,  
Good,  
Guarnieri,  
Hagerty,  
Hamilton, R. K.,  
Headlee,  
Leonard, L.,  
Leven,  
Limper,  
Lopresti,  
Lovett,  
Lutty,  
Maxwell,  
McDermitt,  
McGee,  
McNally,

Petrosky,  
Pettigrew,  
Pfaff,  
Polaski,  
Polen,  
Price, R. A.,  
Readinger,  
Reese,  
Reidenbach,  
Rose,  
Toll,  
Varallo,  
Verona,  
Wargo,  
Welsh,  
Wheeler,  
Williams,  
Yester,  
Yetzer,

## NAYS—117

Banker,  
Barkdoll,  
Baumunk,  
Bear,  
Beech,  
Blair,  
Bloom,  
Bolton,  
Bomberger,  
Boorse,  
Bower,  
Breisch,  
Brown,  
Cella,  
Clapper,  
Clendenning,  
Cooper,  
Corr,  
Costa,  
Dalrymple,  
Davis,  
Dennison,  
Dowling,  
Dunn,  
Erb,  
Ewing,  
Ferster,  
Firmstone,  
Flack,  
Frost,  
Geer,  
Gibson,  
Gleason,  
Goodling,  
Graybill,  
Greenwood,  
Greer,  
Gutendorf,  
Guthrie,  
Hall,  
Hamilton, W. H.,  
Harney,  
Haudenschild,  
Helm,  
Hewitt,  
Hocker,  
Johnson,  
Jones, T. H. W.,  
Jump,  
Keller,  
Kent,  
Kline,  
Kohl,  
Kratz,  
Lafore,  
Lelsey,  
Leonard, W. C.,  
Light,  
Loftus,  
Lyons,  
Madden,  
Madigan,  
Markley,  
Mazza,  
McConnell,  
McCormack,  
McCullough,  
McInroy,  
McKinney,  
McMillen,  
Metz,  
Mikula,  
Miller, H. G.,  
Mintess,  
Moore, C. E.,  
Moore, H. A.,  
Murray,  
Najaka,  
Naugle,  
Pichney,  
Pitzer,  
Price, H. W. Jr.,  
Reagan,  
Reilly, J. M.,  
Rigby,  
Riley, R. L.,  
Robertson,  
Royer,  
Rubin,  
Sax,  
Scott,  
Shoemaker,  
Shotwell,  
Smith,  
Sollenberger,  
Spencer,  
Stimmel,  
Stoner,  
Tahl,  
Thompson, E. F.,  
Thompson, R. L.,  
Tompkins,  
Toomey,  
VanSant,  
Varner,  
Wachhaus,  
Waterhouse,  
Watkins,  
Weidner,  
Wescott,  
Whalley,  
White,  
Wilt,  
Wood,  
Yeakel,  
Young,  
Ziegler,  
Sorg,  
Speaker

## NOT VOTING—2

DuBois,  
Westrick,

So the question was determined in the negative and the resolution was not adopted.

## RESOLUTION

## DISCHARGING COMMITTEE ON HOUSE BILL No. 616

Mr. PENGLASE offered a resolution which was read by the Clerk as follows:

In the House of Representatives, September 26, 1951.

Resolved, That the Committee on State Government be discharged from further consideration of House Bill 616, "An Act to amend Section 457 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177), entitled 'Administrative Code of 1949,' by changing the qualifications of members of the State Board of Private Trade Schools.

Said bill having been referred to the Committee on State Government, on March 13, 1951.

On the question,

Will the House adopt the resolution?

The yeas and nays were required by Mr. Penglase and Mr. Petrosky and were as follows:

## YEAS—88

Amarando,  
Andrews,  
Beaver,  
Berkstreser,  
Boles,  
Breth,  
Bucchin,  
Byrne,  
Hersch,  
Hoggard,  
Hunter,  
Jenkins,  
Jones, G. E.,  
Jones, J. M.,  
Jones, P. F.,  
Kamyk,  
Mihm,  
Miller, J. C.,  
Mills,  
Monroe,  
Moran,  
Muldowney,  
Munley,  
Musto,  
Rosen,  
Rovanssek,  
Sarraf,  
Sax,  
Schmidt,  
Schuster,  
Seyler,  
Snider,

Conway,  
Cochran,  
Coyle,  
Dougherty,  
Duffy,  
Fenrich,  
Filip,  
Filo,  
Gaffney,  
Good,  
Guarnieri,  
Hagerty,  
Hamilton, R. K.,  
Headlee,  
Kolankiewicz,  
Kornick,  
Kubacki,  
Lederer,  
Leonard, L.,  
Leven,  
Limper,  
Lopresti,  
Lovett,  
Lutty,  
Maxwell,  
McDermitt,  
McGee,  
McNally,  
Needham,  
Olsen,  
Penglase,  
Peta,  
Petrosky,  
Pettigrew,  
Pfaff,  
Polaski,  
Polen,  
Price, R. A.,  
Readinger,  
Reese,  
Reidenbach,  
Rose,

Stank,  
Swartz,  
Swope,  
Taylor,  
Toll,  
Varallo,  
Verona,  
Wargo,  
Welsh,  
Wheeler,  
Williams,  
Yester,  
Yetzer,

## NAYS—117

Banker,  
Barkdoll,  
Baumunk,  
Bear,  
Beech,  
Blair,  
Bloom,  
Bolton,  
Bomberger,  
Boorse,  
Bower,  
Breisch,  
Brown,  
Cella,  
Clapper,  
Clendenning,  
Cooper,  
Corr,  
Costa,  
Dalrymple,  
Davis,  
Dennison,  
Dowling,  
Dunn,  
Erb,  
Ewing,  
Ferster,  
Firmstone,  
Flack,  
Frost,  
Geer,  
Gibson,  
Gleason,  
Goodling,  
Graybill,  
Greenwood,  
Greer,  
Gutendorf,  
Guthrie,  
Hall,  
Hamilton, W. H.,  
Harney,  
Haudenschild,  
Helm,  
Hewitt,  
Hocker,  
Johnson,  
Jones, T. H. W.,  
Jump,  
Keller,  
Kent,  
Kline,  
Kohl,  
Kratz,  
Lafore,  
Lelsey,  
Leonard, W. C.,  
Light,  
Loftus,  
Lyons,  
Madden,  
Madigan,  
Markley,  
Mazza,  
McConnell,  
McCormack,  
McCullough,  
McInroy,  
McKinney,  
McMillen,  
Metz,  
Mikula,  
Miller, H. G.,  
Mintess,  
Moore, C. E.,  
Moore, H. A.,  
Murray,  
Najaka,  
Naugle,  
Pichney,  
Pitzer,  
Price, H. W. Jr.,  
Reagan,  
Reilly, J. M.,  
Rigby,  
Riley, R. L.,  
Robertson,  
Royer,  
Rubin,  
Scanlon,  
Scott,  
Shoemaker,  
Shotwell,  
Smith,  
Sollenberger,  
Spencer,  
Stimmel,  
Stoner,  
Tahl,  
Thompson, E. F.,  
Thompson, R. L.,  
Tompkins,  
Toomey,  
VanSant,  
Varner,  
Wachhaus,  
Waterhouse,  
Watkins,  
Weidner,  
Wescott,  
Whalley,  
White,  
Wilt,  
Wood,  
Yeakel,  
Young,  
Ziegler,  
Sorg,  
Speaker

## NOT VOTING—2

DuBois,  
Westrick,

So the question was determined in the negative and the resolution was not adopted.

## RESOLUTION

## DISCHARGING COMMITTEE ON HOUSE BILL No. 1109

Mr. FILIP offered a resolution which was read by the Clerk as follows:

In the House of Representatives, September 26, 1951.

Resolved, That the Committee on State Government be discharged from further consideration of House Bill 1109, "An Act to further amend Section 441 of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled 'Administrative Code of 1929,' by providing that one of the members of the Workmen's Compensation Board shall be a representative of organized labor.

Said bill having been referred to the Committee on State Government, on May 2, 1951.

On the question,

Will the House adopt the resolution?

The yeas and nays were required by Mr. Filip and Mr. Petrosky and were as follows:

## YEAS—88

Amarando,  
Andrews,  
Beaver,  
Hersch,  
Hoggard,  
Hunter,  
Mihm,  
Miller, J. C.,  
Mills,  
Rosen,  
Rovanssek,  
Sarraf,



Berkstresser,	Jenkins,	Monroe,	Scanlon,
Boles,	Jones, G. E.,	Moran,	Schmidt,
Breth,	Jones, J. M.,	Muldowney,	Schuster,
Bucchin,	Jones, P. F.,	Munley,	Seyler,
Byrne,	Kamyk,	Musto,	Snider,
Cochran,	Kolankiewicz,	Needham,	Stank,
Conway,	Kornick,	Olsen,	Swartz,
Coyle,	Kubacki,	Penglase,	Swope,
Dougherty,	Lederer,	Peta,	Taylor,
Duffy,	Leonard, L.,	Petrosky,	Toll,
Fenrich,	Leven,	Pettigrew,	Varallo,
Fillo,	Limper,	Pfaff,	Verona,
Filo,	Lopresti,	Polaski,	Wargo,
Gaffney,	Lovett,	Polen,	Welsh,
Good,	Lutty,	Price, R. A.,	Wheeler,
Guarnieri,	Maxwell,	Readinger,	Williams,
Hagerty,	McDermitt,	Reese,	Yester,
Hamilton, R. K.,	McGee,	Reidenbach,	Yetzer,
Headlee,	McNally,	Rose,	

## NAYS—117

Banker,	Geer,	Madden,	Scott,
Barkdoll,	Gibson,	Madigan,	Shoemaker,
Baumunk,	Gleason,	Markley,	Shotwell,
Bear,	Goodling,	Mazza,	Smith,
Beech,	Graybill,	McConnell,	Sollenberger,
Blair,	Greenwood,	McCormack,	Spencer,
Bloom,	Greer,	McCullough,	Stimmel,
Bolton,	Gutendorf,	McInroy,	Stoner,
Bomberger,	Guthrie,	McKinney,	Tahl,
Boorse,	Hall,	McMillen,	Thompson, E. F.,
Bower,	Hamilton, W. H.,	Metz,	Thompson, R. L.,
Brelsch,	Harney,	Mikula,	Tompkins,
Brown,	Haudensfield,	Miller, H. G.,	Toomey,
Cella,	Helm,	Mintess,	VanSant,
Clapper,	Hewitt,	Moore, C. E.,	Varnier,
Clendening,	Hocker,	Moore, H. A.,	Wachhaus,
Cooper,	Johnson,	Murray,	Waterhouse,
Corr,	Jones, T. H. W.,	Najaka,	Watkins,
Costa,	Jump,	Naugle,	Weidner,
Dalrymple,	Keller,	Pichney,	Wescott,
Davis,	Kent,	Pitzer,	Whalley,
Dennison,	Kline,	Price, H. W. Jr.,	White,
Dowling,	Kohl,	Reagan,	Wilt,
Dunn,	Kratz,	Reilly, J. M.,	Wood,
Erb,	Lafore,	Rigby,	Yeakel,
Ewing,	Leisey,	Riley, R. L.,	Young,
Ferster,	Leonard, W. C.,	Robertson,	Ziegler,
Firmstone,	Light,	Royer,	Sorg,
Flack,	Loftus,	Rubin,	Speaker
Frost,	Lyons,	Sax,	

## NOT VOTING—2

DuBois, Westrick,

So the question was determined in the negative and the resolution was not adopted.

## RESOLUTION

## DISCHARGING COMMITTEE ON HOUSE BILL No. 1001

Mr. ROBERT K. HAMILTON offered a resolution which was read by the Clerk as follows:

In the House of Representatives, September 26, 1951.

Resolved, That the Committee on State Government be discharged from further consideration of House Bill No. 1001, "An Act to further amend clauses (f) and (g) of Section 448 and Section 450 of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled 'Administrative Code of 1929' by providing that upon each, the Advisory Health Board, The State Welfare Commission and the State Board of Public Assistance there shall be a representative of organized labor.

Said bill having been referred to the Committee on State Government, April 16, 1951.

On the question,  
Will the House adopt the resolution?

The yeas and nays were required by Mr. Robert K. Hamilton and Mr. Petrosky and were as follows:

## YEAS—88

Amarando,	Hersch,	Mihm,	Rose,
Andrews,	Hoggard,	Miller, J. C.,	Rosen,
Beaver,	Hunter,	Mills,	Rovansek,
Berkstresser,	Jenkins,	Monroe,	Sarraf,
Boles,	Jones, G. E.,	Moran,	Scanlon,
Breth,	Jones, J. M.,	Muldowney,	Schmidt,
Bucchin,	Jones, P. F.,	Munley,	Schuster,
Byrne,	Kamyk,	Musto,	Seyler,
Cochran,	Kolankiewicz,	Naugle,	Snider,
Conway,	Kornick,	Needham,	Stank,
Coyle,	Kubacki,	Olsen,	Swartz,
Dougherty,	Lederer,	Penglase,	Swope,
Duffy,	Leonard, L.,	Peta,	Taylor,
Fenrich,	Leven,	Petrosky,	Toll,
Fillo,	Limper,	Pettigrew,	Varallo,
Fillo,	Lopresti,	Pfaff,	Verona,
Gaffney,	Lovett,	Polaski,	Wargo,
Good,	Lutty,	Polen,	Welsh,
Guarnieri,	Maxwell,	Price, R. A.,	Wheeler,
Hagerty,	McDermitt,	Readinger,	Williams,
Hamilton, R. K.,	McGee,	Reese,	Yester,
Headlee,	McNally,	Reidenbach,	Yetzer,

## NAYS—117

Banker,	Geer,	Madden,	Scott,
Barkdoll,	Gibson,	Madigan,	Shoemaker,
Baumunk,	Gleason,	Markley,	Shotwell,
Bear,	Goodling,	Mazza,	Smith,
Beech,	Graybill,	McConnell,	Sollenberger,
Blair,	Greenwood,	McCormack,	Spencer,
Bloom,	Greer,	McCullough,	Stimmel,
Bolton,	Gutendorf,	McInroy,	Stoner,
Bomberger,	Guthrie,	McKinney,	Tahl,
Boorse,	Hall,	McMillen,	Thompson, E. F.,
Bower,	Hamilton, W. H.,	Metz,	Thompson, R. L.,
Brelsch,	Harney,	Mikula,	Tompkins,
Brown,	Haudensfield,	Miller, H. G.,	Toomey,
Cella,	Helm,	Mintess,	VanSant,
Clapper,	Hewitt,	Moore, C. E.,	Varnier,
Clendening,	Hocker,	Moore, H. A.,	Wachhaus,
Cooper,	Johnson,	Murray,	Waterhouse,
Corr,	Jones, T. H. W.,	Najaka,	Watkins,
Costa,	Jump,	Pichney,	Weidner,
Dalrymple,	Keller,	Pitzer,	Wescott,
Davis,	Kent,	Price, H. W. Jr.,	Whalley,
Dennison,	Kline,	Reagan,	White,
Dowling,	Kohl,	Reilly, J. M.,	Wilt,
Dunn,	Kratz,	Rigby,	Wood,
Erb,	Lafore,	Riley, R. L.,	Yeakel,
Ewing,	Leisey,	Robertson,	Young,
Ferster,	Leonard, W. C.,	Royer,	Ziegler,
Firmstone,	Light,	Rubin,	Sorg,
Flack,	Loftus,	Sax,	Speaker
Frost,	Lyons,		

## NOT VOTING—2

DuBois, Westrick,

So the question was determined in the negative and the resolution was not adopted.

## RESOLUTION

## DISCHARGING COMMITTEE ON HOUSE BILL No. 1266

Mr. WELSH offered a resolution which was read by the Clerk as follows:

In the House of Representatives, September 26, 1951.

Resolved, That the Committee on State Government be discharged from further consideration of House Bill No. 1266, "An Act to further amend the act, approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled 'Administrative Code of 1929,' by creating the Pennsylvania Consumer Commission and defining its powers and duties.

Said bill having been referred to the Committee on State Government, on May 16, 1951.



On the question,

Will the House adopt the resolution?

The yeas and nays were required by Mr. Welsh and Mr. Petrosky and were as follows:

## YEAS—88

Amarando,	Hersch,	Mihm,	Rosen,
Andrews,	Hoggard,	Miller, J. C.,	Rovansek,
Beaver,	Hunter,	Mills,	Sarra,
Berkstresser,	Jenkins,	Monroe,	Scanlon,
Boles,	Jones, G. E.,	Moran,	Schmidt,
Breth,	Jones, J. M.,	Muldowney,	Schuster,
Bucchin,	Jones, P. F.,	Munley,	Seyler,
Byrne,	Kamyk,	Musto,	Snider,
Cochran,	Kolankiewicz,	Needham,	Stank,
Conway,	Kornick,	Olsen,	Swartz,
Coyle,	Kubacki,	Penglase,	Swope,
Dougherty,	Lederer,	Peta,	Taylor,
Duffy,	Leonard L.,	Petrosky,	Toll,
Fehrlich,	Leven,	Pettigrew,	Varallo,
Filo,	Limper,	Pfaff,	Verona,
Filip,	Lopresti,	Polaski,	Wargo,
Gaffney,	Lovett,	Polen,	Welsh,
Good,	Lutty,	Price, R. A.,	Wheeler,
Guarnieri,	Maxwell,	Readinger,	Williams,
Hagerty,	McDermitt,	Reese,	Yester,
Hamilton, R. K.,	McGee,	Reidenbach,	Yetzer,
Headlee,	McNally,	Rose,	

## NAYS—117

Banker,	Geer,	Madden,	Scott,
Barkdoll,	Gibson,	Madigan,	Shoemaker,
Baumunk,	Gleason,	Markley,	Shotwell,
Bear,	Goodling,	Mazza,	Smith,
Beech,	Graybill,	McConnell,	Sollenberger,
Blair,	Greenwood,	McCormack,	Spencer,
Bloom,	Greer,	McCullough,	Stimmel,
Bolton,	Gutendorf,	McInroy,	Stoner,
Bomberger,	Guthrie,	McKinney,	Tahl,
Boorse,	Hall,	McMillen,	Thompson, E. F.,
Bower,	Hamilton, W. H.,	Metz,	Thompson, R. L.,
Brelsch,	Harney,	Mikula,	Tompkins,
Brown,	Haudenshield,	Miller, H. G.,	Toomey,
Cella,	Helm,	Mintess,	VanSant,
Clapper,	Hewitt,	Moore, C. E.,	Varnier,
Clendenning,	Hocker,	Moore, H. A.,	Wachhaus,
Cooper,	Johnson,	Murray,	Waterhouse,
Corr,	Jones, T. H. W.,	Najaka,	Watkins,
Costa,	Jump,	Naugle,	Weidner,
Dalrymple,	Keller,	Pichney,	Wescott,
Davis,	Kline,	Pitzer,	Whalley,
Dennison,	Kohl,	Price, H. W. Jr.,	White,
Dowling,	Kratz,	Reagan,	Wilt,
Dunn,	Lafore,	Reilly, J. M.,	Wood,
Erb,	Leisey,	Rigby,	Yeakel,
Ewing,	Leonard, W. C.,	Riley, R. L.,	Young,
Ferster,	Light,	Robertson,	Ziegler,
Firmstone,	Loftus,	Royer,	Sorg,
Flack,	Lyons,	Rubin,	Speaker
Frost,		Sax,	

## NOT VOTING—2

DuBois, Westrick,

So the question was determined in the negative and the resolution was not adopted.

## RESOLUTION

## DISCHARGING COMMITTEE ON HOUSE BILL No. 887

Mr. LOUIS LEONARD offered a resolution which was read by the Clerk as follows:

In the House of Representatives, September 26, 1951.

Resolved, That the Committee on Counties be discharged from further consideration of House Bill 887, "An Act imposing a county tax on the gross receipts of public utilities; providing for the collection and payment of such tax; requiring certain reports and penalties, if they are not made; providing for payment of part of tax to cities,

boroughs, towns, townships and school districts in certain proportions."

Said bill having been referred to the Committee on Counties, on April 4, 1951.

On the question,

Will the House adopt the resolution?

The yeas and nays were required by Mr. Louis Leonard and Mr. Petrosky and were as follows:

## YEAS—88

Amarando,	Hersch,	Mihm,	Rosen,
Andrews,	Hoggard,	Miller, J. C.,	Rovansek,
Beaver,	Hunter,	Mills,	Sarra,
Berkstresser,	Jenkins,	Monroe,	Scanlon,
Boles,	Jones, G. E.,	Moran,	Schmidt,
Breth,	Jones, J. M.,	Muldowney,	Schuster,
Bucchin,	Jones, P. F.,	Munley,	Seyler,
Byrne,	Kamyk,	Musto,	Snider,
Cochran,	Kolankiewicz,	Needham,	Stank,
Conway,	Kornick,	Olsen,	Swartz,
Coyle,	Kubacki,	Penglase,	Swope,
Dougherty,	Lederer,	Peta,	Taylor,
Duffy,	Leonard, L.,	Petrosky,	Toll,
Fehrlich,	Leven,	Pettigrew,	Varallo,
Filip,	Limper,	Pfaff,	Verona,
Filo,	Lopresti,	Polaski,	Wargo,
Gaffney,	Lovett,	Polea,	Welsh,
Good,	Lutty,	Price, R. A.,	Wheeler,
Guarnieri,	Maxwell,	Readinger,	Williams,
Hagerty,	McDermitt,	Reese,	Yester,
Hamilton, R. K.,	McGee,	Reidenbach,	Yetzer,
Headlee,	McNally,	Rose,	

## NAYS—117

Banker,	Geer,	Madden,	Scott,
Barkdoll,	Gibson,	Madigan,	Shoemaker,
Baumunk,	Gleason,	Markley,	Shotwell,
Bear,	Goodling,	Mazza,	Smith,
Beech,	Graybill,	McConnell,	Sollenberger,
Blair,	Greenwood,	McCormack,	Spencer,
Bloom,	Greer,	McCullough,	Stimmel,
Bolton,	Gutendorf,	McInroy,	Stoner,
Bomberger,	Guthrie,	McKinney,	Tahl,
Boorse,	Hall,	McMillen,	Thompson, E. F.,
Bower,	Hamilton, W. H.,	Metz,	Thompson, R. L.,
Brelsch,	Harney,	Mikula,	Tompkins,
Brown,	Haudenshield,	Miller, H. G.,	Toomey,
Cella,	Helm,	Mintess,	VanSant,
Clapper,	Hewitt,	Moore, C. E.,	Varnier,
Clendenning,	Hocker,	Moore, H. A.,	Wachhaus,
Cooper,	Johnson,	Murray,	Waterhouse,
Corr,	Jones, T. H. W.,	Najaka,	Watkins,
Costa,	Jump,	Naugle,	Weidner,
Dalrymple,	Keller,	Pichney,	Wescott,
Davis,	Kent,	Pitzer,	Whalley,
Dennison,	Kline,	Price, H. W. Jr.,	White,
Dowling,	Kohl,	Reagan,	Wilt,
Dunn,	Kratz,	Reilly, J. M.,	Wood,
Erb,	Lafore,	Rigby,	Yeakel,
Ewing,	Leisey,	Riley, R. L.,	Young,
Ferster,	Leonard, W. C.,	Robertson,	Ziegler,
Firmstone,	Light,	Royer,	Sorg,
Flack,	Loftus,	Rubin,	Speaker
Frost,	Lyons,	Sax,	

## NOT VOTING—2

DuBois, Westrick,

So the question was determined in the negative and the resolution was not adopted.

## RESOLUTION

## DISCHARGING COMMITTEE ON HOUSE BILL No. 892

Mr. LOUIS LEONARD offered a resolution which was read by the Clerk as follows:

In the House of Representatives, September 26, 1951.

Resolved, That the Committee on Public Utilities be discharged from further consideration of House Bill 892,



"An Act to further amend the act, approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 1053), entitled 'Public Utility Law' by defining the fair value of the property of a public utility and providing that just and reasonable rates shall be such as provided a fair return upon the fair value of the property as so defined."

Said bill having been referred to the Committee on Public Utilities, on April 4, 1951.

On the question,

Will the House adopt the resolution?

The yeas and nays were required by Mr. Louis Leonard and Mr. Petrosky and were as follows:

#### YEAS—88

Amarando,	Hersch,	Mihm,	Rosen,
Andrews,	Hoggard,	Miller, J. C.,	Rovansek,
Beaver,	Hunter,	Mills,	Sarra,
Berkstresser,	Jenkins,	Monroe,	Scanlon,
Boles,	Jones, G. E.,	Moran,	Schmidt,
Breth,	Jones, J. M.,	Muldowney,	Schuster,
Bucchin,	Jones, P. F.,	Munley,	Seyler,
Byrne,	Kamyk,	Musto,	Snider,
Cochran,	Kolankiewicz,	Needham,	Stank,
Conway,	Kornick,	Olsen,	Swartz,
Coyle,	Kubacki,	Penglase,	Swope,
Dougherty,	Lederer,	Peta,	Taylor,
Duffy,	Leonard, L.,	Petrosky,	Toll,
Fenrich,	Leven,	Pettigrew,	Varallo,
Filip,	Limper,	Pfaff,	Verona,
Filo,	Lopresti,	Polaski,	Wargo,
Gaffney,	Lovett,	Polen,	Welsh,
Good,	Lutty,	Price, R. A.,	Wheeler,
Guarnieri,	Maxwell,	Readinger,	Williams,
Hagerty,	McDermitt,	Reese,	Yester,
Hamilton, R. K.,	McGee,	Reidenbach,	Yetzer,
Headlee,	McNally,	Rose,	

#### NAYS—117

Banker,	Geer,	Madden,	Scott,
Barkdoll,	Gibson,	Madigan,	Shoemaker,
Baumunk,	Gleason,	Markley,	Shotwell,
Bear,	Goodling,	Mazza,	Smith,
Beech,	Graybill,	McConnell,	Sollenberger,
Blair,	Greenwood,	McCormack,	Spencer,
Bloom,	Greer,	McCullough,	Stimmel,
Bolton,	Gutendorf,	McInroy,	Stoner,
Bomberger,	Guthrie,	McKinney,	Tahl,
Boorse,	Hall,	McMillen,	Thompson, E. F.,
Bower,	Hamilton, W. H.,	Metz,	Thompson, R. L.,
Breisch,	Harney,	Mikula,	Tompkins,
Brown,	Haudenschild,	Miller, H. G.,	Toomey,
Cella,	Helm,	Mintess,	VanSant,
Clapper,	Hewitt,	Moore, C. E.,	Varnier,
Clendenning,	Hocker,	Moore, H. A.,	Wachhaus,
Cooper,	Johnson,	Murray,	Waterhouse,
Corr,	Jones, T. H. W.,	Najaka,	Watkins,
Costa,	Jump,	Naugle,	Weidner,
Dalrymple,	Keller,	Pichney,	Wescott,
Davis,	Kent,	Pitzer,	Whalley,
Dennison,	Kline,	Price, H. W. Jr.,	White,
Dowling,	Kohl,	Reagan,	Wilt,
Dunn,	Kratz,	Reilly, J. M.,	Wood,
Erb,	Lafore,	Rigby,	Yeakel,
Ewing,	Lelsey,	Riley, R. L.,	Young,
Ferster,	Leonard, W. C.,	Robertson,	Ziegler,
Firmstone,	Light,	Royer,	Sorg,
Flack,	Loftus,	Rubin,	
Frost,	Lyons,	Sax,	Speaker

#### NOT VOTING—2

DuBois, Westrick,

So the question was determined in the negative and the resolution was not adopted.

#### RESOLUTION

#### DISCHARGING COMMITTEE ON HOUSE BILL No. 468

Mr. JENKINS offered a resolution which was read by the Clerk as follows:

In the House of Representatives, September 26, 1951.

Resolved, That the Committee on Municipal Corporations be discharged from further consideration of House Bill 468, "An Act to further amend Section 201 of the act, approved the twenty-second day of May, one thousand nine hundred thirty-three (P. L. 853), entitled 'The General County Assessment Law,' by making the real estate of public service companies subject to taxation and providing certain exceptions."

Said bill having been referred to the Committee on Municipal Corporations, on February 27, 1951.

On the question,

Will the House adopt the resolution?

The yeas and nays were required by Mr. Jenkins and Mr. Petrosky and were as follows:

#### YEAS—88

Amarando,	Hersch,	Mihm,	Rosen,
Andrews,	Hoggard,	Miller, J. C.,	Rovansek,
Beaver,	Hunter,	Mills,	Sarra,
Berkstresser,	Jenkins,	Monroe,	Scanlon,
Boles,	Jones, G. E.,	Moran,	Schmidt,
Breth,	Jones, J. M.,	Muldowney,	Schuster,
Bucchin,	Jones, P. F.,	Munley,	Seyler,
Byrne,	Kamyk,	Needham,	Snider,
Cochran,	Kolankiewicz,	Musto,	Stank,
Conway,	Kornick,	Olsen,	Swartz,
Coyle,	Kubacki,	Penglase,	Swope,
Dougherty,	Lederer,	Peta,	Taylor,
Duffy,	Leonard, L.,	Petrosky,	Toll,
Fenrich,	Leven,	Pettigrew,	Varallo,
Filip,	Limper,	Pfaff,	Verona,
Filo,	Lopresti,	Polaski,	Wargo,
Gaffney,	Lovett,	Polen,	Welsh,
Good,	Lutty,	Price, R. A.,	Wheeler,
Guarnieri,	Maxwell,	Readinger,	Williams,
Hagerty,	McDermitt,	Reese,	Yester,
Hamilton, R. K.,	McGee,	Reidenbach,	Yetzer,
Headlee,	McNally,	Rose,	

#### NAYS—117

Banker,	Geer,	Madden,	Scott,
Barkdoll,	Gibson,	Madigan,	Shoemaker,
Baumunk,	Gleason,	Markley,	Shotwell,
Bear,	Goodling,	Mazza,	Smith,
Beech,	Graybill,	McConnell,	Sollenberger,
Blair,	Greenwood,	McCormack,	Spencer,
Bloom,	Greer,	McCullough,	Stimmel,
Bolton,	Gutendorf,	McInroy,	Stoner,
Bomberger,	Guthrie,	McKinney,	Tahl,
Boorse,	Hall,	McMillen,	Thompson, E. F.,
Bower,	Hamilton, W. H.,	Metz,	Thompson, R. L.,
Breisch,	Harney,	Mikula,	Tompkins,
Brown,	Haudenschild,	Miller, H. G.,	Toomey,
Cella,	Helm,	Mintess,	VanSant,
Clapper,	Hewitt,	Moore, C. E.,	Varnier,
Clendenning,	Hocker,	Moore, H. A.,	Wachhaus,
Cooper,	Johnson,	Murray,	Waterhouse,
Corr,	Jones, T. H. W.,	Najaka,	Watkins,
Costa,	Jump,	Naugle,	Weidner,
Dalrymple,	Keller,	Pichney,	Wescott,
Davis,	Kent,	Pitzer,	Whalley,
Dennison,	Kline,	Price, H. W. Jr.,	White,
Dowling,	Kohl,	Reagan,	Wilt,
Dunn,	Kratz,	Reilly, J. M.,	Wood,
Erb,	Lafore,	Rigby,	Yeakel,
Ewing,	Lelsey,	Riley, R. L.,	Young,
Ferster,	Leonard, W. C.,	Robertson,	Ziegler,
Firmstone,	Light,	Royer,	Sorg,
Flack,	Loftus,	Rubin,	
Frost,	Lyons,	Sax,	Speaker

#### NOT VOTING—2

DuBois, Westrick,

So the question was determined in the negative and the resolution was not adopted.

#### RESOLUTION

#### DISCHARGING COMMITTEE ON HOUSE BILL No. 725

Mr. OLSEN offered a resolution which was read by the Clerk as follows:



In the House of Representatives, September 26, 1951.

Resolved, That the Committee on Public Utilities be discharged from further consideration of House Bill 725, "An Act to amend Sections three hundred eight and three hundred ten of the Act approved the 28th day of May, one thousand nine hundred thirty-seven (P. L. 1053), entitled "Public Utility Law," by providing that public utilities shall give written notice and service each political subdivision, municipal corporation and other designated interested party with copies of all changes in existing tariffs and all data and evidence submitted to the commission in support thereof; and by further providing the commission shall hold a public hearing not less than sixty days from time of filing proposed change concerning the lawfulness of such rate; and by further providing that the rate in force at the time of filing the change shall continue for a period of six months from date thereof and an additional period not exceeding six months pending decision; and by further providing that the commission shall not by the establishment of temporary rates or by rule or otherwise circumvent, alter or modify provisions of this amendment relative to changes in existing law; and by further providing that the changes in established rates during the year one thousand nine hundred and fifty-one which do not comply with sections three hundred eight and three hundred ten shall be void and the previously existing rates reestablished until changed in accordance with the provisions of section three hundred eight and three hundred ten as herein amended; and by further providing that temporary rates may be established by the commission only after notice and hearing as required by section three hundred eight."

Said bill having been referred to the Committee on Public Utilities, on March 20, 1951.

On the question,

Will the House adopt the resolution?

The yeas and nays were required by Mr. Olsen and Mr. Petrosky and were as follows:

#### YEAS—88

Amarando,	Hersch,	Mihm,	Rosen,
Andrews,	Hoggard,	Miller, J. C.,	Rovansek,
Beaver,	Hunter,	Mills,	Sarra,
Berkstresser,	Jenkins,	Monroe,	Scanlon,
Boles,	Jones, G. E.,	Moran,	Schmidt,
Breth,	Jones, J. M.,	Muldowney,	Schuster,
Bucchin,	Jones, P. F.,	Munley,	Scott,
Byrne,	Kamyk,	Musto,	Snider,
Cochran,	Kolankiewicz,	Needham,	Stank,
Conway,	Kornick,	Olsen,	Swartz,
Coyle,	Kubacki,	Penglase,	Swope,
Dougherty,	Lederer,	Peta,	Taylor,
Duffy,	Leonard, L.,	Petrosky,	Toll,
Fenrich,	Leven,	Pettigrew,	Varallo,
Filip,	Limper,	Pfaff,	Varner,
Filo,	Lopresti,	Polaski,	Wargo,
Gaffney,	Lovett,	Polen,	Welsh,
Good,	Lutty,	Price, R. A.,	Wheeler,
Guarnieri,	Maxwell,	Readinger,	Williams,
Hagerty,	McDermitt,	Reese,	Yester,
Hamilton, R. K.,	McGee,	Reidenbach,	Yetzer,
Headlee,	McNally,	Rose,	

#### NAYS—117

Banker,	Geer,	Madden,	Seyler,
Barkdoll,	Gibson,	Madigan,	Shoemaker,
Baumunk,	Gleason,	Markley,	Shotwell,
Bear,	Goodling,	Mazza,	Smith,
Beech,	Graybill,	McConnell,	Sollenberger,
Blair,	Greenwood,	McCormack,	Spencer,
Bloom,	Greer,	McCullough,	Stimmel,
Bolton,	Gutendorf,	McInroy,	Stoner,
Bomberger,	Guthrie,	McKinney,	Tahl,
Boorse,	Hall,	McMillen,	Thompson, E. F.,
Bower,	Hamilton, W. H.,	Metz,	Thompson, R. L.,
Brelschi,	Harney,	Mikula,	Tompkins,
Brown,	Haudenschild,	Miller, H. G.,	Toomey,
Cella,	Helm,	Mintess,	VanSant,
Clapper,	Hewitt,	Moore, C. E.,	Verona,
Clendenning,	Hocker,	Moore, H. A.,	Wachhaus,

Cooper,	Johnson,	Murray,	Waterhouse,
Corr,	Jones, T. H. W.,	Najaka,	Watkins,
Costa,	Jump,	Naugle,	Weldner,
Dalrymple,	Keller,	Pichney,	Westrick,
Davis,	Kent,	Pitzer,	Whalley,
Dennison,	Kline,	Price, H. W. Jr.,	White,
Dowling,	Kohl,	Reagan,	Witt,
Dunn,	Kratz,	Reilly, J. M.,	Wood,
Erb,	Lafore,	Rigby,	Yeakel,
Ewing,	Leisey,	Riley, R. L.,	Young,
Ferster,	Leonard, W. C.,	Robertson,	Ziegler,
Firmstone,	Light,	Royer,	Sorg,
Flack,	Loftus,	Rubin,	Speaker,
Frost,	Lyons,	Sax,	

#### NOT VOTING—2

DuBois,

Wescott,

So the question was determined in the negative and the resolution was not adopted.

#### RESOLUTION

#### DISCHARGING COMMITTEE ON HOUSE BILL No. 1319

Mr. TOLL offered a resolution which was read by the Clerk as follows:

In the House of Representatives, September 26, 1951.

Resolved, That the Committee on Welfare be discharged from further consideration of House Bill 1319, "An Act requiring State aided hospitals to issue itemized bills for materials furnished and services rendered when so requested."

Said bill having been referred to the Committee on Welfare, on May 21, 1951.

On the question,

Will the House adopt the resolution?

The yeas and nays were required by Mr. Toll and Mr. Petrosky and were as follows:

#### YEAS—88

Amarando,	Hersch,	Mihm,	Rosen,
Andrews,	Hoggard,	Miller, J. C.,	Rovansek,
Beaver,	Hunter,	Mills,	Sarra,
Berkstresser,	Jenkins,	Monroe,	Scanlon,
Boles,	Jones, G. E.,	Moran,	Schmidt,
Breth,	Jones, J. M.,	Muldowney,	Schuster,
Bucchin,	Jones, P. F.,	Munley,	Seyler,
Byrne,	Kamyk,	Musto,	Snider,
Cochran,	Kolankiewicz,	Needham,	Stank,
Conway,	Kornick,	Olsen,	Swartz,
Coyle,	Kubacki,	Penglase,	Swope,
Dougherty,	Lederer,	Peta,	Taylor,
Duffy,	Leonard, L.,	Petrosky,	Toll,
Fenrich,	Leven,	Pettigrew,	Varallo,
Filip,	Limper,	Pfaff,	Verona,
Filo,	Lopresti,	Polaski,	Wargo,
Gaffney,	Lovett,	Polen,	Welsh,
Good,	Lutty,	Price, R. A.,	Wheeler,
Guarnieri,	Maxwell,	Readinger,	Williams,
Hagerty,	McDermitt,	Reese,	Yester,
Hamilton, R. K.,	McGee,	Reidenbach,	Yetzer,
Headlee,	McNally,	Rose,	

#### NAYS—117

Banker,	Geer,	Madden,	Scott,
Barkdoll,	Gibson,	Madigan,	Shoemaker,
Baumunk,	Gleason,	Markley,	Shotwell,
Bear,	Goodling,	Mazza,	Smith,
Beech,	Graybill,	McConnell,	Sollenberger,
Blair,	Greenwood,	McCormack,	Spencer,
Bloom,	Greer,	McCullough,	Stimmel,
Bolton,	Gutendorf,	McInroy,	Stoner,
Bomberger,	Guthrie,	McKinney,	Tahl,
Boorse,	Hall,	McMillen,	Thompson, E. F.,
Bower,	Hamilton, W. H.,	Metz,	Thompson, R. L.,
Brelschi,	Harney,	Mikula,	Tompkins,
Brown,	Haudenschild,	Miller, H. G.,	Toomey,
Cella,	Helm,	Mintess,	VanSant,



Clapper,	Hewitt,	Moore, C. E.,	Varner,
Clendening,	Hocker,	Moore, H. A.,	Wachhaus,
Cooper,	Johnson,	Murray,	Waterhouse,
Corr,	Jones, T. H. W.,	Najaka,	Watkins,
Costa,	Jump,	Naugle,	Weidner,
Dalrymple,	Keller,	Pichney,	Wescott,
Davis,	Kent,	Pitzer,	Whalley,
Dennison,	Kline,	Price, H. W. Jr.,	White,
Dowling,	Kohl,	Reagan,	Wilt,
Dunn,	Kratz,	Reilly, J. M.,	Wood,
Erb,	Lafore,	Rigby,	Yeakel,
Ewing,	Leisey,	Riley, R. L.,	Young,
Ferster,	Leonard, W. C.,	Robertson,	Ziegler,
Firmstone,	Light,	Royer,	Sorg,
Flack,	Loftus,	Rubin,	Speaker
Frost,	Lyons,	Sax,	

## NOT VOTING—2

DuBols, Westrick,

So the question was determined in the negative and the resolution was not adopted.

## RESOLUTION

## DISCHARGING COMMITTEE ON HOUSE BILL No. 1406

Mr. ROSEN offered a resolution which was read by the Clerk as follows:

In the House of Representatives, September 26, 1951.

Resolved, That the Committee on Labor Relations be discharged from further consideration of House Bill No. 1406, "An Act fixing employes compensation for any period of work performed beyond eight hours in any one day or period of twenty-four hours.

Referred to the Committee on Labor Relations on June 5, 1951.

On the question,

Will the House adopt the resolution?

The yeas and nays were required by Mr. Rosen and Mr. Petrosky and were as follows:

## YEAS—88

Amarando,	Hersch,	Mihm,	Rosen,
Andrews,	Hoggard,	Miller, J. C.,	Rovansek,
Beaver,	Hunter,	Mills,	Sarraf,
Berkstresser,	Jenkins,	Monroe,	Scanlon,
Boles,	Jones, G. E.,	Moran,	Schmidt,
Breth,	Jones, J. M.,	Muldowney,	Schuster,
Bucchin,	Jones, P. F.,	Munley,	Seyler,
Byrne,	Kamyk,	Musto,	Snider,
Cochran,	Kolankiewicz,	Needham,	Stank,
Conway,	Kornick,	Olsen,	Swartz,
Coyle,	Kubacki,	Penglase,	Swope,
Dougherty,	Lederer,	Peta,	Taylor,
Duffy,	Leonard, L.,	Petrosky,	Toll,
Fenrich,	Leven,	Pettigrew,	Varallo,
Filip,	Limper,	Pfaff,	Verona,
Filo,	Lopresti,	Polaski,	Wargo,
Gaffney,	Lovett,	Polen,	Welsh,
Good,	Lutty,	Price, R. A.,	Wheeler,
Guarnieri,	Maxwell,	Readinger,	Williams,
Hagerty,	McDermitt,	Reese,	Yester,
Hamilton, R. K.,	McGee,	Reidenbach,	Yetzer,
Headlee,	McNally,	Rose,	

## NAYS—117

Banker,	Greer,	Madden,	Scott,
Barkdoll,	Gibson,	Madigan,	Shoemaker,
Baumunk,	Gleason,	Markley,	Shotwell,
Bea,	Goodling,	Mazza,	Smith,
Beech,	Graybill,	McConnell,	Sollenberger,
Blair,	Greenwood,	McCormack,	Spencer,
Bloom,	Geer,	McCullough,	Stimmel,
Bolton,	Gutendorf,	McInroy,	Stoner,
Bomberger,	Guthrie,	McKinney,	Tahl,
Boorse,	Hall,	McMillen,	Thompson, E. F.,
Bower,	Hamilton, W. H.,	Metz,	Thompson, R. L.,
Breisch,	Harney,	Mikula,	Tompkins,
Brown,	Haudenschild,	Miller, H. G.,	Toomey,

Cella,	Helm,	Mintess,	VanSant,
Clapper,	Hewitt,	Moore, C. E.,	Varner,
Clendening,	Hocker,	Moore, H. A.,	Wachhaus,
Cooper,	Johnson,	Murray,	Waterhouse,
Corr,	Jones, T. H. W.,	Najaka,	Watkins,
Costa,	Jump,	Naugle,	Weidner,
Dalrymple,	Keller,	Pichney,	Wescott,
Davis,	Kent,	Pitzer,	Whalley,
Dennison,	Kline,	Price, H. W. Jr.,	White,
Dowling,	Kohl,	Reagan,	Wilt,
Dunn,	Kratz,	Reilly, J. M.,	Wood,
Erb,	Lafore,	Rigby,	Yeakel,
Ewing,	Leisey,	Riley, R. L.,	Young,
Ferster,	Leonard, W. C.,	Robertson,	Ziegler,
Firmstone,	Light,	Royer,	Sorg,
Flack,	Loftus,	Rubin,	Speaker
Frost,	Lyons,	Sax,	

## NOT VOTING—2

DuBols, Westrick,

So the question was determined in the negative and the resolution was not adopted.

## RESOLUTION

## DISCHARGING COMMITTEE ON HOUSE BILL No. 939

Mr. MULDOWNNEY offered a resolution which was read by the Clerk as follows:

In the House of Representatives, September 26, 1951.

Resolved, That the Committee on Elections and Apportionment be discharged from further consideration of House Bill 939, "An Act to amend subsection (b) of Section 1605 and Section 1843 of the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled 'Pennsylvania Election Code, removing prohibition against unincorporated associations making political contributions.

Said bill having been referred to the Committee on Elections and Apportionment, April 4, 1951.

On the question,

Will the House adopt the resolution?

The yeas and nays were required by Mr. Muldowney and Mr. Petrosky and were as follows:

## YEAS—88

Amarando,	Hersch,	Mihm,	Rosen,
Andrews,	Hoggard,	Miller, J. C.,	Rovansek,
Beaver,	Hunter,	Mills,	Sarraf,
Berkstresser,	Jenkins,	Monroe,	Scanlon,
Boles,	Jones, G. E.,	Moran,	Schmidt,
Breth,	Jones, J. M.,	Muldowney,	Schuster,
Bucchin,	Jones, P. F.,	Munley,	Seyler,
Byrne,	Kamyk,	Musto,	Snider,
Cochran,	Kolankiewicz,	Needham,	Stank,
Conway,	Kornick,	Olsen,	Swartz,
Coyle,	Kubacki,	Penglase,	Swope,
Dougherty,	Lederer,	Peta,	Taylor,
Duffy,	Leonard, L.,	Petrosky,	Toll,
Fenrich,	Leven,	Pettigrew,	Varallo,
Filip,	Limper,	Pfaff,	Verona,
Filo,	Lopresti,	Polaski,	Wargo,
Gaffney,	Lovett,	Polen,	Welsh,
Good,	Lutty,	Price, R. A.,	Wheeler,
Guarnieri,	Maxwell,	Readinger,	Williams,
Hagerty,	McDermitt,	Reese,	Yester,
Hamilton, R. K.,	McGee,	Reidenbach,	Yetzer,
Headlee,	McNally,	Rose,	

## NAYS—117

Banker,	Geer,	Madden,	Sax,
Barkdoll,	Gibson,	Madigan,	Scott,
Baumunk,	Gleason,	Markley,	Shoemaker,
Bea,	Goodling,	Mazza,	Shotwell,
Beech,	Graybill,	McConnell,	Smith,
Blair,	Greenwood,	McCormack,	Sollenberger,
Bloom,	Greer,	McCullough,	Spencer,
Bolton,	Gutendorf,	McInroy,	Stimmel,



Bomberger,	Guthrie,	McKinney,	Stoner,
Boorse,	Hall,	McMillen,	Tahl,
Bower,	Hamilton, W. H.,	Metz,	Thompson, E. F.,
Breisch,	Harney,	Mikula,	Thompson, R. L.,
Brown,	Haudenschild,	Miller, H. G.,	Tompkins,
Cella,	Helm,	Mintess,	Toomey,
Clapper,	Hewitt,	Moore, C. E.,	VanSant,
Clendenning,	Hocker,	Moore, H. A.,	Varnar,
Cooper,	Johnson,	Murray,	Wachhaus,
Corr,	Jones, T. H. W.,	Najaka,	Waterhouse,
Costa,	Jump,	Naugle,	Watkins,
Dalrymple,	Keller,	Pichney,	Weidner,
Davis,	Kent,	Pitzer,	Wescott,
Dennison,	Kline,	Price, H. W. Jr.,	Whalley,
Dowling,	Kohl,	Reagan,	White,
Dunn,	Kratz,	Reilly, J. M.,	Wilt,
Erb,	Lafore,	Rigby,	Wood,
Ewing,	Lelsey,	Riley, R. L.,	Yeakel,
Ferster,	Leonard, W. C.,	Robertson,	Young,
Firmstone,	Light,	Royer,	Ziegler,
Flack,	Loftus,	Rubin,	Sorg,
Frost,	Lyons,		Speaker

## NOT VOTING—2

DuBois, Westrick,

So the question was determined in the negative and the resolution was not adopted.

### PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. McKINNEY asked and obtained permission for the Committee on Judiciary to meet during the session of the House.

### RESOLUTION

#### DISCHARGING COMMITTEE ON HOUSE BILL No. 981

Mr. KAMYK offered a resolution which was read by the Clerk as follows:

In the House of Representatives, September 26, 1951.

Resolved, that the Committee on Public Utilities be discharged from further consideration of House Bill 981, "An act to further amend subsection (a) of Section 1, and to amend Section 2 of the act, approved the thirty-first day of March, one thousand nine hundred thirty-seven (P. L. 160) entitled 'An act creating a commission to be known as the Pennsylvania Public Utility Commission; defining in part the powers and duties of such commission; abolishing The Public Service Commission of the Commonwealth of Pennsylvania; authorizing the Pennsylvania Public Utility Commission to appear in and complete all pending proceedings, legal or otherwise, instituted before, by or against The Public Service Commission of the Commonwealth of Pennsylvania; providing that all certificates of public convenience, contracts, orders, and rules and regulations of the latter commission shall remain effective until repealed, changed or modified by the Pennsylvania Public Utility Commission, and transferring and appropriating to the Pennsylvania Public Utility Commission any unexpended balance of any existing appropriation to The Public Service Commission of the Commonwealth of Pennsylvania,' by providing that one member of the Pennsylvania Public Utility Commission shall be a representative of organized labor."

Said bill having been referred to the Committee on Public Utilities, on April 11, 1951.

On the question,

Will the House adopt the resolution?

The yeas and nays were required by Mr. Kamyk and Mr. Petrosky and were as follows:

## YEAS—88

Amarando,	Hersch,	Mihm,	Rosen,
Andrews,	Hoggard,	Miller, J. C.,	Rovansek,

Beaver,	Hunter,	Mills,	Sarra,
Berkstreser,	Jenkins,	Mourao,	Scanlon,
Boles,	Jones, G. E.,	Moran,	Schmidt,
Breth,	Jones, J. M.,	Muldowney,	Schuster,
Bucchin,	Jones, P. F.,	Munley,	Seyler,
Byrne,	Kamyk,	Musto,	Snider,
Cochran,	Kolankiewicz,	Needham,	Stank,
Conway,	Kornick,	Olsen,	Swartz,
Coyle,	Kubacki,	Penglase,	Swope,
Dougherty,	Lederer,	Peta,	Taylor,
Duffy,	Leonard, L.,	Petrosky,	Toil,
Fenrich,	Leven,	Pettigrew,	Varallo,
Filip,	Limper,	Pfaff,	Verona,
Filo,	Lopresti,	Polaski,	Wargo,
Gaffney,	Lovett,	Polen,	Welsh,
Good,	Lutty,	Price, R. A.,	Wheeler,
Guarnieri,	Maxwell,	Readinger,	Williams,
Hagerty,	McDermit,	Reese,	Yester,
Hamilton, R. K.,	McGee,	Reidenbach,	Yetzer,
Headlee,	McNally,	Rose,	

## NAYS—117

Banker,	Geer,	Madden,	Scott,
Barkdoll,	Gibson,	Madigan,	Shoemaker,
Baumunk,	Gleason,	Markley,	Shotwell,
Bear,	Goodling,	Mazza,	Smith,
Beech,	Graybill,	McConnell,	Sollenberger,
Blair,	Greenwood,	McCormack,	Spencer,
Bloom,	Greer,	McCullough,	Stimmel,
Bolton,	Gutendorf,	McInroy,	Stoner,
Bomberger,	Guthrie,	McKinney,	Tahl,
Boorse,	Hall,	McMillen,	Thompson, E. F.,
Bower,	Hamilton, W. H.,	Metz,	Thompson, R. L.,
Breisch,	Harney,	Mikula,	Tompkins,
Brown,	Haudenschild,	Miller, H. G.,	Toomey,
Cella,	Helm,	Mintess,	VanSant,
Clapper,	Hewitt,	Moore, C. E.,	Varnar,
Clendenning,	Hocker,	Moore, H. A.,	Wachhaus,
Cooper,	Johnson,	Murray,	Waterhouse,
Corr,	Jones, T. H. W.,	Najaka,	Watkins,
Costa,	Jump,	Naugle,	Weidner,
Dalrymple,	Keller,	Pichney,	Wescott,
Davis,	Kent,	Pitzer,	Whalley,
Dennison,	Kline,	Price, H. W. Jr.,	White,
Dowling,	Kohl,	Reagan,	Wilt,
Dunn,	Kratz,	Reilly, J. M.,	Wood,
Erb,	Lafore,	Rigby,	Yeakel,
Ewing,	Lelsey,	Riley, R. L.,	Young,
Ferster,	Leonard, W. C.,	Robertson,	Ziegler,
Firmstone,	Light,	Royer,	Sorg,
Flack,	Loftus,	Rubin,	Speaker
Frost,	Lyons,	Sax,	

## NOT VOTING—2

DuBois, Westrick,

So the question was determined in the negative and the resolution was not adopted.

### RESOLUTION

#### DISCHARGING COMMITTEE ON HOUSE BILL No. 283

Mr. AMARANDO offered a resolution which was read by the Clerk as follows:

In the House of Representatives, September 26, 1951.

Resolved, that the Committee on State Government be discharged from further consideration of House Bill No. 283, Title: "An Act to regulate control and stabilize rents and possession of housing space and living accommodations during existing public emergency establishing the office of State Rent Control Commissioner and the State Rent Control Board granting said board power to administer this act as a departmental administrative board within the Department of Commerce and prescribing duties, creating powers and duties providing penalties and making an appropriation therefor."

Said bill having been referred to the Committee on State Government, on February 14, 1951.

On the question,

Will the House adopt the resolution?



The yeas and nays were required by Mr. Amarando and Mr. Petrosky and were as follows:

## YEAS—88

Amarando,	Hersch,	Mihm,	Rosen,
Andrews,	Hoggard,	Miller, J. C.,	Rovansek.
Beaver,	Hunter,	Mills,	Sarraf,
Berkstresser,	Jenkins,	Monroe,	Scanlon,
Boles,	Jones, G. E.,	Moran,	Schmidt,
Breth,	Jones, J. M.,	Muldowney,	Schuster,
Buchin,	Jones, P. F.,	Munley,	Seyler,
Byrne,	Kamyk,	Musto,	Snider,
Cochran,	Kolankiewicz,	Needham,	Stank,
Conway,	Kornick,	Olsen,	Swartz,
Coyle,	Kubacki,	Penglase,	Swope,
Dougherty,	Lederer,	Peta,	Taylor,
Duffy,	Leonard, L.,	Petrosky,	Toll,
Fenrich,	Leven,	Pettigrew,	Varallo,
Filip,	Limper,	Pfaff,	Verona,
Filo,	Lopresti,	Polaski,	Wargo,
Gaffney,	Lovett,	Polen,	Welsh,
Good,	Lutty,	Price, R. A.,	Wheeler,
Guarnieri,	Maxwell,	Readinger,	Williams,
Hagerty,	McDermitt,	Reese,	Yester,
Hamilton, R. K.,	McGee,	Reidenbach,	Yetzer,
Headlee,	McNally,	Rose,	

## NAYS—117

Banker,	Geer,	Madden,	Scott,
Barkdoll,	Gibson,	Madigan,	Shoemaker,
Baumunk,	Gleason,	Markley,	Shotwell,
Bear,	Goodling,	Mazza,	Smith,
Beech,	Graybill,	McConnell,	Sollenberger,
Blair,	Greenwood,	McCormack,	Spencer,
Bloom,	Greer,	McCullough,	Stimmel,
Bolton,	Gutendorf,	McInroy,	Stoner,
Bomberger,	Guthrie,	McKinney,	Tahl,
Boorse,	Hall,	McMillen,	Thompson, E. F.,
Bower,	Hamilton, W. H.,	Metz,	Thompson, R. L.,
Breisch,	Harney,	Mikula,	Tompkins,
Brown,	Haudenshield,	Miller, H. G.,	Toomey,
Cella,	Helm,	Mintess,	VanSant,
Clapper,	Hewitt,	Moore, C. E.,	Varner,
Clendenning,	Hocker,	Moore, H. A.,	Wachhaus,
Cooper,	Johnson,	Murray,	Waterhouse,
Corr,	Jones, T. H. W.,	Najaka,	Watkins,
Costa,	Jump,	Naugle,	Weldner,
Dalrymple,	Keller,	Pichney,	Wescott,
Davis,	Kent,	Pitzer,	Whalley,
Dennison,	Kline,	Price, H. W. Jr.,	White,
Dowling,	Kohl,	Reagan,	Wilt,
Dunn,	Kratz,	Reilly, J. M.,	Wood,
Erb,	Lafore,	Rigby,	Yeakel,
Ewing,	Lelsey,	Riley, R. L.,	Young,
Fenster,	Leonard, W. C.,	Robertson,	Ziegler,
Firmstone,	Light,	Royer,	Sorg,
Flack,	Loftus,	Rubin,	Speaker
Frost,	Lyons,	Sax,	

## NOT VOTING—2

DuBois, Westrick,

So the question was determined in the negative and the resolution was not adopted.

## RESOLUTION

## DISCHARGING COMMITTEES ON HOUSE BILLS

Mr. PETROSKY offered a resolution which was read by the Clerk as follows:

In the House of Representatives, September 26, 1951.

Resolved, that the following House Committees be discharged from further consideration of Bills, numbered as follows:

Committee on Motor Vehicles: H.B. 1502  
 Committee on Education: H.B. 328, 472, 818, 1029  
 Committee on Workmen's Compensation: H.B. 242, 353, 425, 1175  
 Committee on State Government: H.B. 132, 136, 250, 263, 283, 297, 298, 303, 316, 387, 588, 601, 621, 622, 635, 636, 751, 873, 987, 988  
 Committee on Cities and Counties, 2nd Class: H.B. 831, 1461

Committee on Judiciary: H.B. 304  
 Committee on Counties: H.B. 318  
 Committee on Municipal Corporations: H.B. 317  
 Committee on Welfare: H.B. 299  
 Committee on Public Utilities: H.B. 1457  
 Committee on Labor Relations: H.B. 264, 265, 267, 301, 305, 364, 473, 502, 606  
 Committee on Appropriations: S.B. 219  
 Said bills having been referred to the Committees more than the prescribed number of days.

On the question,

Will the House adopt the resolution?

The yeas and nays were required by Mr. Petrosky and Mr. Schmidt and were as follows:

## YEAS—88

Amarando,	Hersch,	Mihm,	Rosen,
Andrews,	Hoggard,	Miller, J. C.,	Rovansek,
Beaver,	Hunter,	Mills,	Sarraf,
Berkstresser,	Jenkins,	Monroe,	Scanlon,
Boles,	Jones, G. E.,	Moran,	Schmidt,
Breth,	Jones, J. M.,	Muldowney,	Schuster,
Buchin,	Jones, P. F.,	Munley,	Seyler,
Byrne,	Kamyk,	Musto,	Snider,
Cochran,	Kolankiewicz,	Needham,	Stank,
Conway,	Kornick,	Olsen,	Swartz,
Coyle,	Kubacki,	Penglase,	Swope,
Dougherty,	Lederer,	Peta,	Taylor,
Duffy,	Leonard, L.,	Petrosky,	Toll,
Fenrich,	Leven,	Pettigrew,	Varallo,
Filip,	Limper,	Pfaff,	Verona,
Filo,	Lopresti,	Polaski,	Wargo,
Gaffney,	Lovett,	Polen,	Welsh,
Good,	Lutty,	Price, R. A.,	Wheeler,
Guarnieri,	Maxwell,	Readinger,	Williams,
Hagerty,	McDermitt,	Reese,	Yester,
Hamilton, R. K.,	McGee,	Reidenbach,	Yetzer,
Headlee,	McNally,	Rose,	

## NAYS—117

Banker,	Geer,	Madden,	Scott,
Barkdoll,	Gibson,	Madigan,	Shoemaker,
Baumunk,	Gleason,	Markley,	Shotwell,
Bear,	Goodling,	Mazza,	Smith,
Beech,	Graybill,	McConnell,	Sollenberger,
Blair,	Greenwood,	McCormack,	Spencer,
Bloom,	Greer,	McCullough,	Stimmel,
Bolton,	Gutendorf,	McInroy,	Stoner,
Bomberger,	Guthrie,	McKinney,	Tahl,
Boorse,	Hall,	McMillen,	Thompson, E. F.,
Bower,	Hamilton, W. H.,	Metz,	Thompson, R. L.,
Breisch,	Harney,	Mikula,	Tompkins,
Brown,	Haudenshield,	Miller, H. G.,	Toomey,
Cella,	Helm,	Mintess,	VanSant,
Clapper,	Hewitt,	Moore, C. E.,	Varner,
Clendenning,	Hocker,	Moore, H. A.,	Wachhaus,
Cooper,	Johnson,	Murray,	Waterhouse,
Corr,	Jones, T. H. W.,	Najaka,	Watkins,
Costa,	Jump,	Naugle,	Weldner,
Dalrymple,	Keller,	Pichney,	Wescott,
Davis,	Kent,	Pitzer,	Whalley,
Dennison,	Kline,	Price, H. W. Jr.,	White,
Dowling,	Kohl,	Reagan,	Wilt,
Dunn,	Kratz,	Reilly, J. M.,	Wood,
Erb,	Lafore,	Rigby,	Yeakel,
Ewing,	Lelsey,	Riley, R. L.,	Young,
Fenster,	Leonard, W. C.,	Robertson,	Ziegler,
Firmstone,	Light,	Royer,	Sorg,
Flack,	Loftus,	Rubin,	Speaker
Frost,	Lyons,	Sax,	

## NOT VOTING—2

DuBois, Westrick,

So the question was determined in the negative and the resolution was not adopted.

## RESOLUTION

## DISCHARGING COMMITTEE ON HOUSE BILL No. 169

Mr. MORAN offered a resolution which was read by the Clerk as follows:



In the House of Representatives, September 26, 1951.

Resolved, that the Committee on Public Utilities be discharged from further consideration of House Bill No. 169, Title: "An Act relating to common carriers, making certain acts relating to clearance unlawful; imposing certain duties and conferring powers upon the Public Utility Commission and the Attorney General; and prescribing penalties for violations."

Said bill having been referred to the Committee on Public Utilities, on February 13, 1951.

On the question,

Will the House adopt the resolution?

Mr. MORAN. Mr. Speaker, I desire to offer a statement which I do not want to take the time of the House to read. I submitted it with the resolution for the record.

The SPEAKER. The statement of the gentleman will be spread upon the record.

Mr. MORAN submitted the following statement:

House Bill 169 sets up minimum standards relating to clearance and conferring certain duties and powers upon the Public Utility Commission and the Attorney General and prescribed penalties for violation thereof.

Our purpose in proposing this legislation is actuated solely from the standpoint of eradicating many unsafe and hazardous conditions which now exist on the railroads operating in the state of Pennsylvania.

There is nothing in this legislation which compels any railroad or corporation to remove any building, bridge or any other permanent obstacles but it does compel that in the future any new construction must conform with the specifications outlined in this legislation.

At the present time in most states throughout the nation clearance and obstruction laws are on the Statute Books by law or by an order from the Public Service Commission.

The states adjacent to Pennsylvania have long recognized the need of legislation such as we now propose and as a result of these precautions the men engaged in railroad service in those states are benefitting in safe working conditions.

Many of the railroad yards in this state are so cluttered up with debris and foreign obstacles that a large number of our men are injured and in many cases fatalities have occurred. This is our sole reason for requesting enactment of this legislation.

There is vital need for this type of legislation. Pennsylvania must realize the necessity of protecting the railroad workers of this state by the passage of this very necessary legislation.

This bill was introduced by Messrs. Darymple and Moran February 12th.

It was referred to Committee on Public Utility February 13 where it is now resting.

The proposed legislation sets up minimum standards relating to clearance and conferring certain duties and powers upon the Public Utility Commission and the Attorney General and prescribed penalties for violation thereof.

Section 2 of the proposed legislation states that it will be unlawful for any Common carrier by railroad or any other person to erect or reconstruct and thereafter maintain any structure or obstruction or any embankment of earth or natural rock less than 8 feet 6 inches measured from the center line of track nor to permit any overhead wire bridge or any other obstruction to be erected or reconstructed at a height less than 22 feet 6 inches measured from top of track rail.

Section 3 states that on or after October 1, 1951 it will be unlawful for any common carrier or any other person to erect or construct on any railroad any structure or obstruction or have excavated any embankment of earth or natural rock to remain upon the line of railroad at a distance less than 8 feet 6

inches from the center of the track. It prohibits the construction of any overhead wire bridge or any other obstruction at a height less than 22 feet 6 inches measured from the top of track rail.

Section 4 of the proposed legislation states that it will be unlawful for any common carrier to construct any track used for the purpose of moving any cars engaged in the movement of traffic where the center line of such track is at a distance of less than 14 feet from the center line or any other parallel track which it adjoins. No ladder tracks shall be in closer proximity to any adjacent ladder track than 19 feet measured from the center line of each track nor in closer proximity to any other parallel track than 17 feet measured from the center line of each track. It further provides that the distance between tracks may be diminished or closed up a necessary distance from track intersection, gauntlet tracks, turnout, or switch points.

Section 5 empowers the Public Utility Commission to permit any common carrier person or corporation upon proper application to erect or construct any overhead or side obstruction at a less distance than is provided for in the proposed act and, also, to construct any track or tracks at a less clearance than is provided for in the proposed legislation if it can be shown that compliance with the act is unreasonable or unnecessary provided that a condition not unduly hazardous to the employees of such common carrier any person or corporation would not be erected.

Section 6 of this proposed legislation is a safety provision. It compels the common carrier or any person or corporation to keep that portion between tracks or beside tracks which yard men and other employees frequent in discharge of their duties clear of any form of obstacle which will interfere with the work of these employees or subject them to any unnecessary hazard.

Section 7 merely outlines the penalty for violating any provision of this act or failure to comply with an order of the Public Utility Commission.

Our purpose in proposing this legislation is actuated solely from a standpoint of eradicating many unsafe and hazardous conditions which now exist on the railroads operating in the State of Pennsylvania.

There is nothing in this legislation which compels any railroad, person or corporation to remove any building, bridge or any other permanent obstacles but it does compel that in the future any new construction must conform with the specifications outlined in this legislation.

At the present time in most states throughout the nation clearance and obstruction laws are on the statute books by law or by an order from the Public Service Commission. In the neighboring states of New York and Ohio there are laws enacted for the safety and well being of men engaged in railroad service.

Many of the railroad yards in this state are so cluttered up with debris and other foreign obstacles that a large number of our men are injured and in many cases fatalities have occurred. This is our sole reason for requesting enactment of this legislation.

In the year 1944 there were 34 killed and 414 injured in the United States on moving cars or locomotives resulting from coming in contact with any fixed structure above or at side of track.

Eleven of the 34 killed and 88 of the 414 were injured in Pennsylvania; better than 32 percent of the fatalities occurred in this state and approximately 21 percent of those injured occurred in the State of Pennsylvania.

In 1945, 23 were killed and 397 injured in the nation; of these 5 were killed in Pennsylvania and 89 injured. 22 percent of the fatalities occurred here; approximately 25 percent of the injuries sustained nationally were in this state.

In 1946, 23 were killed and 294 injured in the nation, of these 7 were killed in Pennsylvania and



89 injured; more than 30 percent of the total number of fatalities occurred in Pennsylvania and 31 percent of the injuries were sustained in this state.

In 1947, 21 were killed in the nation and 274 injured; of these 5 were killed in Pennsylvania and 75 of the 274 were injured in Pennsylvania. Approximately 24 percent of the fatalities occurred here and 30 percent of the total number injured were in this state.

In 1948, 15 were killed and 296 injured in the nation. Five of the fatalities occurred in Pennsylvania. 54 of those injured occurred in this state. Approximately 33-1/3 percent of the fatalities occurred in Pennsylvania and 20 percent of the total number of injuries occurred in this state.

In 1949 seven were killed and 194 injured in the nation. None of the fatalities occurred in this state. 40 of those injured were from Pennsylvania. Approximately 20 percent of the injuries occurred in this state.

The yearly report furnished by the Pennsylvania Public Utility Commission does not furnish adequate statistics relative to accidents sustained as a result of employees being brushed off cars or locomotives between tracks due to inadequate clearance. The only accident statistics furnished by the Pennsylvania Public Utility Commission with respect to clearance to and obstruction are those involving fixed structures.

The Interstate Commerce Commission, however, makes a complete report on all accidents involving clearance and obstructions. This is made on a nationwide basis and no breakdown at the state level.

So in reality we are only presenting a portion of the actual picture that exists due to these obnoxious conditions on the railroads of this state.

In the year 1950 up to the present time we have had three fatalities.

One of these fatalities came as a result of an employee being brushed off the side of a car due to inadequate clearance between tracks.

Two of the fatalities were as a result of coming in contact with fixed structures. If we continue at the present ratio in 1950 we are very likely to set a new record in deaths and injuries.

There is a vital need for this type of legislation. Pennsylvania must realize the necessity of protecting the railroad workers of this state by the passage of this very necessary legislation.

This Legislature should take every precaution to protect men working in the railroad industry in Pennsylvania.

The states adjacent to Pennsylvania have long recognized the need of legislation such as we now propose and as a result of these precautions the men engaged in railroad service in those states are benefiting in safer working conditions.

We urge you to consider this legislation in its proper light and ask that you pass this bill.

On the question recurring,

Will the House adopt the resolution?

The yeas and nays were required by Mr. Moran and Mr. Petrosky and were as follows:

#### YEAS—88

Amarando,	Hersch,	Mihm,	Rosen,
Andrews,	Hoggard,	Miller, J. C.,	Rovansek,
Beaver,	Hunter,	Mills,	Sarra,
Berkstresser,	Jenkins,	Monroe,	Scanlon,
Boles,	Jones, G. E.,	Moran,	Schmidt,
Breth,	Jones, J. M.,	Muldowney,	Schuster,
Bucchin,	Jones, P. F.,	Munley,	Seyler,
Byrne,	Kamyk,	Musto,	Snider,
Cochran,	Kolankiewicz,	Needham,	Stank,
Conway,	Kornick,	Olsen,	Swartz,
Coyle,	Kubacki,	Penglase,	Swope,
Dougherty,	Lederer,	Peta,	Taylor,
Duffy,	Leonard, L.,	Petrosky,	Toll,
Fenrich,	Leven,	Pettigrew,	Varallo,
Filip,	Limper,	Pfaff,	Verona,

Filo,  
Gaffney,  
Good,  
Guarnieri,  
Hagerty,  
Hamilton, R. K.,  
Headlee,  
Lopresti,  
Lovett,  
Lutty,  
Maxwell,  
McDermitt,  
McGee,  
McNally,

Polaski,  
Polen,  
Price, R. A.,  
Readinger,  
Reese,  
Reidenbach,  
Rose,

Wargo,  
Welsh,  
Wheeler,  
Williams,  
Yester,  
Yetzer,

#### NAYS—117

Banker,	Geer,	Madden,	Scott,
Barkdoll,	Gibson,	Madigan,	Shoemaker,
Baumunk,	Gleason,	Markley,	Shotwell,
Bear,	Goodling,	Mazza,	Smith,
Beech,	Graybill,	McConnell,	Sollenberger,
Blair,	Greenwood,	McCormack,	Spencer,
Bloom,	Greer,	McCullough,	Stimmel,
Bolton,	Gutendorf,	McInroy,	Stoner,
Bomberger,	Guthrie,	McKinney,	Tahl,
Boorse,	Hall,	McMillen,	Thompson, E. F.,
Bower,	Hamilton, W. H.,	Metz,	Thompson, R. L.,
Brelsch,	Harney,	Mikula,	Tompkins,
Brown,	Haudenshield,	Miller, H. G.,	Toomey,
Cella,	Helm,	Mintess,	VanSant,
Clapper,	Hewitt,	Moore, C. E.,	Varnier,
Clendenning,	Hocker,	Moore, H. A.,	Wachhaus,
Cooper,	Johnson,	Murray,	Waterhouse,
Corr,	Jones, T. H. W.,	Najaka,	Watkins,
Costa,	Jump,	Naugle,	Weidner,
Dalrymple,	Keller,	Pichney,	Wescott,
Davis,	Kent,	Pitzer,	Whalley,
Dennison,	Kline,	Price, H. W. Jr.,	White,
Dowling,	Kohl,	Reagan,	Wilt,
Dunn,	Kratz,	Reilly, J. M.,	Wood,
Erb,	Lafore,	Rigby,	Yeakel,
Ewing,	Lelsey,	Riley, R. L.,	Young,
Ferster,	Leonard, W. C.,	Robertson,	Ziegler,
Firmstone,	Light,	Royer,	Sorg,
Flack,	Loftus,	Rubin,	Speaker,
Frost,	Lyons,	Sax,	

#### NOT VOTING—2

DuBois,

Westrick,

So the question was determined in the negative and the resolution was not adopted.

#### REPORTS FROM COMMITTEES

Mr. MADDEN from the Committee on Ways and Means, reported as committed, Senate Bill No. 666, entitled:

An Act to further amend clause (a) of Section 503 of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government, providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," by clarifying the provisions relating to the jurisdiction and duty of the Board of Finance and Revenue to hear



and determine certain petitions for refund; by clarifying the provisions relating to the time for filing of certain petitions for refunds and eliminating obsolete provisions

Mr. KOHL from the Committee on Mines and Mining, reported as committed, Senate Bill No. 832, entitled:

An Act to amend rule fifty-five to article XII of the act approved the second day of June one thousand eight hundred ninety-one (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" by permitting the removal of props or timber by blasting or by means of a prop puller.

Mr. STANK from the Committee on Mines and Mining, reported as committed, Senate Bill No. 845, entitled:

An Act to further amend Rule 12 and to amend Rule 14 of Article XII of the act approved the second day of June one thousand eight hundred ninety-one (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" by authorizing the use of roof bolts and other practical devices in working places.

Mr. GOODLING from the Committee on State Government, reported as amended, Senate Bill No. 647, entitled:

An Act to further amend Section 429 of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employees in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments, boards and commissions shall be determined," by increasing the salaries of the members of the Pennsylvania Securities Commission.

Mr. McMILLEN from the Committee on Education, reported as amended, Senate Bill No. 652, entitled:

An Act to further amend the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by providing credit for retirement purposes for out-of-state service in certain cases.

## BILLS ON FIRST READING

Pursuant to a resolution adopted by the House on September 17, the following bills were read the first time:

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 666, entitled:

An Act to further amend clause (a) of Section 503 of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," by clarifying the provisions relating to the jurisdiction and duty of the Board of Finance and Revenue to hear and determine certain petitions for refund; by clarifying the provisions relating to the time for filing of certain petitions for refunds and eliminating obsolete provisions.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 832, entitled:

An Act to amend rule fifty-five to article XII of the act approved the second day of June one thousand eight hundred ninety-one (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" by permitting the removal of props or timber by blasting or by means of a prop puller.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 845, entitled:

An Act to further amend Rule 12 and to amend Rule 14 of Article XII of the act approved the second day of June one thousand eight hundred ninety-one (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" by authorizing the use of roof bolts and other practical devices in working places.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.



## RECESS

The SPEAKER. If there are no objections, the Chair will declare a recess for one hour. The Chair hears none, and a recess is declared.

## AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Herbert P. Sorg) in the Chair.

## SENATE MESSAGE

RESOLUTION RECALLING SENATE BILL 249  
FROM GOVERNOR

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, September 26, 1951.

Resolved (if the House of Representatives concur) that Senate Bill No. 249, Printer's No. 514, entitled:

An Act to amend subsection (a) of section 411 of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1053) entitled "An act relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utility business by prescribing defining and limiting their duties powers and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale method of regulating rates providing for the supervising of financial and contractual relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alteration relocation protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulation the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and

superseded by or inconsistent with this act" by relieving cities of the second class A and third class and the counties in which they are located from payment of damages occasioned by and costs of construction reconstruction repair and maintenance of certain bridges and viaducts

be recalled from the Governor for the purpose of further study.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

## BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 753, entitled

An Act providing for an enumeration of persons subject to per capita and occupation taxes in counties wherein are situate school districts of the second third and fourth class placing the expense thereof on taxing districts levying such taxes conferring powers and imposing duties on boards of school directors of such school districts county commissioners and chief county assessors in such counties

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 769, entitled

An Act requiring all buildings under construction or alteration which are to be five stories or more in height to be equipped with a temporary hoist or hoisting device or equipment for the use of building construction workmen imposing certain duties upon the Department of Labor and Industry and providing penalties

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

## BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1041, entitled

An Act to further amend the act approved the twenty-seventh day of June one thousand nine hundred forty-seven (P. L. 1095) entitled "Anthracite Strip Mining Law" by amending section twelve

The first section was read.

On the question,

Will the House agree to the section?

## BILL RECOMMITTED

Mr. SCOTT. Mr. Speaker, I move that this bill be re-committed to the Committee on Mines and Mining for the purpose of further study.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1662, entitled

An Act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania in order to purchase and



cancel all or any part of the obligations of The General State Authority and the State Highway and Bridge Authority or either of them in certain cases

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1701, entitled

An Act to amend the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by authorizing the stocking of waters on lands posted against trespassing when the public is permitted to fish therein

The first section was read.

On the question,

Will the House agree to the section?

#### BILL RECOMMITTED

Mr. GIBSON. Mr. Speaker, I move that this bill be recommitted to the Committee on Fisheries for the purpose of further study.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1727, entitled

An Act to further amend the act approved the twenty-eighth day of May one thousand nine hundred fifteen (P. L. 596) entitled "An act requiring cities of the second class to establish a pension fund for employees of said cities and regulating the administration and the payment of such pensions" by further providing for certain minimum and maximum pensions

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1737, entitled

An Act to promote the welfare of the people of this Commonwealth creating The Port of Erie Authority as a body corporate and politic with power to acquire construct maintain and operate projects for the improvement and development of the port district and to collect tolls fares fees rentals and charges for the use thereof defining its powers and duties authorizing the issuance of bonds for said authority defining the port district and granting the right of eminent domain within the port district

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1738, entitled

An Act making an appropriation to the State Police School Building Authority for payment of the costs and expenses incurred in the work of the Authority

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1739, entitled

An Act making an appropriation to the Department of Property and Supplies to conduct a service for photographing correspondence records reports and other papers and for studying and recommending filing systems or the use of space by departments boards and commissions

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 27, entitled

An Act relating to the loyalty to the United State and the Commonwealth of Pennsylvania of public officers and employes including teachers and other employes of the public school system and officers and employes of State-aided institutions of learning requiring statements and oaths or affirmations by applicants for public office or employment and by present appointed officers and employes prohibiting appointment or employment and requiring discharges after hearing in certain cases imposing conditions on the payment of appropriations to State-aided institutions of learning requiring statements under oath or affirmation of candidates for elective public offices and imposing duties on State and local appointing authorities and certain other State officers

The first section was read.

On the question,

Will the House agree to the section?

Mr. WATKINS. Mr. Speaker, I wish to offer corrective amendments to Senate Bill 27

The SPEAKER. For what purpose does the gentleman from Cambria, Mr. Andrews, rise?

Mr. ANDREWS. Mr. Speaker, to crave the privilege of making a statement prior to the consideration of the bill on second reading.

The SPEAKER. Will the gentleman from Schuylkill, Mr. Watkins, yield to the gentleman from Cambria, Mr. Andrews?

Mr. WATKINS. Mr. Speaker, I yield to the gentleman.

The SPEAKER. The Chair recognizes the gentleman from Cambria, Mr. Andrews.

Mr. ANDREWS. Mr. Speaker, it had been my intention to make a motion to recommit this bill. There are others on the floor or this House who would favor recommitment. I am stating now only a personal position.

The issues carried in this bill are so based, so fundamental, so contrary to the genius of our institutions that the matter involved is one that cannot be settled in the committee room; it cannot be settled simply by conference of leaders, it is an issue that must be carried to the public.

The only argument, for recommitting the bill would be that so many provisions have been so widely misunderstood. But sooner or later, today or tomorrow, or the day after, each individual in this House must take a position on this bill. And believing in the position that I have personally taken in opposition to this bill, I am perfectly willing myself, and I am perfectly willing for my party to go to the public on the basis of the record for or against this particular measure.

I understand that there are amendments to be offered



from the minority side of the aisle; and that if the amendments offered by the gentleman from Schuylkill, Mr. Watkins, were adopted, then the language of the bill and the amendments to be offered by the minority would not exactly coincide.

Therefore I would ask the gentleman from Schuylkill whether he would not give the amendments to be offered by the minority priority. If the amendments that we offer prevail, it may change somewhat the nature of this amendments. If they do not prevail, he will be in position to go ahead with his corrective amendments.

The SPEAKER. Will the gentleman from Schuylkill, Mr. Watkins, withdraw his amendments temporarily?

Mr. WATKINS. Mr. Speaker, that is acceptable.

The Chair thanks the gentleman.

The first and second sections were separately read and agreed to.

On the question,

Will the House agree to the section?

Mr. SEYLER offered the following amendments:

Amend Bill, page 8, lines 3 to 20, both inclusive, by striking out all of said lines.

Amend Bill, page 9, lines 1 to 19 both inclusive by striking out all of said lines.

Amend Bill, page 10, lines 1 to 19 both inclusive by striking out all of said lines.

Amend Bill, page 11, lines 1 to 4, both inclusive by striking out all of said lines.

On the question,

Will the House agree to the amendments?

The SPEAKER. If there are no objections, sufficient latitude will be permitted to discuss all the amendments offered by the gentleman to the various sections. The Chair hears none.

Mr. SEYLER. Mr. Speaker, I thank the Speaker for the latitude extended.

I do not intend to debate the merits of the bill but simply the merits of the amendments. However, as a preliminary, so that you may all understand what these amendments would do, I would like to give a brief "history"—perhaps I should call it,— of the bill.

I will say first of all that the name "Pechan Bill," to which this bill has popularly been alluded in newspapers and other places, is perhaps a misnomer, because if you will examine the bill, you will find that the only thing that is left of the so-called "Pechan Bill" as it came from the Senate where it was passed, are a few definitions in the first two pages. The content of the Pechan Bill as passed in the Senate has been entirely stricken out with the exception of those definitions, and an entirely new bill has been substituted. The new part which has been put in in the House extends from page 8 to page 32.

In making the changes that were made when the bill was in the custody of the House Committee, one very significant change in the bill was made. Previous to that time—in other words, as the bill came from the Senate—public school teachers and public employes were on the same basis in this bill as the teachers in our colleges and universities. But in the version that we now have to consider, the college and university teachers in State-supported colleges and universities are on a different basis than are the public school teachers and public employes.

I would ask the Members at this time this question: Is it your opinion, laying aside all preconceptions and all prejudices, that there are more subversives among public

school teachers and among public employes than there are among college and university teachers? According to this bill, as it now stands, this provision is made so far as the state-supported colleges and universities are concerned. There is no oath for the teachers to take; there is no investigation of teachers as to subversive activities; there is no firing on suspicion—none of the objectionable, really objectionable, features of this bill apply to the teachers in state-supported colleges and universities.

This is all that is in the bill that affects the colleges and universities. The president of such institutions is required to make an annual statement to the Governor, with copies to the two Houses of this Legislature, stating what methods they have taken to determine whether there are any subversive activities among their teachers, and stating furthermore and certifying that there are no subversives in their schools.

The appropriation given to those colleges and universities depends upon that statement and its acceptance by this Legislature.

My proposed amendments which are before you would do nothing more nor less than put the public school teachers and the public employes of this Commonwealth upon precisely the same basis in regard to this proposed law, as you have now placed the college teachers and the university teachers.

I might at this point use an expression which is very famous in this House because of its reiteration by one of our Members, and that statement, of course, is the statement of the gentleman from Westmoreland, "Let us be fair!"

I would say that this is a place where I would ask each Member of this House, without prejudice, to lay aside your preconception of this bill and answer me this question. Is it fair to put the teachers of our colleges and universities on one basis as regards this bill, and to put our public school teachers and our public employes on an entirely different basis?

All I am asking in this amendment is that you be fair to your public school teachers and your public employes. Let us put them on precisely the same basis as you put your university and college teachers. Let us not play favorites. If there is danger of subversion in your public schools and public employment, let us also recognize there is a danger in your colleges and your universities. Let us not distinguish. Let us not have a favorite class of teachers. Let us put all on the same basis—and I am not asking to extend any of the provisions of the bill that might be objectionable to college teachers. I am not asking you to do that. I am simply saying let us put our public school teachers and our public employes on the same basis.

I have several reasons for asking the Members to do this outside of the obvious one of just plain downright fairness.

One reason is this: to my mind, there is no more loyal group in Pennsylvania, or in America, than our public school teachers. I will stake the record of the public school teachers in service to this country against any group in this Commonwealth or in this nation. I see no reason why the Members of this House should single them out as a class to point their finger to and to put them into a special category in which you do not put other teachers of this Commonwealth.

Secondly, I believe that the present law as we already have it on the statute books, together with the provisions



of the bill as they would be if my amendments should prevail, are perfectly adequate to cover the situation.

If the Members will bear with me, I would like to read to them, first, from the School Law of the Commonwealth, from the Tenure Act of the Commonwealth. This applies to all public school teachers. I read from Section 1122 of the Public School Code of 1949, our latest copy of the School Laws, as follows:

"The only valid causes for termination of a contract heretofore or hereafter entered into with a professional employe shall be immorality, incompetency, intemperance, cruelty, persistent negligence, mental derangement, advocacy of or participating in un-American or subversive doctrines, persistent and willful violation of the school Laws of this Commonwealth of the professional employe."

In other words, there, among the other reasons for dismissal of a teacher in the public schools, is a statement that covers un-American or subversive doctrines.

I would read further from the Law of 1941, passed by the Legislature of 1941, which deals with all public employes, including school teachers and including teachers in state-supported universities and colleges. I read as follows:

"No person"—

I wish the Members would listen to this because it, to in my mind, proves that there is adequate protection—

"No person who hereafter advocates or participates by an overt act or acts in un-American or subversive doctrines shall be permitted to be employed in any capacity by any department, board, commission or other agency of this Commonwealth, or any county, city, borough, incorporated town, township, school district, vocational school district or institution district hereof, or any authority or institution which is supported in whole or in part out of public funds. Any person so employed shall be dismissed in the same manner as provided for by existing law for dismissal for other causes.

Now I would hold that in the school law of this Commonwealth there is ample provision for meeting the danger of any subversive persons in the public schools, in public employment on any level, in any municipality of the Commonwealth, as well as on the state level, or in any state-supported college or university or other institution.

I am not alone in his opinion. Some of you have heard of former United States Senator Joseph Grundy, whom, to my knowledge, no one as yet has accused of being either a Communist or fellow traveler or subversive in any way. To the best of my knowledge Mr. Grundy's record in that respect is clear; he is not a subversive. Mr. Grundy is of the opinion, according to an article in the Philadelphia Bulletin of August 19, 1951, that the 1941 Law which I have just quoted to you is adequate for the protection of our Commonwealth against the danger of subversive employes or subversive members of public schools or state-supported institutions. And on that basis, he is opposed to the Pechan Bill.

I quote from the article:

"The Pechan bill is regarded by Mr. Grundy as experimental; while the 1941 Act—he stated in a letter to Woodside—is closely patterned after the Smith Act under which the Federal Government has been moving against subversives. The latter law, he be-

lieves, has proved to be an effective weapon against subversives."

And so on the basis of being fair to the public school employes and not singling them out as a specially disloyal group as compared with, for example, the college and university faculties—on the basis of fairness.

Secondly, on the basis of the proven record of your public school teachers as a loyal group in this Commonwealth and in the nation.

Thirdly, on the ground that our present law, together with this bill as amended by the proposed amendments, would be adequate, I would ask the Members of this House to vote for these amendments.

We are only asking in the name of fairness that you place your public school employes and your public employes on exactly the same basis as you have already deemed sufficient to cover the teachers in state-supported colleges and universities:

Let us not have a favorite group in Pennsylvania! Let us put all of our teachers, and let us put our public employes, too, on the same basis. In other words, Let us be fair; let us lay aside our preconceptions and our prejudices and look at this matter from the standpoint of men who want to be fair to our public school teachers.

Mr. TOMPKINS. Mr. Speaker, I should like to interrogate the gentleman from York, Mr. Seyler

The SPEAKER. Will the gentleman from York Mr. Seyler, permit himself to be interrogated?

Mr. SEYLER. I shall, Mr. Speaker.

Mr. TOMPKINS. Mr. Speaker, I should like to interrogate the gentleman from York, Mr. Seyler.

Mr. TOMPKINS. Mr. Speaker, I would like to inquire if this entire sheet containing the amendments to this bill refers only to the subject which he has now debated or whether it covers other items?

Mr. SEYLER. That is correct.

Mr. TOMPKINS. I have not had a chance to go over them closely enough to check the bill and I am making the inquiry for that purpose.

Mr. SEYLER. Mr. Speaker, if the gentleman desires to postpone action on this until later all right, but I would assure the gentleman that these amendments do only one thing. That is, put the public school teachers and the public employes on exactly the same basis as now prescribed for the teachers in state-supported colleges and universities.

Mr. TOMPKINS. Mr. Speaker, I thank the gentleman and I will take his word that that is what they are designed to do.

Mr. SEYLER. I might add, Mr. Speaker, for the gentleman's information as to the details, that the bill states, as it is now written, that in the case of colleges and universities an annual report shall be made by the presidents of such colleges or universities. This bill would have the superintendents or supervising principal of each school district—or in the cases of public employes, the appointing official or agency—make a similar statement as that prescribed now for the college presidents.

Mr. TOMPKINS. I thank the gentleman.

Mr. Speaker, a great deal of what the gentleman from York has said has some merit in it. I wish, however, to review a few matters as to why the bill was amended in its present form.

After the time of the passage of the bill in the Senate,



a public hearing or a semi-public hearing was held over in one of the Senate rooms.

First of all we have not tried to single out any particular group upon which to impose this loyalty oath. I know, as well as Mr. Seyler knows, and as well as every Member in this House knows, that by and large our public school teachers in the state of Pennsylvania are a grand lot of people. But by the same token there have crept into that system defections which, of course, have crept into other segments of our society.

As a result of the hearing which was held that I refer to, there appeared at that hearing the President of the University of Pennsylvania, Mr. Stassen; the President of Penn State College, Mr. Eisenhower; the President of the University of Pittsburgh, Dr. Fitzgerald and a representative from Temple University, the four state-aided institutions in this Commonwealth.

It was brought out in the course of that hearing that to allow the provision to remain as it was would create a situation perhaps similar to what they had at the University of California. But that in the State of Maryland they had a provision such as is contained in the bill in its present form, requiring the universities to make their annual report to the Legislature, or the proper state authority, regarding what they have done to clear up subversive activities within their schools.

It has worked eminently well in the State of Maryland and has avoided a great deal of the confusion which existed in California.

Now we must remember this fact, this bill covers all state employes and it covers the public school teachers, and it covers those state aided institutions which receive partial help from the state.

We have a great number of colleges and universities, other than the four which I have mentioned in the state of Pennsylvania, none of whom would be covered under the provisions of this bill.

A public school teacher is one who is wholly paid out of public funds whether it be state or whether it be local or a matching combination of the two. All state employes of course are paid entirely out of that same source.

The Attorney General's office, in reviewing all these various matters which were raised at that hearing and reviewing the effects of them throughout the country, came to the conclusion that was arrived at at this hearing—that the bill in its present form was the better form for the purposes of administering it so far as those who received public funds are concerned.

Now, if I were arguing other than on this bill, I could wish that these provisions could be extended to every citizen in the state of Pennsylvania whether they receive their money from the public coffers or not. But this bill deals only with those who wholly receive their funds—or are paid wholly from public funds.

The four institutions I speak about only receive partial assistance from the state. But nevertheless, for the purposes of having control over those institutions in connection with some of these matters, they though best to require the heads of those institutions, in order to get their appropriations, to make the reports so that they may be reviewed and find out exactly what effort is being made to justify the State coming in and making any appropriations to them whatever.

These colleges maintain themselves a great deal on

private funds, on endowments, and other things which your public schools and your public employes do not. That is the reason why the bill was written in its present form and that is the reason why I would ask the Members of this House to vote down these amendments in order that we may confine it exclusively to those who receive their pay one hundred percent out of public funds.

Mr. SEYLER. Mr. Speaker, I would desire to answer a few of the statements the gentleman made. He said first of all that this change came about because of a semi-public hearing held by the college presidents. And that is very nice. It means that the college presidents came in there, presented a story; it was received, and as a result the change was made.

Later on there were public hearings held. At these public hearings the representatives of the public school teachers came—and bear in mind that every organization of public school teachers, in fact of all teachers in this Commonwealth, is on record as opposed to the parts of the bill which I am proposing to amend. They asked for the same sort of treatment. But what happened? They did not receive it.

Again I say, gentlemen, it depends who you are, apparently, in this Commonwealth. One group comes in and has a semi-private hearing; they are listened to; adjustments are made. Another group, representing many, many more people in this Commonwealth, come in, make a similar plea, and no attention is paid to their plea.

The gentleman says that not all colleges and universities are included in this bill; only the state-supported ones. That is true, but I would point out to the gentleman that not all of the lower grades are included in this amendment either. Our private schools, our parochial—we also have many of them—which do not receive state appropriation, and they are not included in this bill.

Therefore, there is no more reason for subjecting the rest of the public school teachers to that treatment than there is for subjecting the rest of the college teachers to that treatment.

He said furthermore that school teachers are supported, and public employes receive their pay only from public funds. That is true, but not only from State funds but from federal funds and from local funds. In other words the situation is not too much different. The State is attempting here to legislate in one case about a matter that includes only a partial amount of state funds, namely the colleges and universities, and the same thing is true of the local districts receiving only partial state appropriations.

In short, gentlemen, I believe that my allegation stands unrefuted—that teachers are being discriminated against as groups. There is one class of teachers that comes under the law; one class does not.

I would say, let us keep the record clear. Let us keep our public school teachers and our public employes for the teachers in our state-supported universities and colleges.

Mr. TOMPKINS. Mr. Speaker, I merely wish to state that the gentleman from York has been arguing exclusively on the school teachers. If he desires to run for public office again, and this bill is passed, he will likewise take this same oath and I will be very proud to take it.

Mr. GOODLING. Mr. Speaker, I would like to interrogate the gentleman from York, Mr. Seyler.



The SPEAKER. Will the gentleman from York, Mr. Seyler, permit himself to be interrogated?

Mr. SEYLER. I will be glad to be interrogated by the gentleman from York, Mr. Goodling.

Mr. GOODLING. Mr. Seyler, this is strictly a matter of information from my standpoint, and for the balance of the House.

In the interrogation by the gentleman from Cameron, Mr. Tompkins, I believe you said that the people who were responsible for making these reports would be the supervising principal or the principal, is that correct?

Mr. SEYLER. That is correct.

Mr. GOODLING. In rural cases where there is not a supervising principal or a principal, who would be responsible for the report?

Mr. SEYLER. In all other cases it will be the individual or agencies making the appointment. In other words it would be the school board in those cases.

I would like to say one more thing while I am on the floor, and that is that a vote for these amendments is not a vote against the bill. It is an effort to bring the bill in line with fairness and justice to our public school teachers and public employees.

Mr. ANDREWS. Mr. Speaker, I rejoice in the desire of the gentleman from Cameron to have the opportunity to take a loyalty oath. In that particular, his desires coincide with my own.

I know of no reasonable opposition to this bill based upon disinclination to take an oath. There is some such opposition, but it is not controlling.

We have before us the remarkable doctrine that private schools, as I interpret the bill, can be seats of sedition wholly unrestrained and unsupervised, except by the general statutes of the Commonwealth and the federal statutes. I have literature suggesting that some of the private schools are the very seats of sedition. Liberal arts colleges are presumed to be immaculate unless they receive a dollar of state funds. If they receive any money from state funds, they become subject to the regulations of this bill, if it should pass.

Then we have the state-aided colleges that the gentleman from York can certify, are all poor at the present time under the present decree, but the poor teachers in the public schools can be fired from their position, ruined for life on the basis of a reasonable doubt and the final result of a hearing at which the Superintendent of Public Instruction or someone he names presides.

Now I am in agreement with the gentleman from York in his premise. I do not like the bill as amended, but it makes it a little better bill.

A college president is not any more in a position, and he is in as good a position to pass judgment upon the loyalty of his professors as are the members of a local school board.

While I would not want to subject a teacher to what might happen under the reasonable doubt doctrine, yet by and large, taking the state as a whole, perhaps the judgment of local school boards is just as valid as the judgment of a university president.

So I believe that the amendments proposed by the gentleman from York make a bad bill a little better, but not very much better.

Mr. PETROSKY. Mr. Speaker, may I interrogate the gentleman from York, Mr. Seyler?

The SPEAKER. Will the gentleman from York, Mr. Seyler, permit himself to be interrogated?

Mr. SEYLER. Mr. Speaker, I will.

Mr. PETROSKY. Mr. Speaker, did I understand the gentleman to say that all school teachers in the Commonwealth are opposed to the provisions which he intends to amend by the amendments presented here today?

Mr. SEYLER. Mr. Speaker, that would be an impossible statement because I have no way of taking a referendum. My statement was that every teachers' organization in the Commonwealth to my knowledge is on record as opposed to the bill.

Mr. PETROSKY. Mr. Speaker, is the gentleman aware of the fact that the Pennsylvania State Education Association, which is one of the largest groups of teachers in the State, has no objections to the bill as it was amended in its present form upon the calendar.

Mr. SEYLER. Mr. Speaker, on the contrary I can tell the gentleman that the Pennsylvania State Education Association, the largest organization of teachers in this Commonwealth—of which I am proud to be a member—is opposed to this bill.

Mr. PETROSKY. Mr. Speaker, I want to make the observation relative to the amendments, that in the last bulletin that I have received from that organization they had withdrawn, to my estimation—that is the way I read the statement—they had withdrawn their objections inasmuch as they now feel that the provisions of the bill do not encroach upon the protective rights that they have today in the tenure act.

Mr. SEYLER. Mr. Speaker, just a few hours ago the President of the State Education Association stated to my colleague Mr. Schmidt—and I will be glad to yield to him if he wishes to make a statement on this, that the Pennsylvania State Education Association is opposed to the bill. This leaves no doubt in my mind.

At this time I would be glad, Mr. Speaker, to yield to the gentleman from Allegheny, Mr. Schmidt, who had the personal contact with Mr. Lumley.

Mr. SCHMIDT. Mr. Speaker, during the recent recess today I overheard a statement to the effect that the objections of the PSEA to this bill had been removed and they no longer objected to it.

I was quite concerned by this remark and was able to locate Mr. Lumley, the State President of the PSEA, and I related to him the rumor that was spreading throughout this House. He authorized me to make a statement on the floor that no one was authorized to make such a statement; that the position of the PSEA is the same as it has been, and the PSEA is unalterably opposed to the passage of the so-called Pechan Bill.

Mr. HELM. Mr. Speaker, just to keep the record straight, I would like to state that as late as this afternoon I, too, talked to some members of the PSEA. There are a number of local branches who have taken a stand against the Loyalty Oath Bill, but I do not believe that the state organization has taken any action for or against the measure.

#### MOTION TO RECOMMIT

Mr. ANDREWS. Mr. Speaker, in view of the differences of opinion that have arisen, and the differences of opinion



that will inevitably arise, I have changed my mind again.

I now move that this bill be recommitted to the Committee from which it came.

On the question,

Will the House agree to the motion?

Mr. SMITH. Mr. Speaker, at one time during the proceedings I thought that recommitting would be a very good idea. I also changed my mind and thought that such action was not proper. But now when I see a controversy raging like this I would like to second the gentleman's motion that this bill be recommitted.

Certainly I do not see how anyone here can vote on this bill intelligently, because what you are going to have happen, whether you know it or not, is that you are going to be damned if you do and damned if you don't. And let us not kid ourselves about it.

Let us know definitely, Mr. Speaker, what we are voting on. I think every Member in this House should know because for the man who stands here tomorrow, if this bill goes through and he votes against this bill, it is going to take a lot of courage. People who are for a bill such as this are going to take the attitude—and it is very easy for them to take—of calling somebody a pink or a communist or any other thing they want to call him.

All I can say on the recommittal motion is that I know some very reputable people, learned and intelligent people, whose loyalty is not even questioned, and they asked me to vote against this bill.

The bill is now in such a state of confusion that I think it should go back to committee for further study. Give every citizen a full opportunity to be heard on it; give our newspapers a chance to say what they want to say about it because as far as I know the Philadelphia Inquirer, The Bulletin, The Pittsburgh Post-Gazette and nearly all newspapers are one hundred percent against this bill. They were against it in its previous form, and now with this present confusion, I am sure nobody knows what this bill is doing. I do not at this stage, and I do not believe many members who are going to be asked to vote on this bill really know what this bill does. I think this bill should go back to committee for further study.

Mr. GEER. Mr. Speaker, just to correct one thing about this PSEA going on record against this bill. I talked with Mr. Lumley myself, and I think I got it as straight as anybody.

Originally the PSEA went on record against this bill. They stated their objections. At a later date amendments were made to conform with those objections,—and I am stating this as Mr. Lumley told me—amendments were made to conform with the objections that were made by the PSEA.

As Mr. Lumley stated, the committee, which was a small committee, felt that they could not then disapprove of the bill as amended; but that inasmuch as the PSEA had not met and had not formed an opinion on the amended bill, it could not be considered as an action by the PSEA. Therefore the delegated committee has no objections to the bill. The PSEA has made no comment on the amended bill. I know I am correct in this statement.

Mr. PETROSKY. Mr. Speaker, in order to get the record straight on a prior statement made by a Member on the floor of this House, I was not authorized to speak for the PSEA, and I did not speak for the PSEA. I merely questioned the gentleman relative to the statement that he had made on their objection.

I want to oppose recommitment of this bill. It has been in the State Government Commission since March 29th of this year. There has been ample time to have gone through the pros and cons of this measure. I wish to oppose the motion inasmuch as it was made during the height of discussion in the House. And there is no resulting confusion. The issue will eventually be straightened out. And let us, as the Minority Leader stated, be counted for or against the measure and go out and face the people of the Commonwealth, of our particular district upon that basis.

I therefore ask motion for a roll call.

Mr. SMITH. Mr. Speaker, I would like to just clear up one thing. When I made the recent statement I was not speaking as the Majority Leader of this House. I was speaking as an individual for the people I represent. I would like to make it definitely clear to all the Members that I am speaking only as an individual and not as the Majority Leader.

Mr. WILBUR H. HAMILTON. Mr. Speaker, I am not too familiar with the verbal statements made by various officials of organizations who are apparently "off again, on again, Finnegan."

I have saved two written communications that I received from two organizations who are opposed to Senate Bill 27. One letter is dated August 10, 1951, from the Teachers' Union of Philadelphia. It is signed by its president. The content simply requests that I oppose Senate Bill 27. The letter signed by the president of the Teachers' Union is not in the form of a resolution and in no way shape or form am I questioning the integrity of the president of this organization. I presume he knows exactly what the sentiments are of those who are opposed to it. However, anyone can secure a letterhead and sign his name as an official of an organization and make certain statements for or against.

I have another communication from the Citizens' Council on Democratic Rights. This letter requests that I vote against Senate Bill 27. It is signed by the Vice-President of the organization. In no way, shape or form does it say that it was a resolution passed by the majority, or unanimously by the members of this organization. On this letterhead there are some names of very prominent individuals who this year are running for the highest positions in the City of Philadelphia. I do not know whether they favor it or not, because it is simply a letter signed by the Vice-President.

To give you a contrast of how I think communications should be sent to Members, I also have in my possession a letter from the Veterans of Foreign Wars of the United States, Inc. It is dated September 25, 1951, and was placed on my desk this morning. The Department Commander of the Veterans of Foreign Wars is in favor of Senate Bill 27, but he has attached to his letter a resolution stating that, "this resolution was adopted by the delegates assembled in the 32nd Annual Encampment of the Department of Pennsylvania of the Veterans of Foreign Wars of the United States, July 12-14, 1951, at the Bellevue-Stratford Hotel, Philadelphia, Pennsylvania."

Now that motion and that resolution was approved by the vast majority of the Veterans of Foreign Wars. There is not any doubt in my mind how they feel about the Pennsylvania Loyalty Oath Bill. But there is some doubt in my mind about the other communications, and I believe that any verbal statement, whether it was made



by the president of the Pennsylvania Association of Teachers or any other group, will be so garbled up and changed around that we should eliminate that part of it and vote in favor of whether we think the bill is good legislation or not.

These gentlemen who write us letters representing organizations should put it in the form of a resolution and not just sign it as an official, because that can be done by anyone.

Mr. CLAPPER. Mr. Speaker, it was not my intentions to make any statement on the recommittal of this bill. However, due to the fact that statements were made concerning a controversy about the various associations who objected to the bill, I want to state for the benefit of the Members of the House that every Member in this House probably knows that I have voted very closely on all issues that had anything to do with the Pennsylvania State Education Association this year. I am going to vote against the committal of this bill for the simple reason that I have had no word from any teacher in my county. And furthermore it is my belief, and I feel confident, that the Pennsylvania State Education Association is not opposed to this bill.

Mr. SCHMIDT. Mr. Speaker, of course a lot of this discussion has not been on the question before the House. But inasmuch as certain remarks have been made relative to the position of the PSEA, I wish to state that Mr. Lumley, who is present in the state Senate at the present time—or was when I spoke with him—positively stated to me when I communicated to him the rumor that was circulating in this House that the position of the PSEA had not changed since the last amendments were made, and that the Executive Committee of PSEA is absolutely opposed to Senate Bill 27.

A public hearing was held by our State Government Committee on this bill, one of the largest public hearings in the history of the House, before which committee representatives of the various organizations throughout this State appeared in person to submit testimony as to whether or not they favored or opposed Senate Bill 27. For the information of the House the testimony that was submitted to that committee, we did not even have a chance to digest it before there appeared before the committee a representative of the Attorney General of this State to inform us that this bill was to come out; that the Attorney General wanted it. And upon that statement by the gentleman, who happens to be present—and has been present in this House for some time—that bill was voted upon, and by a close vote came out on this floor.

I want to say to the Members of this House that there is controversy on this bill and that a proper bill has not been presented to this House for adoption. I feel that the motion made by the Minority Leader that this bill be recommitted to the State Government Committee for them to finish their job should be passed.

Mr. SOLLENBERGER. Mr. Speaker, conflicting statements are being made concerning the position of the Pennsylvania State Education Association as regards Senate Bill 27.

The Executive Council of the Pennsylvania State Education Association did definitely oppose Senate Bill 27, Printer's No. 471. That was one of the original bills. They opposed the bill in the public hearing that was held.

Since that time the bill has been rewritten, and some

of the major objections have been eliminated from the bill. Since the bill has been in its present form, the executive Council of that Association has not had a meeting. The representatives of that Executive Council and the officials in office have given this as their final statement, that since this bill has been changed in its present form, and those major objections have been eliminated, they have not taken a stand for or against the bill as it is now.

That I think Mr. Speaker, is an official statement of that association of 55,000 members.

Mr. BOLTON. Mr. Speaker, this House has wallowed in a welter of words on the subject of Senate Bill 27, the Loyalty Oath Bill. We have been bombarded by all sorts of organizations and as my colleague from Philadelphia, Mr. Hamilton, has pointed out, some of them are responsible, legitimate organizations, a great many of them are not.

I think it is about time that this Legislature makes up its mind and determines whether we have enough guts to stand up and be counted or whether we are going to resign as Legislators and become a branch of the PSEA or any other pressure group who may be working on the matter.

I second the request of the gentleman on the other side of the House for a roll call vote.

Mr. WATKINS. Mr. Speaker, it is evident now that there is no confusion on the bill. I want to agree with the gentleman from Westmoreland, Mr. Petrosky, that we certainly do not want any recommittal of the bill since the confusion has been cleared up.

The original bill as received from the Senate has been rewritten, that is true, to such an extent that it is practically a new bill. As the gentleman from York has said, a public hearing has been held, and the bill has been studied thoroughly by the State Government Committee and handled fairly, as all bills are handled by the State Government Committee that had charge of the bill.

On the final action of the Committee, the majority of the membership of that Committee voted favorably for floor action. After insisting that it should have floor action it was reported out in its amended form for floor action, with the exception of a few minor amendments which are corrective and which I offered before. Therefore, the responsibility of this bill is with the membership of this House and not with the Committee.

The question before us is this: Are we to have a Loyalty Oath Bill or are we not to have a Loyalty Oath Bill. If we are to have one, the bill should be advanced for final passage now. Not next week, but now! Therefore, I object to any re-committal. The State Government Committee does not care to see the bill; they want the bill passed because they voted for the bill; and we want the bill.

Mr. ANDREWS. Mr. Speaker, there is confusion concerning this bill, and I can inform the Chairman of the State Government Committee how he can resolve that confusion. He can take this bill and make it a Loyalty Oath Bill. His Committee can write a Loyalty Oath Bill which will be broad and comprehensive and which could be made the basis for perjury charges.

Now if we have a broad base—and I borrow the phrase, "broad base," if we can have a broad base Loyalty Oath bill, one which would serve as a basis for perjury charges;



and if we use our statutes against subversive acts, against treason, against sabotage, we would have a battery of perjury charges, subversive charges, treason charges, sabotage charges upon which we could draw.

All I want to do is to send this bill back to Committee and have them report out a Loyalty Oath bill "period." Make it a Loyalty Oath. Make it as strong an oath as you want to make it and make your measure conform to its title. Bring in that kind of a bill, and I will support it one hundred percent.

Mr. CONWAY. Mr. Speaker, we no doubt know what it means to recommit this bill. To recommit it means it will die in committee. No man in this place is asking for the passage of this bill. They are not asking people to do anything they would not do themselves, in other words.

Just like myself, I am putting a Loyalty Oath on myself and I only thank God that I can get up here and raise my hand if it is five or ten or twenty times a day,—thank God that I am an American and am able to take a Loyalty Oath.

Mr. ROBERTSON. Mr. Speaker, I have been sitting here patiently listening to the discussion which is going on. I do not think I am necessarily confused as the words have been passed around, but my thinking goes like this: the State Government Committee has had this bill for some time. The opponents of the bill and those who desire to change the bill have known that for some time. As I understand it, the gentleman from Schuylkill, Mr. Watkins, has not turned deaf and blind during that time. He would have been willing to propose anything to the Committee which would have been reasonably acceptable. They have labored hard and long on this bill and they have brought out what the Committee feels is a proper bill. Sending it back to Committee, Mr. Speaker, I think is a foolish action. The one thing they would do would be to accept suggestions from members here on the floor, and those suggestions could be made from the floor.

My suggestion, Mr. Speaker, is that this bill should remain on the calendar and those of us who desire to place amendments in it should bring those amendments on the floor and have them voted upon. I think the bill should stay on the calendar.

Mr. SEYLER. Mr. Speaker, one of the gentlemen has suggested that to recommit this bill is to kill it. That as you know is not necessarily true; it depends very much on the will of the Committee. As the Chairman of the Committee has pointed out, that committee wants very much to have a loyalty bill.

We are in this position; practically everybody in this House, I might say everybody in this House, is desirous of arriving at a good loyalty bill. The situation at present is that there are groups who are violently opposed in their opinions as to whether this bill is a good loyalty bill. You must all be aware of this. You receive contacts, from both groups, violently antagonistic in character. Some of them are urging you very strongly to vote for it, others are urging you very strongly to vote against it. And where are you? You are right in the middle. What is the reason for this? It is obvious that we have not yet arrived at a bill that will do the job.

For example, there are a number of amendments on this floor. The Chairman of the Committee himself has some corrective amendments which need to be made. On

the floor, with the large number of amendments that are offered, it is always difficult to do a good job in ironing out a bill.

Those of you who were at the public hearing that was held, not the private one to which we were not invited, but the public hearing—I was there and a lot of you were—those who were not, I would like to remind you that one of the speakers for the bill, a judge from Allegheny County, whom I will not name, made a speech in which he favored the purposes of the bill, but at the end he said there were three serious objections. And he named them.

One of those objections had to do with firing on suspicion. Another had to do with the rules of evidence being suspended. Another one had to do with the provision in the bill, a specific provision calling for appeal to the courts.

That gentleman said at the conclusion of his speech, that he is for the purposes of the bill, but unless these amendments are made, it is absolutely valueless.

One of the members of the Committee, a gentleman from Philadelphia, a very able Attorney, Mr. Tahl then asked this question, of the veterans groups that were there, he asked specifically the gentleman representing the Joint Veterans' Council, who is also I believe the Commander of the Veterans of Foreign Wars, and you will remember that he asked him this question. He said, "Are you gentlemen in agreement that the suggestions made by the Judge should be incorporated in the bill and would you agree to have these amendments made in order to make it a good bill?"

And those representatives of the veterans groups said, yes, they would be willing to have those made. They said, "We would like to sit down with the committee when you do it; but yes, we think those changes ought to be made."

"The bill came out of committee and those changes have not been made. None of those three provisions have been covered. This is only to demonstrate to you that a good bill could be arrived at, a bill that would not put you on the spot, a bill that could be a common agreement.

I am assuming that the Members of this House want to do the right thing. They want to pass a loyalty bill, but one which does not infringe upon innocent persons or take away the rights to employment or put them in a position to be fired on suspicion, or to suspend the rules of evidence, and so on.

I would suggest that if we return this bill to Committee the amendments, all the amendments, can be considered; the committee can discuss it. They can have the benefit again of the very wise counsel of the Deputy Attorney General, who I believe is an authority on this bill. In that way they can arrive at a bill which will not subject us to the storm of controversy in which this bill is now embroiled.

I believe it is possible for an intelligent group of people to arrive at a bill which will serve the purpose of a loyalty bill without having the objectionable features which are now causing all this controversy.

Therefore in the interests of arriving at a bill as the Majority Leader has stated, it will put us in a position where we can vote without the danger of persecution from either the proponents or the opponents of the bill, and both of them represent enormous groups of people.



In the interests of doing that, I say the wise thing, the statesman-like thing to do, is to send this bill back to Committee and have them come out promptly as promptly as they can, with a new bill which is designed to do the job, but at the same time not to violate the feelings or sensibilities or rights of people who might be injured by this. At that time we will be able to vote for a bill which is a good bill and will not subject us to the persecution which may come from voting for or against this present bill.

Mr. LEDERER. Mr. Speaker, I would like to interrogate Mr. Seyler, from York County.

The SPEAKER. Will the gentleman from York, Mr. Seyler, permit himself to be interrogated.

Mr. SEYLER. I shall, Mr. Speaker.

Mr. LEDERER. Mr. Seyler, I understand that you said in your last statement that Mr. Feldman was Commander of the Veterans of Foreign Wars?

Mr. SEYLER. Well I might be wrong in that. That was my impression at the hearing. I have not investigated it. Of which organization is he the Commander?

Mr. LEDERER. Mr. Feldman is the State Commander of the American Veterans Committee, the AMVETS.

Mr. SEYLER. Mr. Speaker, I think the AMVETS are a very fine organization, and I am delighted to have that correction made.

Mr. LEDERER. Mr. Speaker, I thank Mr. Seyler.

Mr. GUARNIERI. Mr. Speaker, it is a sad day, when I hear so many Members say, "I do not like this bill in its present form.

I am for a loyalty oath bill and I believe I might say everybody in this House is in favor of a Proper Loyalty bill, but there are many features in this bill that I do not like; but if it came before the House, I shall be forced to vote for it." Forced, why? Because of one pressure group here or there and the fear that the Member may not be able to face his constituents later on.

I say Mr. Speaker, humbly and sincerely, it is a sad day when the Members of this House come to that point. I will say that I am very proud of the position taken by Mr. Smith of Philadelphia, and the position taken by Mr. Andrews. This bill is of so controversial a nature that we should think more upon it and take it to the people and have more time to bring forth a real loyalty oath bill if a loyalty oath bill there must be.

Granting that there is a need for loyalty legislation, loyalty legislation would be, and is, for Pennsylvania such a drastic change, such a radical departure, from what we have had hitherto that we should move with great caution. There being so much difference of opinion on this bill and this type of legislation, we should approach it with great caution, take the matter to the people and think upon it more.

I would also add that in my own opinion, there being a need for a loyalty oath, why restrict it to one, two or three segments of the population? If there be a danger of Communism, let us require every citizen to take a loyalty oath. Why merely a school teacher; why merely the person who is teaching in a university that receives state aid to be under investigation? Let us require every citizen who comes to vote to take an oath.

The SPEAKER. The Chair has been very lenient and has allowed wide latitude in the discussion on the motion to

recommit. The Chair does not desire to alter that position, but would request that the gentleman kindly attempt to confine himself to the question on the motion to recommit.

Mr. GUARNIERI. For those reasons I say there is necessity for recommitment. A recommitment would give us the opportunity to bring forth proper loyalty legislation with proper safeguards as I suggested. If there be a need for this legislation recommitment would give us the opportunity to determine how we can apply a loyalty oath to all segments of the population where there may be danger of communistic activity.

For the purpose of the record, Mr. Speaker, as an indication of the great amount of differences of opinion on this type of legislation, I will offer these various resolutions, letters, and of course, including the statement of the American Legion.

I am a veteran myself. I would not take issue with their stand, but there is so much difference of opinion, I wish to offer all these documents into the record.

The SPEAKER. Without objection, the material submitted by the gentleman will appear in the Appendix.

Mr. BOLTON. Mr. Speaker, I would like to correct the gentleman on the other side of the aisle as to the status of Louis George Feldman, referred to as the Past Commander of the Department of Pennsylvania Veterans of Foreign Wars of the United States. He is Chairman of the Joint Council of Veterans' Organizations of Pennsylvania.

To paraphrase Mr. Guarnieri, I would like to say it is a sad day for the Commonwealth of Pennsylvania, and for the House of Representatives of the Commonwealth of Pennsylvania, when they lack the—just as I have said before—"guts" to stand up and be counted but hide behind a motion to recommit.

Mr. Speaker, I request a roll call. Let us have the roll call and get this off the floor.

Mr. BRETH. Mr. Speaker, I wish to say just one word. I am going to vote to recommit. I think this is a hot potato. But I do not want anyone, or any Member of this House, or any person who reads the action of this House and sees my vote to think that I do not have the "guts" to stand up and be counted, and that that is my reason for sending the bill back to committee. It definitely is not. And I think there are a lot of men in this House that think like I do.

I am a Member of the State Government Committee. I think it would be a mistake not to recommit this bill now. And as a member of the State Government Committee I do not see why the Chairman cannot take these amendments, and other possible amendments, and we can sit down and work all night and report the bill out tomorrow.

Now there have been a lot of things said, but on that basis and for that reason I would like to have the bill back in committee and I am going to so vote. Not because I do not want to stand up and be counted when there is a final vote on it.

Mr. ANDREWS. Mr. Speaker, I object to the statement made by the gentleman who impuned cowardice to those who favored the recommitment of this bill. I think we have a tradition in this Chamber, going back for many, many years, that in the course of discussion we do not impugn motives. I would suggest to the gentleman that



in the course of his parliamentary discussions he exhibit not only guts but courtesy and brains.

Mr. WATERHOUSE. Mr. Speaker, I do not think the gentleman who spoke had any intentions of saying anyone lacked nerve or were cowards or did not want to be counted. I think he felt as I do that if there are any Members in this House that want to kill this bill, all they have to do is send it back to committee.

You know, and I know, that the element of time is against is. I certainly am opposed to this motion to recommit. I hope the Members will vote it down.

Mr. ANDREWS. Mr. Speaker, apparently there is a possibility that the element of time may work in our favor. If it is indeed true that we are marooned upon this legislative isle until late in December, I think it will be quite possible to reach a conclusion not only concerning this bill but concerning any other bill that is in Committee.

On the question recurring,

Will the House agree to the motion?

The yeas and nays were required by Mr. Petrosky and Mr. Bolton and were as follows:

## YEAS—49

Andrews,	Graybill,	Leven,	Readinger,
Beaver,	Guarnieri,	Limper,	Rovansek,
Berkstresser,	Hamilton, R. K.,	Lutty,	Sarra,
Breth,	Headlee,	McDermitt,	Schmidt,
Bucchin,	Hunter,	McGee,	Seyler,
Clendenning,	Jenkins,	McNally,	Smith,
Corr,	Jones, G. E.,	Mihm,	Snider,
Costa,	Jones, P. F.,	Moran,	Toll,
Fenrich,	Kamyk,	Musto,	Verona,
Filip,	Kornick,	Olsen,	Welsh,
Filo,	Kubacki,	Penglase,	Williams,
Gaffney,	Leonard, L.,	Peta,	Wood,
			Yester,

## NAYS—115

Banker,	Goodling,	McCormack,	Rubin,
Barkdoll,	Greenwood,	McCullough,	Sax,
Baumunk,	Greer,	McInroy,	Scott,
Bear,	Gutendorf,	McKinney,	Shoemaker,
Beech,	Guthrie,	McMillen,	Shotwell,
Blair,	Hagerty,	Metz,	Sollenberger,
Bloom,	Hall,	Mikula,	Spencer,
Bolton,	Hamilton, W. H.,	Miller, H. G.,	Stimmel,
Bomberger,	Helm,	Miller, J. C.,	Stoner,
Boorse,	Hocker,	Mintess,	Swartz,
Bower,	Johnson,	Moore, C. E.,	Taylor,
Breisch,	Jones, T. H. W.,	Moore, H. A.,	Tompkins,
Brown,	Jump,	Muldowney,	Toomey,
Byrne,	Keller,	Munley,	VanSant,
Cella,	Kent,	Murray,	Varnier,
Clapper,	Kline,	Najaka,	Wachhaus,
Conway,	Kohl,	Naugle,	Wargo,
Dalrymple,	Kolankiewicz,	Needham,	Waterhouse,
Davis,	Kratz,	Petrosky,	Watkins,
Dennison,	Lafore,	Pitzer,	Weidner,
Dowling,	Lederer,	Polaski,	Wescott,
Dunn,	Lelsey,	Polen,	Whalley,
Erb,	Leonard, W. C.,	Price, H. W. Jr.,	White,
Ferster,	Light,	Price, R. A.,	Wilt,
Firmstone,	Lyons,	Reilly, J. M.,	Yeakel,
Flack,	Madigan,	Rigby,	Young,
Geer,	Markley,	Riley, R. L.,	Ziegler,
Gibson,	Mazza,	Robertson,	Sorg,
Gleason,	McConnell,	Royer,	Speaker

## NOT VOTING—43

Amarando,	Harney,	Maxwell,	Scanlon,
Boies,	Haudenshield,	Mills,	Schuster,
Cochran,	Hersch,	Monroe,	Stank,
Cooper,	Hewitt,	Pettigrew,	Swope,
Coyle,	Hoggard,	Pfaff,	Tahl,
Dougherty,	Jones, J. M.,	Pichney,	Thompson, E. F.,
DuBois,	Loftus,	Reagan,	Thompson, R. L.,
Duffy,	Lopresti,	Reese,	Varallo,
Ewing,	Lovett,	Reidenbach,	Westrick,
Frost,	Madden,	Rose,	Wheeler,
Good,		Rosen,	Yetzer,

So the question was determined in the negative and the motion was not agreed to.

On the question recurring,

Will the House agree to the amendments to Section 3 offered by Mr. Seyler?

Mr. SEYLER. Mr. Speaker, there has been a little lapse of time since the merits of the amendments was discussed, and I would simply rise to remind the Members of what we are voting on. I hope that no strong feeling of animosity engendered during the debate on the recent question will carry over.

I ask all the Members to please to consider this amendment on its merits, and remember it is just an attempt to place the public school teachers and the public employes on the same basis as the bill has now placed the teachers in universities and colleges supported by the state.

I would ask for a roll call, Mr. Speaker.

Mr. TOMPKINS. Mr. Speaker, I merely wish to call the attention of those Members to the fact that we are now to vote on the amendments which have been offered by the gentleman from York, Mr. Seyler, relating to the method and procedure by which this matter should be handled.

They change considerably the tenor of the bill which has been approved after much work. We would ask that the amendments be voted down and the bill in its present form be the one to stand for the final vote of this House.

The yeas and nays were required by Mr. Seyler and Mr. Filo and were as follows:

## YEAS—56

Amarando,	Gaffney,	Limper,	Price, R. A.,
Andrews,	Guarnieri,	McDermitt,	Readinger,
Beaver,	Hagerty,	McGee,	Reese,
Berkstresser,	Hamilton, R. K.,	McNally,	Rovansek,
Bloom,	Headlee,	Mihm,	Sarra,
Breth,	Hunter,	Moran,	Schmidt,
Bucchin,	Jenkins,	Muldowney,	Seyler,
Byrne,	Jones, G. E.,	Munley,	Snider,
Clendenning,	Jones, P. F.,	Musto,	Taylor,
Corr,	Kamyk,	Najaka,	Toll,
Costa,	Kolankiewicz,	Needham,	Wargo,
Fenrich,	Kubacki,	Olsen,	Welsh,
Ferster,	Lelsey,	Penglase,	Williams,
Filip,	Leonard, L.,	Peta,	Yester,
Filo,			

## NAYS—109

Banker,	Graybill,	Mazza,	Scott,
Barkdoll,	Greenwood,	McConnell,	Shoemaker,
Baumunk,	Greer,	McCormack,	Shotwell,
Bear,	Gutendorf,	McCullough,	Smith,
Beech,	Guthrie,	McInroy,	Sollenberger,
Blair,	Hall,	McKinney,	Spencer,
Bolton,	Hamilton, W. H.,	McMillen,	Stimmel,
Bomberger,	Helm,	Metz,	Stoner,
Boorse,	Hewitt,	Mikula,	Swartz,
Bower,	Hocker,	Miller, H. G.,	Tompkins,
Breisch,	Johnson,	Miller, J. C.,	Toomey,
Brown,	Jones, T. H. W.,	Mintess,	VanSant,
Cella,	Jump,	Moore, C. E.,	Varnier,
Clapper,	Keller,	Moore, H. A.,	Wachhaus,
Conway,	Kent,	Naugle,	Waterhouse,
Dalrymple,	Kline,	Petrosky,	Watkins,
Davis,	Kohl,	Pitzer,	Weidner,
Dennison,	Kratz,	Polaski,	Wescott,
Dowling,	Lafore,	Polen,	Whalley,
Dunn,	Lederer,	Price, H. W. Jr.,	White,
Erb,	Leonard, W. C.,	Reilly, J. M.,	Wilt,
Firmstone,	Light,	Rigby,	Wood,
Flack,	Loftus,	Riley, R. L.,	Yeakel,
Frost,	Lyons,	Robertson,	Young,
Geer,	Madden,	Royer,	Ziegler,
Gibson,	Madigan,	Rubin,	Sorg,
Gleason,	Markley,	Sax,	Speaker
Goodling,			



## NOT VOTING—42

Boles.	Hersch.	Murray.	Stank.
Cochran.	Hoggard.	Pettigrew.	Swope.
Cooper.	Jones, J. M.	Pfaff.	Tahl.
Coyle.	Kornick.	Pichney.	Thompson, E. F.
Dougherty.	Leven.	Reagan.	Thompson, R. L.
DuBols.	Lopresti.	Reidenbach.	Varallo.
Duffy.	Lovett.	Rose.	Verona.
Ewing.	Lutty.	Rosen.	Westrick.
Good.	Maxwell.	Scanlon.	Wheeler.
Harney.	Mills.	Schuster.	Yetzer.
Haudenshield.	Monroe.		

So the question was determined in the negative and the motion was not agreed to.

The SPEAKER. Will the gentleman from York withdraw the remainder of his amendments?

Mr. SEYLER. I will, Mr. Speaker.

On the question recurring,

Will the House agree to the section?

Mr. SCHMIDT offered the following amendment:

Amend Sec. 3, page 8, lines 5 to 9, by striking out "nor any person as to whom on" in line 5, all of lines 6, 7, 8 and the part-word "vania" in line 9.

Mr. SCHMIDT. Mr. Speaker, as was done by the preceding speaker, Mr. Seyler, in the offering of his amendments, I shall discuss all amendments at one time if I have the Speaker's permission.

The SPEAKER. Without objections, the Chair will permit such latitude.

Mr. SCHMIDT. Mr. Speaker, the bill that is now before us provides for a hearing to be conducted for one who may be charged with subversive thoughts or ideas or overt acts, and provides the method by which this proceeding shall be conducted.

As you and I are well aware, under the legal jurisprudence of the United States and the Commonwealth of Pennsylvania, we start out with the assumption that one charged with a crime, or some misdeed, is presumed to be innocent until such time as he is proven beyond a reasonable doubt that guilt exists.

The amendment as offered would put into this bill that same requirement—that anyone charged with subversion under this bill must be tried, and the evidence presented must be such evidence as would be acceptable in a court of competent jurisdiction; and that the evidence, in order to convict, should be proven beyond a reasonable doubt.

As it is now written it is incumbent upon the party as charged to prove that he is innocent which is contrary to every legal idea that we have in this nation of ours. I think that we should put the same protection around anyone charged with a violation under this act.

These amendments still go further. They would change the oath as set forth in this bill from one in which the person must swear to the fact that he is not engaged in any subversive activity to the same type of oath that you and I take when we take the oath of office as a Member of the Legislature, that we will uphold the Constitution of the United States, the Constitution and laws of the Commonwealth of Pennsylvania, and if that person is an appointed person that he did not contribute in any way to his appointment, nor did he make any promises to secure his appointment. I feel that these protections should be placed in this bill—the same

protection that is given to the ordinary criminal under the laws of the state of Pennsylvania.

You will hear arguments against this amendment to the effect that this is not a criminal act. You and I know that anyone today suspected or accused of being subversive is thought of as one who has treason in his heart. There is no one here who would say that one who has treason in his heart is not a criminal. Therefore, anyone who is accused of such a crime should be allowed the same protection that you allow anyone in a criminal court.

I ask that you give the same protection to the teachers and employes of the Commonwealth of Pennsylvania as you give to those accused of crime under the present laws of the Commonwealth of Pennsylvania.

Mr. TOMPKINS. Mr. Speaker, in order that there may be no confusion over this particular issue, I would like to call the attention of the Members of the House to the fact that the bill before us is not a bill relating to crime, nor is it a criminal bill. The consequences of it on a separate situation, which is not related to loyalty, can be a crime for which we have our laws already established.

This bill is not a criminal bill. It is merely the government saying, "you can do what you want and work where you please, but we do not want you employed in our government."

An analogy can be made to a private employer deciding he cannot trust his bookkeeper and saying, "I doubt whether I can trust you, so I do not want you working for me anymore." His dismissal has nothing to do with whether or not any criminal offense had been committed. It might affect his property right regarding his employment, but it certainly has nothing to do with any criminal act. If there is any criminal act involved at all it goes into the matter of the consequences following thereafter.

I might call the attention of the gentleman from Allegheny to the fact that if under the Administrative Code he would be dissatisfied in connection with any decisions of the board relating to his civil rights, he has an appeal under the Administrative Code to the Dauphin County courts.

I, therefore, ask that these amendments be voted down.

Mr. SEYLER. Mr. Speaker, I would like to interrogate the gentleman who just spoke.

The SPEAKER. Will the gentleman from Cameron, Mr. Tompkins, permit himself to be interrogated?

Mr. TOMPKINS. I shall, Mr. Speaker.

Mr. SEYLER. Mr. Speaker, I would like to inquire of the gentleman if he was present at the public hearing held by the State Government Committee.

Mr. TOMPKINS. Mr. Speaker, I was present but not for the full period of time.

Mr. SEYLER. Mr. Speaker, was the gentleman present when the speech was presented by Judge Musmanno of Allegheny County?

Mr. TOMPKINS. Mr. Speaker, I was.

Mr. SEYLER. Mr. Speaker, did the gentleman hear the Judge specify that in his opinion—and he was speaking, of course, as a newly elected, practically elected, member of the Supreme Court—that in his opinion the bill was, and I quote, "valueless" unless three changes were



made in the bill, namely the changes in the amendments proposed by the gentleman from Allegheny?

Mr. TOMPKINS. Mr. Speaker, I recall his raising an issue on the question of reasonable of doubt.

Mr. SEYLER. Mr. Speaker, if the gentleman will examine the record of that meeting, if one was kept, he will find that the Judge did say that the bill was "valueless" unless these changes were made.

Does the gentleman recall the interrogation conducted at that time of Mr. Feldman, who spoke for the bill, in which Mr. Tahl, of Philadelphia, asked Mr. Feldman whether he, as a Representative of the veterans, the Joint-Veterans Council—which I believe at that time was said to represent all the veterans groups with the exception of one in the State of Pennsylvania, was the gentleman present when Mr. Tahl interrogated Mr. Feldman?

Mr. TOMPKINS. Mr. Speaker, I was not present at that time.

Mr. SEYLER. Mr. Speaker, at that time—I will inform the gentleman so that I can ask the next question—Mr. Feldman replied: yes, in his opinion, those changes should be made; he would agree with the Judge that those amendments should be made with the proviso that he would like to sit down with the committee at the time they were made.

I would ask the gentleman, were those changes as a matter of fact, made in this bill when they were reported out by the State Government Committee?

Mr. TOMPKINS. Mr. Speaker, reading the bill I would say that the change on the question of reasonable doubt had not been made.

Mr. SEYLER. I would ask the gentleman next whether in his opinion the wishes of the Veterans organizations should be observed and respected in drawing up this bill?

Mr. TOMPKINS. Mr. Speaker, I would say so, but the Veterans' organizations have approved this bill in its present form.

Mr. SEYLER. Mr. Speaker, in view of the fact that the Veterans organization at that time were agreed that these changes should be made, does not the gentleman think that an amendment which would affect those changes requested at that public hearing should now be made?

Mr. TOMPKINS. Mr. Speaker, all I can say is that the bill in its present form was submitted to the Veterans Council and it was approved by them in its present form.

Mr. SEYLER. Mr. Speaker, does the gentleman know whether the Veterans groups have then changed their attitude? Have they made any statements of which the gentleman knows in which they were just kidding us that day, or have they found reasons to change their attitude?

Mr. TOMPKINS. Mr. Speaker, I would not say that. All I am stating is that this bill in its present form was submitted to them and approved by them. Now if that constitutes change, you will have to use your own judgment about that.

Mr. SEYLER. Mr. Speaker, I thank the gentleman.

Mr. ROBERTSON. Mr. Speaker, I would like to interrogate the gentleman from Allegheny.

The SPEAKER. Will the gentleman from Allegheny, Mr. Schmidt, permit himself to be interrogated?

Mr. SCHMIDT. I shall, Mr. Speaker.

Mr. ROBERTSON. Mr. Speaker, will the gentleman tell me what section is amended and what section he is attempting to amend to put in the requirement that the hearing conducted by the administrative body must be under the terms of legal evidence?

Mr. SCHMIDT. Mr. Speaker, I am amending the bill at page 26, lines one to four inclusive, by striking out all of said lines and inserting in lieu thereof:

Petition to the court of common pleas of the county where he resides, which court after hearing all testimony de novo, on such notice to the petitioner and to the appointing authority, shall have power to affirm or reverse the action of such appointing authority as it shall deem proper. In the event the employe so dismissed requests a jury trial in the said court of common pleas, the court shall order the appeal to be tried before a jury in the same manner provided for by existing law for such trials. From the final order of the court of common pleas any party in interest who views feels aggrieved by such order may appeal to the Superior or Supreme Court in accordance with the law now governing appeals to such courts. All appeals as aforesaid shall operate as a supersedas of any order. At such hearing the burden of proof shall be on the appointing authority."

Mr. ROBERTSON. Mr. Speaker, I do not think the gentleman has answered my question yet. That particular amendment which the gentleman just read had to do with appeals. I understood in his statement that he was amending the act so that the hearing before the administrative body was restricted to legal testimony. Is that correct?

Mr. SCHMIDT. Mr. Speaker, no, I did not say that. I stated that the appeal, when taken from the body initially hearing the complaint, that the hearing before the court shall be under the rules of the court, which would mean that the rules of evidence prevailing in the court of common pleas shall prevail.

Mr. ROBERTSON. Mr. Speaker, so that I understand the gentleman correctly, in other words, the testimony before the administrative body is not restricted to what is generally known as legal evidence, and hearsay and everything else can come in. Is that correct?

Mr. SCHMIDT. Mr. Speaker, outside of the fact that under the administrative code they do try to accept only evidence referred to as having probative value.

Mr. ROBERTSON. Mr. Speaker, one further question. I was under the impression that these amendments went further than they actually do. I was under the impression, after discussing it with the gentleman from Allegheny, that he was going to amend this bill to state that the hearing before the administrative body or the appointing body be restricted to evidence generally known as legal competent evidence. As I said here on this floor before in this session, I am always afraid of any act which does not require that. However, I believe that the amendments offered by the gentleman from Allegheny, Mr. Schmidt, do give more or less of a break in the use of hearsay testimony which oftentimes can become loose before an administrative board.

However, I disagree with the gentleman insofar as the form of the oath should be changed, and I was wondering, Mr. Speaker, as these amendments are voted on, if you could advise the House as to just which one of the amendments they are voting on.

Mr. GUARNIERI. Mr. Speaker, to be indicted for



murder or manslaughter is a serious crime. It means a man's life. We believe that in such a situation, irrespective of the views of the PSEA or the American Legion or any other body. I believe all of us here believe that in such a situation the constitutional guarantee is given a man of trial by jury, to be represented by his own counsel, and to be faced by his accusers.

To me to be accused of Communism is a serious thing. I have no time for communists—no one in this House has. And if a man is to be virtually eliminated perhaps not in body as he would be if put to death for the crime of homicide, but to be eliminated as a person, as an entity, which anyone who is accused of Communism certainly will be because I certainly will not deal with that person nor will anyone here, that person should be given the guarantee of trial by jury. It is so fundamental.

Irrespective of what anyone says to use here and who writes to us, whether it be a PSEA teachers group, veterans group or anyone else, I say to wipe out a man's personality, his very existence, when he is labeled a Communist, and that is what it does, that man should be given the same guarantee as the man whose life is on trial. I say vote for that trial by jury.

Mr. SARRAF. Mr. Speaker, I have similar amendments to those of Mr. Schmidt. Since we are on this debate I will not take up the time of the House with my amendments. There is only one difference and that is that the trial shall be in the Dauphin County court instead of locally.

I agree with Mr. Robertson that each section of the amendments be taken separately, and if the Chair will do that, I will not introduce these amendments.

On the question recurring,

Will the House agree to the amendments offered by Mr. Schmidt?

The yeas and nays were required by Mr. Schmidt and Mr. Guarnieri and were as follows:

## YEAS—53

Amarando,	Guarnieri,	Leven,	Readinger,
Andrews,	Hagerty,	Limper,	Reese,
Beaver,	Headlee,	Lutty,	Robertson,
Berkstresser,	Hunter,	Mazza,	Rovansek,
Bloom,	Jones, P. F.,	McDermitt,	Sarra,
Breth,	Jones, T. H. W.,	McGee,	Schmidt,
Bucchin,	Kamyk,	McNally,	Seyler,
Clendening,	Kolankiewicz,	Mihm,	Snider,
Corr,	Kornick,	Moran,	Toll,
Dunn,	Kubacki,	Needham,	Welsh,
Filo,	Lafore,	Penglase,	White,
Filip,	Leonard, L.,	Peta,	Williams,
Frost,	Leonard, W. C.,	Polen,	Yester,

## NAYS—94

Banker,	Greenwood,	McCullough,	Shotwell,
Barkdoll,	Greer,	McInroy,	Smith,
Baumunk,	Gutendorf,	McKinney,	Sollenberger,
Beech,	Guthrie,	McMillen,	Spencer,
Blair,	Hall,	Metz,	Stimmel,
Bolton,	Hamilton, W. H.,	Mikula,	Stoner,
Bomberger,	Helm,	Miller, H. G.,	Swartz,
Boorse,	Hocker,	Miller, J. C.,	Tompkins,
Bower,	Johnson,	Moore, C. E.,	Toomey,
Breisch,	Jump,	Moore, H. A.,	VanSant,
Brown,	Keller,	Najaka,	Varner,
Cella,	Kent,	Naugle,	Wachhaus,
Clapper,	Kline,	Petrosky,	Watkins,
Cow way,	Kohl,	Pitzer,	Waterhouse,
Dalrymple,	Kratz,	Polaski,	Weidner,
Davis,	Leisey,	Price, H. W. Jr.,	Wescott,
Dennison,	Light,	Price, R. A.,	Whalley,
Dowling,	Loftus,	Reilly, J. M.,	Witt,
Erb,	Lyons,	Rigby,	Wood,

Flack,	Madden,	Riley, R. L.,	Yeakel,
Gibson,	Madigan,	Royer,	Young,
Gleason,	Markley,	Scott,	Ziegler,
Goodling,	McConnell,	Shoemaker,	Sorg,
Graybill,	McCormack,		Speaker

## NOT VOTING—60

Bear,	Geer,	Mills,	Rubin,
Boles,	Good,	Mintess,	Sax,
Byrne,	Hamilton, R. K.,	Monroe,	Scanlon,
Cochran,	Harney,	Muldowney,	Schuster,
Cooper,	Haudenshield,	Munley,	Stank,
Costa,	Hersch,	Murray,	Swope,
Coyle,	Hewitt,	Musto,	Tahl,
Dougherty,	Hoggard,	Olsen,	Taylor,
DuBols,	Jenkins,	Pettigrew,	Thompson, E. F.,
Duffy,	Jones, G. E.,	Pfaff,	Thompson, R. L.,
Ewing,	Jones, J. M.,	Pichney,	Varallo,
Fenrich,	Lederer,	Reagan,	Verona,
Ferster,	Lopresti,	Reidenbach,	Wargo,
Firmstone,	Lovett,	Rose,	Westrick,
Gaffney,	Maxwell,	Rosen,	Wheeler,
			Yetzer,

So the question was determined in the negative and the amendments were not agreed to.

Mr. SCHMIDT. Mr. Speaker, I will withdraw the remainder of my amendments.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to section three?

It was agreed to.

The fourth section was read and agreed to.

The fifth section was read.

On the question,

Will the House agree to the section?

Mr. WATKINS offered the following amendment:

Amend Sec. 5, page 12, line 5, by striking out the word "suspension" and inserting in lieu thereof: "Discharge."

It was agreed to.

The section was agreed to as amended.

The sixth section was read.

On the question,

Will the House agree to the section?

Mr. WATKINS offered the following amendment:

Amend Sec. 6, page 14, lines 16 and 17, by striking out the words "investigation of employes suspensions" and inserting in lieu thereof: "Investigations."

It was agreed to.

The section was agreed to as amended.

The seventh section was read.

On the question,

Will the House agree to the section?

Mr. WATKINS offered the following amendment:

Amend Sec. 7, page 17, line 15, by striking out the word "suspended" and inserting in lieu thereof: "so notified."

It was agreed to.

The section was agreed to as amended.

The eighth section was read.

On the question,

Will the House agree to the section?

Mr. WATKINS offered the following amendment:

Amend Sec. 8, page 19, line 16, by striking out the words "suspension and"

It was agreed to.

The section was agreed to as amended.

The ninth to seventeenth sections inclusive and title were read and agreed to.



And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

### SENATE MESSAGE

#### TIME OF NEXT MEETING

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate which was read as follows:

In the Senate, September 24, 1951.

Resolved (if the House of Representatives concur) That when the Senate adjourn this week it reconvene on Monday, October 1, 1951 at 3:00 o'clock Eastern Standard Time and that when the House of Representatives adjourn this week it reconvene on Monday, October 1, 1951 at 4:30 o'clock Eastern Standard Time.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

Mr. SMITH. Mr. Speaker, I would like to make a very, very important announcement to the House. I would like to have your entire attention because I do believe it is very important to all of us.

We have before us at this moment a resolution from the Senate asking us to come back here next Monday. We also have before us, although it has not been read, another resolution from the Senate asking us to recess this week until December 10th. Combined with this resolution is a sine die resolution asking for adjournment on the evening of December 22nd—just in time for Christmas Eve.

We in this House have taken the attitude that we have been striving for adjournment. We have put enough legislation in the Senate. We have passed two tax programs. We believe if we accept the first resolution to come back here next week, we will have given the Senate sufficient time to pass any legislation they want to pass. I personally cannot see where December 10th will make any more difference than October 1st.

I ask the Members of this House to concur in the first resolution to come back next Monday, October 1st, that the Senate also come back then and that they go on and complete their job before many more days pass.

Mr. ANDREWS. Mr. Speaker, I concur in the major portion of the sentiments expressed by the Majority Leader, but I would suggest that he insist that the Senate complete its business before December 10th, which I believe he said was the mark he was shooting at—that the Senate complete its business this week or early next week.

Mr. SMITH. Mr. Speaker, I would like to say that when they come back next week, there are sufficient legislative days to complete their business if they so desire, by the end of the week of October 1st.

Mr. LOUIS LEONARD. Mr. Speaker, I am willing to support the resolution as stated by the Majority Leader—that we come back here next Monday, but will we definitely stay here next week and then go home finally?

What do you suppose the people on this side of the House—and I guess a good many on the other side of the House—are living on these days? These guys holding

us up have a lot of dough; we do not have that kind of dough. I am going to vote for this only with that understanding.

I want to interrogate the Majority Floor Leader if he will answer my question.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Smith, permit himself to be interrogated?

Mr. SMITH. I shall, Mr. Speaker, but I would like to state to the gentleman that it is our desire one hundred percent. I agree with him.

Mr. LOUIS LEONARD. Mr. Speaker, is it understood that we are staying here next week to wind up finally and adjourn sine die?

Mr. SMITH. Mr. Speaker, I will say this. We intend to stay here and work next week, and we intend to ask the Senate by concurring in their resolution to come back next week and work for final adjournment, yes.

On the question recurring,

Will the House concur in the resolution of the Senate? It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

Mr. LEDERER. Mr. Speaker, I would like to interrogate Mr. Smith, the gentleman from Philadelphia.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Smith, permit himself to be interrogated?

Mr. SMITH. I shall, Mr. Speaker.

Mr. LEDERER. Mr. Speaker, do you know where we are going to sleep? At the present time I am over at the Harrisburger and I understand that there will be a convention—the State Poultrymen are going to have a convention here in Harrisburg, and I have to be out of my room by one o'clock Monday. I cannot afford to run up and down from Philadelphia to Harrisburg.

Mr. SMITH. Mr. Speaker, in answer to the gentleman's question, I am fully aware that the Penn-Harris and the Harrisburger will be full next week. We may be inconvenienced by coming back, but there will be other places to lodge, I am sure there will be places available. They may not be as convenient as our present accommodations, but I can assure the gentleman it will not be nearly as inconvenient as coming back here during the Christmas Season.

### SENATE MESSAGES

#### TIME OF NEXT MEETING

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, September 26, 1951.

Resolved, (if the House of Representatives concurs) that the General Assembly recess from September 27, 1951, until December 10, 1951, at 12:00 Noon, Eastern Standard Time.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

Mr. SMITH. Mr. Speaker, I move that this resolution be referred to the Committee on Rules.

The motion was agreed to.

The SPEAKER. The resolution is referred to the Committee on Rules.



## ADJOURNMENT SINE DIE

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, September 26, 1951.

Resolved, (if the House of Representatives concurs) That this Regular Session of the General Assembly adjourn sine die, December 22, 1951, at 5:00 o'clock P. M. Eastern Standard Time.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

The SPEAKER. The Chair refers the resolution to the Committee on Rules under the Rules.

## RESOLUTION

RECALLING HOUSE BILL No. 356 FROM  
THE GOVERNOR

Mr. McMILLEN offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, September 24, 1951.

Resolved (if the Senate concur), that House Bill No. 356, Printer's No. 897, entitled "An act to further amend the act approved the second day of May one thousand nine hundred forty-five (P. L. 382) entitled 'An act providing for the incorporation as bodies corporate and politic of "Authorities" for municipalities counties and townships prescribing the rights powers and duties of such Authorities heretofore or hereafter incorporated authorizing such Authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such Authorities authorizing such Authorities to enter into contracts with and accept grants from the Federal Government or any agency thereof and conferring exclusive jurisdiction on certain courts over rates' by extending the provisions thereof to school districts for limited purposes changing provisions for incorporation withdrawal from and joinder in Authorities amendment of articles of incorporation boards of Authorities and citizenship of members thereof and providing for extensions of corporate existence transfer of existing facilities to Authorities and conveyances of projects upon termination or assumption of liabilities" be recalled from the Governor for the purpose of further consideration.

Ordered, That the Clerk present the same to the Senate for concurrence.

## SENATE MESSAGES

## CONCURRENCE IN HOUSE RESOLUTION

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, September 26, 1951.

Resolved (if the Senate concur), that House Bill No. 356, Printer's No. 897, entitled:

An Act to further amend the act, approved the second day of May, one thousand nine hundred forty-five (P. L. 382), entitled "An act providing for the incorporation as bodies corporate and politic of "Authorities" for municipalities, counties and townships; prescribing the rights, powers and duties of such Authorities heretofore or hereafter incorporated; authorizing such Authorities to acquire, construct, improve, maintain and operate projects,

and to borrow money and issue bonds, therefor; providing for the payment of such bonds and prescribing the rights of the holders thereof; conferring the right of eminent domain on such Authorities; authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof; and conferring exclusive jurisdiction on certain courts over rates," by extending the provisions thereof to school district for limited purposes; changing provisions for incorporation, withdrawal from and joinder in Authorities, amendment of articles of incorporation, boards of Authorities and citizenship of members thereof; and providing for extensions of corporate existence, transfers of existing facilities to Authorities, and conveyance of projects upon termination or assumption of liabilities.

be recalled from the Governor for the purpose of further consideration.

## RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced presented an extra from the Journal of the Senate, which was read as follows:

Resolved (if the House of Representatives concur), that Senate Bill No. 836, Printer's No. 544, entitled "An act making an appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred fifty-one," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

## RECESS

The SPEAKER. If there is no objection, the Chair will declare a recess for one hour and a half. The Chair hears none, and a recess is declared.

## AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Herbert P. Sorg) in the Chair.

## SENATE MESSAGES

## HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 1118

An Act making an appropriation from the Toll Bridge Fund to the Board of Finance and Revenue to meet interest and sinking fund requirements on Toll Bridge Bonds

## HOUSE BILL No. 1557

An Act to amend clause (h) of Section 9 of the act approved the twenty-fourth day of May one thousand nine hundred forty-five (P. L. 991) entitled "An act to promote elimination of blighted areas and supply sanitary housing in areas throughout the Commonwealth by declaring acquisition sound replanning and redevelopment of such areas to be for the promotion of health safety convenience and welfare creating public bodies corporate



and politic to be known as Redevelopment Authorities authorizing them to engage in the elimination of blighted areas and to plan and contract with private corporate or governmental redevelopers for their redevelopment providing for the organization of such authorities defining and providing for the exercise of their powers and duties including the acquisition of property by purchase gift or eminent domain the leasing and selling of property including borrowing money issuing bonds and other obligations and giving security therefor restricting the interest of members and employes of authorities providing for notice and hearing supplying certain mandatory provisions to be inserted in contracts with redevelopers prescribing the remedies of obligees of redevelopment authorities conferring certain duties upon local planning commissions the governing bodies of cities and counties and on certain State officers boards and departments" by clarifying the provisions of said section with respect to the power of Redevelopment Authorities to purchase real property

With the information that the Senate has passed the same without amendment.

#### SENATE BILL FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bill numbered and entitled as follows:

##### SENATE BILL No. 571

An Act making an appropriation to the Department of Property and Supplies for the payment of rates, rentals and other charges that may become due on leases and other contracts executed by such department with The General State Authority, for the use and occupancy by the Commonwealth of various projects, structures, buildings and facilities of the Authority, or for the services rendered by the Authority or its projects.

Referred to the Committee on Appropriations.

#### COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

##### APPROVAL OF HOUSE CONCURRENT RESOLUTION RECALLING FROM GOVERNOR HOUSE BILL No. 1505

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, September 26, 1951.  
To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 1505, Printer's No. 805, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

JOHN S. FINE.

#### RECONSIDERATION OF VOTE

Mr. DALRYMPLE. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

Mr. McMILLEN. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Erie, Mr. Dalrymple vote on the final passage of this bill?

Mr. DALRYMPLE. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Indiana, Mr. McMillen, vote on the final passage of this bill?

Mr. McMILLEN. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. DALRYMPLE. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question,

Will the House agree to the bill on third reading?

Mr. DALRYMPLE. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk read the amendment as follows:

Amend Section 5.1, page 2, line 10 by striking out the words "private home for aged persons"

The SPEAKER. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

#### COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

##### APPROVAL OF HOUSE CONCURRENT RESOLUTION RECALLING FROM GOVERNOR HOUSE BILL No. 1057

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, September 25, 1951.  
To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 1057, Printer's No. 667, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

JOHN S. FINE.

#### RECONSIDERATION OF VOTE

Mr. ROBERTSON. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

Mr. BLOOM. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Delaware, Mr. Robertson vote on the final passage of this bill?

Mr. ROBERTSON. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Delaware, Mr. Bloom vote on the final passage of this bill?

Mr. BLOOM. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. ROBERTSON. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question,

Will the House agree to the bill on third reading?

Mr. ROBERTSON. Mr. Speaker, I ask unanimous consent to offer amendments at this time.



The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Sec. 1 (Sec. 6.1), page 3, lines 6 to 12, by striking out the words "For the purpose of preparing and conducting examinations" in line 6, and all of lines 7 to 12, both inclusive.

Amend Sec. 1 (Sec. 6.1), page 3, lines 14 and 15, by striking out the words "in consultation with an advisory group as herein provided."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objections? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

### RESOLUTION

#### RECALLING HOUSE BILL 826 FROM GOVERNOR

Mr. JOHNSON offered a resolution which was read, considered and adopted as follows:

In the House of Representatives, September 26, 1951.

Resolved (if the Senate concur) That House Bill 826, Printer's No. 854, entitled:

An Act to further amend the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by redefining the term "final salary" and further providing the manner of computing employees' annuities.

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

### BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

#### HOUSE BILL No. 1118

An Act making an appropriation from the Toll Bridge Fund to the Board of Finance and Revenue to meet interest and sinking fund requirements on Toll Bridge Bonds.

#### HOUSE BILL No. 1557

An Act to amend clause (h) of Section 9 of the act approved the twenty-fourth day of May one thousand nine hundred forty-five (P. L. 991) entitled "An act to promote elimination of blighted areas and supply sanitary housing in areas throughout the Commonwealth by declaring acquisition sound replanning and redevelopment

of such areas to be for the promotion of health safety convenience and welfare creating public bodies corporate and politic to be known as Redevelopment Authorities authorizing them to engage in the elimination of blighted areas and to plan and contract with private corporate or governmental redevelopers for their redevelopment providing for the organization of such authorities defining and providing for the exercise of their powers and duties including the acquisition of property by purchase gift or eminent domain the leasing and selling of property including borrowing money issuing bonds and other obligations and giving security therefor restricting the interest of members and employees of authorities providing for notice and hearing supplying certain mandatory provisions to be inserted in contracts with redevelopers prescribing the remedies of obligees of redevelopment authorities conferring certain duties upon local planning commissions the governing bodies of cities and counties and on certain State officers boards and departments" by clarifying the provisions of said section with respect to the power of Redevelopment Authorities to purchase real property

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

### BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 187, entitled:

An Act to fix the salaries and compensation of the judges of the Supreme Court the judges of the Superior Court the judges of the courts of common pleas the judges of the orphans' courts the judges of the Municipal Court of Philadelphia and the judges of the County Court of Allegheny County certain associate judges not learned in the law and repealing certain acts inconsistent herewith

The first section was read.

On the question,

Will the House agree to the section?

Mr. ANDREWS. Mr. Speaker, I want to say a word about the motion made by the majority whip, and I would like to have the attention of the Majority Leader.

Would it not be possible to keep this bill upon the calendar until there has been opportunity to have a conference with the Majority Leader concerning the provisions of this particular bill. I would much prefer that it remain on the calendar until we have had an opportunity to discuss it.

Mr. SMITH. Mr. Speaker, I can only answer the gentleman by saying that I would have no objection at all to that, but I understand there was an agreement in Committee that the bill be re-committed to the Appropriations Committee when it came up on the calendar. That was the reason it is being done, not through any agreement of mine.

Mr. ANDREWS. Following the proposed conference then the bill could be referred to Committee, and is it necessary to do that today?

Mr. SMITH. It is entirely up to the Committee chairman who made the agreement, Mr. Speaker. I am just trying to abide by the Committee Chairman's desires.

Mr. ANDREWS. The Committee Chairman did not say that the bill had to be sent back to Committee at any particular time. It had been my understanding that there was a desire in some quarters that there be a conference of the leadership regarding the schedules carried in this



bill. After that conference, then if the leaders of the majority so decide, the bill goes back to Committee.

Mr. SMITH. Mr. Speaker, I will gladly yield to Mr. Watkins. If it is agreeable to him, it is perfectly agreeable to me.

Mr. WATKINS. I will agree with the gentleman from Cambria, Mr. Andrews, that we leave the bill on the calendar, that is all right, Mr. Speaker.

The SPEAKER. Does the gentleman withdraw his motion to recommit?

#### MOTION TO RECOMMIT WITHDRAWN

Mr. JOHNSON. I do, Mr. Speaker.

#### BILLS PASSED OVER

The SPEAKER. Without objection, this bill will be passed over.

There being no objection

Senate Bill No. 188, Printer's No. 534

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 788, entitled:

An Act to further amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain state departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by requiring the establishment of a permanent lot care fund with corporate trustee of a certain amount of cemetery and burial corporations hereafter organized prior to the sale of burial lots and requiring a fixed percentage of the sale price of burial lots to be added to such fund

The first section was read and agreed to.

The second section was read.

On the question,

Will the House agree to the section?

Mr. WHITE offered the following amendment:

Amend Sec. 2 (Sec. 209.1), page 5, by inserting after line 18, the following: "Whenever the cemetery or burial corporation shall have deposited in the fund required to be established by the provisions of clause (1) of section two hundred nine, a sum equal to the amount of money required to be originally deposited in the fund required to be established by this section it shall submit proof of such fact to the corporate trustee and it shall be the duty of the corporate trustee to thereupon pay over to the cemetery or burial corporation, the amount so originally deposited by it in the permanent lot care fund, free and clear of the restrictions and limitations of this section."

On the question,

Will the House agree to the amendment?

Mr. WHITE. Mr. Speaker, I wish to call the attention of the House that under the law, as it stands today, it provides in the corporation code that ten percent of the gross sales of all cemetery lots shall be placed in the fund for perpetual care of the cemetery grounds.

The bill that we have before us today has two extra provisions. It provides first that an additional ten percent shall be set aside in a perpetual care fund for the perpetual care of the individual grave lots.

Second it provides that a sum of \$25,000 will be deposited in that perpetual care fund for the care of the lots before a charter will be granted.

Under my amendments there is a provision that as soon as the \$25,000 sum is reached by reason of the deposits from the second ten percent of the sale price, then the original amount will be returned to the cemetery owners to be used as they see fit.

Mr. SCHMIDT. Mr. Speaker, the bill in question has been introduced because of the fact that promoters of burial lots have taken advantage of the situation whereby they are pocketing money that should be placed in a fund for the maintenance of graves.

The association of cemetery groups, the nonprofit as well as profit organizations, have proposed this bill. This bill will not affect any non-profit cemetery association, neither will it affect any presently existing cemetery organization that is for profit. It is for the protection of the public in the future.

Under the law as was stated by Mr. White it does provide that ten percent of the sale price of a burial plot be placed in a fund for the perpetual maintenance of cemetery plots. It has been found that this amount is inadequate, and therefore this bill proposes that in the future upon the formation of a profit cemetery association there shall be deposited a sum of \$25,000 which shall be kept perpetually so that it will insure the perpetual care and maintenance of the cemetery so that it does not, as many have become, a mere graveyard.

This fund will remain as I said perpetually and there will be added to it an additional ten percent into this fund so that the annual income will be sufficient to maintain a cemetery. We all know the income from trust funds today does not exceed three percent, so that the income from the initial \$25,000 deposit on a yearly basis would be merely \$750 a year which we all know would be inadequate. Therefore it is necessary that the ten percent additional that is going to be added to this fund remain there and the original fund of \$25,000 should not be returned to the promoters at such time as the fund created by the additional ten percent reaches \$25,000.

This is for the protection of the public and for those who are interred in the cemeteries. It is necessary and we ask that these amendments be defeated.

Mr. WHITE. Mr. Speaker, I wish to call to the attention of the Members of the House that this act as it is before us today applies only to business corporations. It does not apply to nonprofit corporations.

I wish to bring to the attention of the Members of the House that if it is to protect the public, then it should be applicable to both nonprofit and profit organizations. If it is not for the purpose of protecting the public, then there is another reason. I say it seems to me that it is meant for the purpose of preventing people who wish to



organize a cemetery and organize under the business corporation code,—make it a hardship on them to obtain a charter.

Today under the present act cemeteries are being maintained on ten percent of the gross sales. Under the act an additional ten percent is provided. My amendments only mean that the deposit which represents a guarantee at first will be returned when the \$25,000 sum is reached.

There is an additional protection to the public and my amendments do not destroy that. But it is a very peculiar situation where an act is before us today to protect the public and yet does not apply to all cemetery associations in the State of Pennsylvania.

Mr. HAROLD G. MILLER. Mr. Speaker, I join in the sentiments of the gentleman from Allegheny, Mr. Schmidt, that we should vote these amendments down. The bill in its present form is a good bill and will eliminate the fly by night cemetery association. I ask the Members of the House to vote these amendments down.

On the question recurring,

Will the House agree to the amendments?

They were not agreed to.

On the question recurring,

Will the House agree to the section?

It was agreed to.

The SPEAKER. Will the gentleman withdraw the remainder of his amendments?

Mr. WHITE. I will, Mr. Speaker.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 795, entitled:

An Act vesting and confirming in cities of the second class all right title and interest of the Commonwealth in certain streets lanes and alleys situate within such cities.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

#### BILL PASSED OVER

There being no objection

Senate Bill No. 816, Printer's No. 556,  
was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 833, entitled:

An Act to further amend the act approved the fifth day of May one thousand nine hundred (P. L. 198) entitled "An act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" by conferring exclusive jurisdiction on the county court of Allegheny County in cases of appeals from decisions of the collector of mercantile taxes imposed by political subdivisions within the territorial limits of its jurisdiction.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 839, entitled:

An Act authorizing the Department of Property and Supplies to sell and convey a tract of land in Allegheny Township Blair County Pennsylvania with the approval of the Governor.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

#### BILLS ON FINAL PASSAGE RECALLED FROM GOVERNOR

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 269, as follows:

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for the establishment by the Department of Public Instruction of a standardized driver-training program in the public schools and providing for assistance to school district in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsections (a) and (c) of Section 1519 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" are hereby amended to read as follows

Section 1915 Teaching of Safe Driving of Motor Vehicles

(a) Any school district may provide for the teaching of safe driving of motor vehicles in the elementary and secondary schools of the district or in the secondary schools only in accordance with the standardized program established by the Department of Public Instruction in the case of pupils under the age of sixteen (16) years such instruction shall be limited to class room instruction by those who shall possess the qualifications prescribed by the State Council of Education in the case of pupils of the age of sixteen (16) years and over the instruction may include practical instruction in the operation of motor vehicles on the public highways or other places selected by the board of school directors or by the principal of the school where the instruction is given

\* \* \* \* \*

(c) The board of school directors may appropriate and expend money of the school district for the purpose of paying the compensation of the instructors and to purchase rent or hire motor vehicles automobile liability insurance and to maintain and repair the same and to purchase fuel lubricants parts and accessories therefor

Section 2 Said act is hereby amended by adding after Section 1519 thereof a new section to read as follows

Section 1519.1 Standardized Driver-Training Program

(a) The Department of Public Instruction shall establish for operation in the public school system of the Commonwealth a standardized driver-training program in the safe operation of motor vehicles

(b) The Department of Public Instruction shall assist school districts throughout the Commonwealth in the functioning of such program by

(1) Preparation publication and free distribution of driver-training instructional material to insure a more complete understanding of the duties of motor vehicle operators

(2) Making such rules and regulations as may be necessary to carry out such program and



(c) Every school district complying with the standardized program established by the Department for the school year 1951-52 and for every school year thereafter shall be paid a sum which shall be proportionate to the total amount available to the Department from the Motor License Fund for allocation and distribution to all school districts in the Commonwealth after payment of the following which shall not exceed during each school year a sum equal to ten (10) cents for each motor vehicle learner's permit issued subsequent to the fifteenth day of October one thousand nine hundred fifty-one namely (1) traveling expenses of employes of the Department of Public Instruction essential to the program (2) purchase of visual training aids and psycho-physical testing equipment and (2) costs of preparation publication and distribution of driver training instructional material for assistance to their driver-training programs as the ratio which the average daily membership of pupils over fifteen (15) years of age in such driver-training courses in such school district bears to the total average daily membership of pupils over fifteen (15) years of age in such driver-training courses in such school district bears to the total average daily membership of pupils over fifteen (15) years of age in such driver-training courses in all school districts in the Commonwealth Provided that the payment shall not exceed the sum of ten (\$10) dollars for each such pupil per school year Allocations and apportionments within any school district shall be made according to a similar ratio Such sums shall be paid in the same manner as other reimbursements are paid to school district

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—205

Amarando,	Graybill,	Maxwell,	Rovansek,
Andrews,	Greenwood,	Mazza,	Royer,
Banker,	Greer,	McConnell,	Rubin,
Barkdoll,	Guarnieri,	McCormack,	Sarra,
Baumunk,	Gutendorf,	McCullough,	Sax,
Bear,	Guthrie,	McDermitt,	Scanlon,
Beaver,	Hagerty,	McGee,	Schmidt,
Beech,	Hall,	McInroy,	Schuster,
Berkstresser,	Hamilton, R. K.,	McKinney,	Scott,
Blair,	Hamilton, W. H.,	McMillen,	Seyler,
Bloom,	Harney,	McNally,	Shoemaker,
Boies,	Haudensfield,	Metz,	Shotwell,
Bolton,	Headlee,	Mihm,	Smith,
Bomberger,	Helm,	Mikula,	Snider,
Boorse,	Hersch,	Miller, H. G.,	Sollenberger,
Bower,	Hewitt,	Miller, J. C.,	Spencer,
Brelsch,	Hocker,	Mills,	Stank,
Breth,	Hoggard,	Mintess,	Stimmel,
Brown,	Hunter,	Monroe,	Stoner,
Bucchin,	Jenkins,	Moore, C. E.,	Swartz,
Byrne,	Johnson,	Moore, H. A.,	Swope,
Cella,	Jones, G. E.,	Moran,	Tahl,
Clapper,	Jones, J. M.,	Muldowney,	Taylor,
Clendenling,	Jones, P. F.,	Munley,	Thompson, E. F.,
Cochran,	Jones, T. H. W.,	Murray,	Thompson, R. L.,
Conway,	Jump,	Musto,	Toll,
Cooper,	Kamyk,	Najaka,	Tompkins,
Corr,	Keller,	Naugle,	Toomey,
Costa,	Kent,	Needham,	VanSant,
Coyle,	Kline,	Olsen,	Varallo,
Dalrymple,	Kohl,	Penglase,	Varner,
Davis,	Kolankiewicz,	Peta,	Verona,
Dennison,	Kornick,	Petrosky,	Wachhaus,
Dougherty,	Kratz,	Pettigrew,	Wargo,
Dowling,	Kubacki,	Pfaff,	Waterhouse,
Duffy,	Lafore,	Pichney,	Watkins,
Dunn,	Lederer,	Pitzer,	Weidner,
Erb,	Leisey,	Polaski,	Welsh,
Ewing,	Leonard, L.,	Polen,	Wescott,
Fenrich,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley,
Ferster,	Leven,	Price, R. A.,	Wheeler,
Filip,	Light,	Readinger,	White,
Filo,	Limper,	Reagan,	Williams,
Firmstone,	Loftus,	Reese,	Wilt,
Flack,	Lopresti,	Reidenbach,	Wood,
Frost,	Lovett,	Reilly, J. M.,	Yeakel,

Gaffney,  
Geer,  
Gibson,  
Gleason,  
Good,  
Goodling,

Lutty,  
Lyons,  
Madden,  
Madigan,  
Markley,

Rigby,  
Riley, R. L.,  
Robertson,  
Rose,  
Rosen,

Yester,  
Yetzer,  
Young,  
Ziegler,  
Sorg,

Speaker

NAYS—0

NOT VOTING—2

DuBois,

Westrick,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1338, as follows:

An Act to further amend Section 713 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by increasing the fee for learner's permits and appropriating the increase for the teaching in the public schools of safe driving of motor vehicles

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 713 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the act approved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2329) is hereby further amended to read as follows



### Section 713 Operators' Licenses Duplicate Registration or Operator's License Card

(a) The fee for issuing an operator's license to a person unable to produce satisfactory proof of having held a Pennsylvania operator's license during any one of the three (3) years preceding application shall be [two (\$2)] four (\$4) dollars which fee shall entitle the applicant for such license to receive a learner's permit valid for ninety (\$90) days from the date of issue and if the examination shall have been passed during the ninety (\$90) day period an operator's license for the current year

(b) The fee for renewal of an operator's license shall be one (\$1) dollar

(c) The fee for a duplicate operator's license card or duplicate registration card shall be fifty (\$.50) cents

(d) As much of the fee received for each learner's permit as may be necessary but not more than two (\$2.00) dollars is hereby appropriated to the Department of Public Instruction for the purpose of paying authorized expenses incurred by that department in connection with carrying out a standardized program of teaching of safe driving of motor vehicles in the public schools and making authorized payments to school districts complying with such standardized program Such moneys shall be paid out of the Motor License Fund upon the warrant of the Auditor General drawn after requisition by the Department of Public Instruction

Section 2 This act shall become effective on the fifteenth day of October one thousand nine hundred fiftyone

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—205

Amarando,	Graybill,	Mazza,	Royer,
Andrews,	Greenwood,	McConnell,	Rubin,
Banker,	Greer,	McCormack,	Sarraf,
Barkdoll,	Guarnieri,	McCullough,	Sax,
Baumunk,	Gutendorf,	McDermitt,	Scanlon,
Bear,	Guthrie,	McGee,	Schmidt,
Beaver,	Hagerty,	McInroy,	Schuster,
Beech,	Hall,	McKinney,	Scott,
Berkstresser,	Hamilton, R. K.,	McMillen,	Seyler,
Blair,	Hamilton, W. H.,	McNally,	Shoemaker,
Bloom,	Harney,	Metz,	Shotwell,
Boles,	Haudenschild,	Mihm,	Smith,
Bolton,	Headlee,	Mikula,	Snider,
Bomberger,	Helm,	Miller, H. G.,	Sollenberger,
Boorse,	Hersch,	Miller, J. C.,	Spencer,
Bower,	Hewitt,	Mills,	Stank,
Brelsche,	Hocker,	Mintess,	Stimmel,
Breth,	Hoggard,	Monroe,	Stoner,
Brown,	Hunter,	Moore, C. E.,	Swartz,
Bucchin,	Jenkins,	Moore, H. A.,	Swope,
Byrne,	Johnson,	Moran,	Tahl,
Cella,	Jones, G. E.,	Muldowney,	Taylor,
Clapper,	Jones, J. M.,	Munley,	Thompson, E. F.,
Clendenning,	Jones, P. F.,	Murray,	Thompson, R. L.,
Cochran,	Jones, T. H. W.,	Musto,	Toll,
Conway,	Jump,	Najaka,	Tompkins,
Cooper,	Kamyk,	Naugle,	Toomey,
Corr,	Keller,	Needham,	VanSant,
Costa,	Kent,	Olsen,	Varallo,
Coyle,	Kline,	Penglase,	Varnier,
Dalrymple,	Kohl,	Peta,	Verona,
Davis,	Kolankiewicz,	Petrosky,	Wachhaus,
Dennison,	Kornick,	Pettigrew,	Wargo,
Dougherty,	Kratz,	Pfaff,	Waterhouse,
Dowling,	Kubacki,	Pichney,	Watkins,
Duffy,	Lafore,	Pitzer,	Weidner,
Dunn,	Lederer,	Polaski,	Welsh,
Erb,	Leisey,	Polen,	Wescott,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Ferster,	Leven,	Readinger,	White,
Filip,	Light,	Reagan,	Williams,
Filo,	Limper,	Reese,	Wilt,
Firmstone,	Loftus,	Reidenbach,	Wood,
Flack,	Lopresti,	Reilly, J. M.,	Yeakel,
Frost,	Lovett,	Rigby,	Yester,
Gaffney,	Lutty,	Riley, R. L.,	Yetzer,

Geer,  
Gibson,  
Gleason,  
Good,  
Goodling,

Lyons,  
Madden,  
Madigan,  
Markley,  
Maxwell,

Robertson,  
Rose,  
Rosen,  
Rovanssek,

Young,  
Ziegler,  
Sorg,  
Speaker

NAYS—0

NOT VOTING—2

DuBois,

Westrick,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1404, as follows:

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing the reassessment of certain property in school districts of the third and fourth class in certain cases and imposing liability for school taxes upon the owners thereof

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" is hereby amended by adding after Section 677 a new section to read as follows

Section 677.1 Additions and revisions to Duplicates Whenever in third and fourth class school districts there is any construction of a building or buildings after September first of any year and such building is not included in the tax duplicate of the school district the authority responsible for assessments in the city borough township or county shall upon the request of the Board of School Directors direct the assessor in the district to inspect and reassess subject to the right of appeal and adjustment provided by the act of Assembly under which assessments are made all taxable property in the district to which major improvements have been made after September days to the authority responsible for assessments the first and to give notice of such reassessments within ten school district and the property owner Such property shall then be added to the duplicate and shall be taxable for school purposes at the reassessed valuation for that proportionate part of the fiscal year of the school district remaining after the property was improved any improvement made during the month shall be computed as having been made on the first of the month A certified copy of the additions or revisions to the duplicate shall be furnished by the board of school directors to the tax collector for the district and within ten days thereafter the school district

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—205

Amarando,	Graybill,	Mazza,	Royer,
Andrews,	Greenwood,	McConnell,	Rubin,
Banker,	Greer,	McCormack,	Sarraf,
Barkdoll,	Guarnieri,	McCullough,	Sax,



Baumunk,	Gutendorf,	McDermitt,	Scanlon,
Bear,	Guthrie,	McInroy,	Schmidt,
Beaver,	Hagerty,	McGee,	Schuster,
Beech,	Hall,	McKinney,	Scott,
Berkstresser,	Hamilton, R. K.,	McMillen,	Seyler,
Blair,	Hamilton, W. H.,	McNally,	Shoemaker,
Bloom,	Harney,	Metz,	Shotwell,
Boles,	Haudenschild,	Mihm,	Smith,
Bolton,	Headlee,	Mikula,	Snider,
Bomberger,	Helm,	Miller, H. G.,	Sollenberger,
Boorse,	Hersch,	Miller, J. C.,	Spencer,
Bower,	Hewitt,	Mills,	Stank,
Brelsch,	Hocker,	Mintess,	Stimmel,
Breth,	Hoggard,	Monroe,	Stoner,
Brown,	Hunter,	Moore, C. E.,	Swartz,
Bucchin,	Jenkins,	Moore, H. A.,	Swope,
Byrne,	Johnson,	Moran,	Tahl,
Cella,	Jones, G. E.,	Muldowney,	Taylor,
Clapper,	Jones, J. M.,	Munley,	Thompson, E. F.,
Clendening,	Jones, P. F.,	Murray,	Thompson, R. L.,
Cochran,	Jones, T. H. W.,	Musto,	Toil,
Conway,	Jump,	Najaka,	Tompkins,
Cooper,	Kamyk,	Naugle,	Toomey,
Corr,	Keller,	Needham,	VanSant,
Costa,	Kent,	Olsen,	Varallo,
Coyle,	Kline,	Penglase,	Varner,
Dalrymple,	Kohl,	Peta,	Verona,
Davis,	Kolankiewicz,	Petrosky,	Wachhaus,
Dennison,	Kornick,	Pettigrew,	Wargo,
Dougherty,	Kratz,	Pfaff,	Waterhouse,
Dowling,	Kubacki,	Pichney,	Watkins,
Duffy,	Lafore,	Pitzer,	Weidner,
Dunn,	Lederer,	Polaski,	Welsh,
Erb,	Lelsey,	Polen,	Wescott,
Ewing,	Leonard, L.,	Price, R. A.,	Whalley,
Fenrich,	Leonard, W. C.,	Price, H. W. Jr.,	Wheeler,
Ferster,	Leven,	Readinger,	White,
Filip,	Light,	Reagan,	Williams,
Filo,	Limper,	Reese,	Wilt,
Firmstone,	Loftus,	Reidenbach,	Wood,
Flack,	Lopresti,	Reilly, J. M.,	Yeakel,
Frost,	Lovett,	Rigby,	Yester,
Gaffney,	Lutty,	Riley, R. L.,	Yetzer,
Geer,	Lyons,	Robertson,	Young,
Gibson,	Madden,	Rose,	Ziegler,
Gleason,	Madigan,	Rosen,	Sorg,
Good,	Markley,	Rovansek,	Speaker
Goodling,	Maxwell,		

## NAYS—0

## NOT VOTING—2

DuBois, Westrick,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

## BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1580, as follows:

An Act to further amend subsection (a) of Section 672 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by changing the time for the levy and assessment of school taxes in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (a) of Section 672 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" as amended by the acts approved the ninth day

of May one thousand nine hundred forty-nine (P. L. 1017) and the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1722) is hereby further amended to read as follows

Section 672 Tax Levy Limitations (a) In all school districts of the second third and fourth class all school taxes shall except as hereinafter provided be levied and assessed by the board of school directors therein during the month of April or May each year for the ensuing fiscal year except in districts of the second class where the fiscal year begins on the first day of January in which the school taxes shall be levied and assessed during the month of October or November of each year In any year in which the Legislature is in session and has not completed its work prior to the date set for the levy and assessment of taxes such taxes may be levied within fifteen (15) days after the final enactment of all legislation affecting the school budget In school districts of the second class the tax rate shall not exceed twenty mills on the dollar and in school districts of the third and fourth class shall not exceed twenty-five mills on the dollar on the total amount of the assessed valuation of all property taxable for school purposes therein Each school district of the second third or fourth class may also collect a per capita tax on each resident or inhabitant of such district over twenty-one years of age as herein provided

Section 2 The provisions of this act shall become effective immediately upon final enactment

On the question,

Shall the bill pass finally?

Mr. SEYLER. I rise not to debate the bill, believe me, but just to ask a question of either one of the sponsors.

The SPEAKER. Will the gentleman from Blair, Mr. Sollenberger, permit himself to be interrogated?

Mr. SOLLENBERGER. I shall, Mr. Speaker.

Mr. SEYLER. Mr. Speaker, I desire to ask the gentleman simply this. I read the amendment, I noticed the word "may" is substituted for the word "will" and I wish to ask the gentleman does that mean that the board may, if it desires, adopt a budget at the stated time as has heretofore been the law?

Mr. SOLLENBERGER. Mr. Speaker, there is a possibility that there will have to be a change from the first budget they made, because of the present situation in the state Legislature. It may be that a change will have to be made, and this permits it if it is necessary.

The word "shall" was the original word, and would be harmful, because it means that they would have to have a new budget made, whether they desire to do so or not. This permits by the word "may" to reset a budget if found necessary, and that, and that alone is the intent of the bill and that word.

Mr. SEYLER. Just to make sure that I am right. It is correct then to say that the board will go ahead and make its budget at the usual time whether the Legislature is still in session or not. Then later it may make a different levy under this bill?

Mr. SOLLENBERGER. That is correct.

Mr. SEYLER. I thank the gentleman, Mr. Speaker.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—205

Amarango,	Graybill,	Mazza,	Royer,
Andrews,	Greenwood,	McConnell,	Rubin,
Banker,	Greer,	McCormack,	Sarras,



Barkdoll,	Guarnieri,	McCullough,	Sax,
Baumunk,	Gutendorf,	McDermitt,	Scanlon,
Bear,	Guthrie,	McGee,	Schmidt,
Beaver,	Hagerty,	McInroy,	Schuster,
Beech,	Hall,	McKinney,	Scott,
Berkstresser,	Hamilton, R. K.,	McMillen,	Seyler,
Blair,	Hamilton, W. H.,	McNally,	Shoemaker,
Bloom,	Harney,	Metz,	Shotwell,
Boles,	Haudenshield,	Mihm,	Smith,
Bolton,	Headlee,	Mikula,	Snider,
Bomberger,	Helm,	Miller, H. G.,	Sollenberger,
Boorse,	Hersch,	Miller, J. C.,	Spencer,
Bower,	Hewitt,	Mills,	Stank,
Breisch,	Hocker,	Mintess,	Stimmel,
Breth,	Hoggard,	Monroe,	Stoner,
Brown,	Hunter,	Moore, C. E.,	Swartz,
Bucclin,	Jenkins,	Moore, H. A.,	Swope,
Byrne,	Johnson,	Moran,	Tahl,
Cella,	Jones, G. E.,	Muldowney,	Taylor,
Clapper,	Jones, J. M.,	Munley,	Thompson, E. F.,
Clendening,	Jones, P. F.,	Murray,	Thompson, R. L.,
Cochran,	Jones, T. H. W.,	Musto,	Toll,
Conway,	Jump,	Najaka,	Tompkins,
Cooper,	Kamyk,	Naugle,	Toomey,
Corr,	Keller,	Needham,	VanSant,
Costa,	Kent,	Olsen,	Varallo,
Coyle,	Kline,	Penglase,	Varnier,
Dalrymple,	Kohl,	Peta,	Verona,
Davis,	Kolankiewicz,	Petrosky,	Wachhaus,
Dennison,	Kornick,	Pettigrew,	Wargo,
Dougherty,	Kratz,	Pfaff,	Waterhouse,
Dowling,	Kubacki,	Pichney,	Watkins,
Duffy,	Lafore,	Pitzer,	Weldner,
Dunn,	Lederer,	Polaski,	Welsh,
Erb,	Lelsey,	Polen,	Wescott,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Henrich,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Ferster,	Leven,	Readinger,	White,
Fillip,	Light,	Reagan,	Williams,
Filo,	Limper,	Reese,	Wilt,
Firmstone,	Loftus,	Reidenbach,	Wood,
Flack,	Lopresti,	Reilly, J. M.,	Yeakel,
Frost,	Lovett,	Rigby,	Yester,
Gaffney,	Lutty,	Riley, R. L.,	Yetzer,
Geer,	Lyons,	Robertson,	Young,
Gibson,	Madden,	Rose,	Ziegler,
Gleason,	Madigan,	Rosen,	Sorg,
Good,	Markley,	Rovansek,	Speaker
Goodling,	Maxwell,		

## NAYS—0

## NOT VOTING—2

DuBois, Westrick,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1708, as follows:

An Act to amend Section 312 and to repeal Section 313 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing representation on the board of directors of union and merged school districts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 312 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" is hereby amended to read as follows

Section 312 Union and Merged Districts [Whenever any two or more school districts shall be consolidated into a union school district the directors then in office in each of said districts shall continue in office until the expiration of their respective terms and shall jointly constitute the board of school directors of the union school district At the first municipal election after a union school district is created and at each subsequent municipal election there shall be elected in the union school district the same number of school directors and for like terms as is provided by this act for school districts of the class to which such union school district belongs so that upon the expiration of the terms of the directors of the former districts which were united the board of school directors of the union school district shall be composed of the same number as in other districts of its class] (a) In all union districts and all districts resulting from the merger of two or more districts there shall be one director elected in each of the component cities boroughs towns and townships (hereinafter referred to as "municipalities") making up the union or merged district and such additional number elected at large in the union or merged districts as are necessary to make up the number of directors provided by this act for school districts of the class to which the union or merged district belongs If there are more component municipalities than there are directors provided for the appropriate class of district the number of directors of the union or merged district shall equal the number of component municipalities In such event the number of directors shall be divided into three groups as nearly equal as possible The members of each group shall be elected at three successive municipal elections and shall serve for terms of six years each

(b) When two or more school districts are formed into a union district or are merged the directors then in office in each district shall until the end of their respective terms be directors of the union or merged district At the first municipal election after the union or merger in the case of newly formed districts and at the municipal election in one thousand nine hundred fifty-three in the case of existing union or merged districts and in both cases at each subsequent municipal election directors shall be elected in a number of the component municipalities equal to the number of directors to be elected at that election in districts of the class to which the union or merged district belongs or to which the district is entitled under subsection (a) of this section The order of priority of component municipalities in electing directors shall be in accordance with the population of the component municipalities according to the United States decennial census last preceding the union or merger or in the case of existing districts the one thousand nine hundred fifty census Directors to be elected at large shall be elected after all component municipalities have elected a director

Section 2 Section 313 of said act is hereby repealed

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—205

Amarando,	Graybill,	Maxwell,	Royer,
Andrews,	Greenwood,	Mazza,	Rubin,
Banker,	Greer,	McConnell,	Sarrafa,
Baumunk,	Guarnieri,	McCormack,	Sax,
Barkdoll,	Gutendorf,	McCullough,	Scanlon,
Bear,	Guthrie,	McDermitt,	Schmidt,
Beaver,	Hagerty,	McGee,	Schuster,
Beech,	Hall,	McInroy,	Scott,
Berkstresser,	Hamilton, R. K.,	McKinney,	Seyler,
Blair,	Hamilton, W. H.,	McMillen,	Shoemaker,
Bloom,	Harney,	McNally,	Shotwell,
Boles,	Haudenshield,	Metz,	Sollenberger,
Bolton,	Headlee,	Mihm,	Smith,
Bomberger,	Helm,	Mikula,	Snider,
Boorse,	Hersch,	Miller, H. G.,	Spencer,
Bower,	Hewitt,	Miller, J. C.,	Stank,
Breisch,	Hocker,	Mills,	Stimmel,
Breth,	Hoggard,	Mintess,	Stoner,



Brown,	Hunter,	Monroe,	Swartz,
Bucchin,	Jenkins,	Moore, C. E.,	Swope,
Byrne,	Johnson,	Moore, H. A.,	Tahl,
Cella,	Jones, G. E.,	Moran,	Taylor,
Clapper,	Jones, J. M.,	Muldowney,	Thompson, E. F.,
Clendenning,	Jones, P. F.,	Munley,	Thompson, R. L.,
Cochran,	Jones, T. H. W.,	Murray,	Toil,
Conway,	Jump,	Musto,	Tompkins,
Cooper,	Kamyk,	Najaka,	Toomey,
Corr,	Keller,	Naugle,	VanSant,
Costa,	Kent,	Needham,	Varallo,
Coyle,	Kline,	Olsen,	Varnier,
Dalrymple,	Kohl,	Penglase,	Verona,
Davis,	Kolankiewicz,	Peta,	Wachhaus,
Dennison,	Kornick,	Petrosky,	Wargo,
Dougherty,	Kratz,	Pettigrew,	Watkins,
Dowling,	Kubacki,	Pfaff,	Waterhouse,
Duffy,	Lafore,	Pichney,	Weldner,
Dunn,	Lederer,	Pitzer,	Welsh,
Erb,	Leisey,	Polaski,	Wescott,
Ewing,	Leonard, L.,	Polen,	Whalley,
Fenrich,	Leonard, W. C.,	Price, H. W. Jr.,	Wheeler,
Ferster,	Leven,	Price, R. A.,	White,
Filip,	Light,	Readinger,	Williams,
Filo,	Limper,	Reagan,	Wilt,
Firmstone,	Lofthus,	Reese,	Yeakel,
Flack,	Lopresti,	Reidenbach,	Yester,
Frost,	Lovett,	Rellly, J. M.,	Yetzer,
Gaffney,	Lutty,	Rigby,	Young,
Geer,	Lyons,	Riley, R. L.,	Wood,
Gibson,	Madden,	Robertson,	Ziegler,
Gleason,	Madigan,	Rose,	Sorg,
Good,	Markley,	Rosen,	
Goodling,		Rovanssek,	Speaker

## NAYS—0

## NOT VOTING—2

DuBois, Westrick,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of Senate Bill No. 41, entitled:

A Supplement to the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by extending certain benefits heretofore granted to school employees entering the armed forces of the United States to certain other similarly qualified school employees

On the question,

Will the House agree to the bill on third reading?

## BILL RECOMMITTED

Mr. JOHNSON. Mr. Speaker, it has been the policy to send all retirement bills to the Appropriation Committee for study. I move that this bill being a retirement bill also be recommitted to the Committee on Appropriations.

The motion was agreed to.

## BILL ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 506, entitled:

An Act to amend subsection (b) of section one and sections two and four of the act approved the seventh day of July one thousand nine hundred forty-seven (P. L. 1401) entitled "An act prohibiting discrimination in rate of pay because of sex conferring powers and imposing duties on the Department of Labor and Industry and prescribing penalties" by further defining employer providing for a penalty and deleting certain provisions relative to wage rates and collection of unpaid wages

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

## BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of Senate Bill No. 104, as follows:

An Act providing for the sentencing of persons convicted of certain crimes to an indeterminate sentence having a minimum of one day and a maximum of life in certain cases authorizing the criminal courts to impose such a sentence and certain temporary confinement in connection therewith requiring psychiatric examinations of such persons before the imposition of such a sentence conferring powers and imposing duties upon the Department of Welfare and the Pennsylvania Board of Parole and providing for the parole and reparable or absolute discharge of persons so sentenced and the procedure relating thereto

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 For the better administration of justice and the more efficient punishment treatment and rehabilitation of persons convicted of the crime of indecent assault incest assault with intent to commit sodomy solicitation to commit sodomy sodomy assault with intent to ravish or rape if the court is of the opinion that any such person if at large constitutes a threat of bodily harm to members of the public or is an habitual offender and mentally ill the court in lieu of the sentence now provided by law for each such crime may sentence such person to a State institution for an indeterminate term having a minimum of one day and a maximum of his natural life.

Section 2 No person convicted of a crime punishable in the discretion of the court under the provisions of this act with imprisonment in a State institution for an indeterminate term having a minimum of one day and a maximum of his natural life shall be so sentenced until (1) a complete psychiatric examination shall have been made of him through the facilities of the Department of Welfare as hereinafter provided or by a psychiatrist designated by the court the results of whose examination shall be transmitted to and accepted by the Department of Welfare in lieu of an examination made through its own facilities and (2) a complete written report thereof shall have been submitted to the court Such report shall include all facts and findings necessary to assist the court in determining whether it shall impose sentence under the provisions of this act upon the person convicted in lieu of the sentence otherwise provided by law

Section 3 (a) To enable the court to procure such a psychiatric examination and to afford the Department of Welfare time in which to make the same the court is hereby authorized and empowered to postpone sentence upon any person convicted of any one or more of the crimes enumerated in section one of this act and to order the person so convicted to temporary confinement in the prison or jail in which such person was confined prior to his trial or would have been confined if not free on bail Such period of temporary confinement shall not exceed a period of sixty (60) days unless the court on the request



of the psychiatric examiner extends the observation period for an additional time not exceeding thirty (30) days It shall be the duty of the Department of Welfare to make A psychiatric examination of the prisoner and report to the court thereon within the period allowed by the court

(b) If for any reason such examination is not made and a report thereon given to the court within such period of temporary confinement the provisions of this act shall thereupon not be available to the court and it shall sentence the prisoner to such sentence as now provided by law and the period of temporary confinement herein provided for shall be considered as a part of the sentence so imposed whether it be for the purpose of determining the length of the sentence by the court or for the purpose of parole

Section 4 Whenever a court shall desire the Department of Welfare to make a psychiatric examination of and a report on a person convicted of any one or more of the crimes enumerated in section one of this act it shall make an order to that effect and it shall be the duty of the clerk of court to promptly notify the Department of Welfare of such order The Department of Welfare shall thereupon make such a psychiatric examination of the person so convicted either at a clinic State Hospital or other State Institution designated by the court or at the place where such person is in temporary confinement or it may request that he be brought to any clinic established by the Department of Welfare for such purposes or State Hospital or other State Institution In the latter event if agreeable to the court it shall order the person so convicted to be taken in custody to such institution

Section 5 (a) Whenever a court after psychiatric examination of and report on a person convicted of any one or more of the crimes enumerated in section one of this act shall be of the opinion that it would be to the best interests of justice to sentence such person under the provisions of this act he shall cause such person to be arraigned before him and sentenced to such State institution as shall have been designated by the Department of Welfare in its report to the court The cost of transporting such person to the State institution designated by the department and the cost of his maintenance therein shall be borne by the Commonwealth and the several counties to the extent and in the manner provided by law

(b) The costs of maintenance of any person so convicted while in temporary confinement as hereinbefore provided and costs of transportation shall be borne by the county and the cost of the psychiatric examination of and report on such person shall be borne by the Department of Welfare provided that where the psychiatric examination is made by a psychiatrist designated by the court the costs thereof shall be borne by the county

(c) The Department of Welfare in its report to the court is hereby authorized to designate a county jail penitentiary industrial school or any other State institution as the place of confinement of the person who is the subject of such report if the court elects to sentence such person under the provisions of this act

Section 6 It shall be the duty of the Department of Welfare from funds appropriated to it to provide psychiatric and psychological services to the courts as provided in section four of this act and to the Pennsylvania Board of Parole in the further examination diagnosis and treatment of persons sentenced under the provisions of this act during their confinement and parole as hereinafter provided for

The department may in its discretion establish one or more psychiatric clinics for the examination diagnosis and treatment of persons convicted of any one or more of the crimes enumerated in section one of this act when so ordered by a court or sentenced under the provisions hereof or may use existing clinics or services for such work provided that such clinics or services shall provide qualified personnel experienced in the field of psychiatry and psychology as it relates to crimes involving sexual perversion maladjustment or aberration

Section 7 Within three months after a person shall have been sentenced under the provisions of this act for an indeterminate term having a minimum of one day and a maximum of his natural life and at least every six months thereafter the Pennsylvania Board of Parole shall cause to be brought before it with respect to each such person all reports records and information concerning such person for the purpose of determining whether such person shall be paroled as hereinafter provided and it shall be the duty of the Board thereupon to make a ruling with respect to each such person who shall be notified in writing of such ruling Nothing in this section shall be construed to prohibit a person sentenced under the provisions of this act from making application for parole in the manner now provided by law

Section 8 The Pennsylvania Board of Parole is hereby granted exclusive control over the parole and reparole of persons sentenced under the provisions of this act whether imprisoned in a county jail penitentiary or other State institution The Board is hereby authorized and empowered to parole and reparole and commit and recommit for violation of parole any person sentenced under the provisions of this act at such time and under such conditions as the interest of justice may dictate In considering the parole or reparole or an application for parole of any person sentenced under the provisions of this act the Board shall give serious consideration to the original report and subsequent reports of the psychiatric and psychological examination of the person so sentenced the recommendations contained in such reports and the view of the committing court

Section 9 Except as otherwise provided in this act the Pennsylvania Board of Parole shall have all the powers conferred and duties imposed upon it with respect to the parole of prisoners generally in the parole and supervision of persons sentenced under the provisions of this act

Section 10 All acts and parts of acts are hereby repealed in so far as they are inconsistent with the provisions of this act

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—205

Amarando,	Graybill,	Maxwell,	Royer,
Andrews,	Greenwood,	Mazza,	Rovanssek,
Banker,	Greer,	McConnell,	Rubin,
Barkdoll,	Guarnieri,	McCormack,	Sarra,
Baumunk,	Gutendorf,	McCullough,	Sax,
Bear,	Guthrie,	McDermitt,	Scanlon,
Beaver,	Hagerty,	McGee,	Schmidt,
Beech,	Hall,	McInroy,	Schuster,
Berkstresser,	Hamilton, R. K.,	McKinney,	Scott,
Blair,	Hamilton, W. H.,	McMillen,	Seyler,
Bloom,	Harney,	McNally,	Shoemaker,
Boles,	Haudenshield,	Metz,	Shotwell,
Bolton,	Headlee,	Mihm,	Smith,
Bomberger,	Helm,	Mikula,	Snider,
Boorse,	Hersch,	Miller, H. G.,	Sollenberger,
Bower,	Hewitt,	Miller, J. C.,	Spencer,
Breich,	Hocker,	Mills,	Stimmel,
Breth,	Hoggard,	Mintess,	Stank,
Brown,	Hunter,	Monroe,	Stoner,
Bucchin,	Jenkins,	Moore, C. E.,	Swope,
Byrne,	Johnson,	Moore, H. A.,	Swartz,
Cella,	Jones, G. E.,	Moran,	Tahl,
Clapper,	Jones, J. M.,	Muldowney,	Taylor,
Clendening,	Jones, P. F.,	Munley,	Thompson, E. F.,
Cochran,	Jones, T. H. W.,	Murray,	Thompson, R. L.,
Conway,	Jump,	Musto,	Toll,
Cooper,	Kamyk,	Najaka,	Tompkins,
Corr,	Keller,	Naugle,	Toomey,
Costa,	Kent,	Needham,	VanSant,
Coyle,	Kline,	Olsen,	Varnar,
Dalrymple,	Kohl,	Penglase,	Varallo,
Davis,	Kolankiewicz,	Peta,	Verona,
Dennison,	Kornick,	Petrosky,	Wachhaus,
Dougherty,	Kratz,	Pettigrew,	Wargo,
Dowling,	Kubacki,	Pfaff,	Waterhouse,
Duffy,	Lafore,	Pichney,	Watkins,



Dunn,	Lederer,	Pitzer,	Weldner,
Erb,	Leisey,	Polaski,	Welsh,
Ewing,	Leonard, L.,	Polen,	Wescott,
Fenrich,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley,
Ferster,	Leven,	Price, R. A.,	Wheeler,
Filip,	Light,	Readinger,	White,
Filo,	Limper,	Reagan,	Williams,
Firmstone,	Loftus,	Reese,	Wilt,
Flack,	Lopresti,	Reidenbach,	Wood,
Frost,	Lovett,	Relly, J. M.,	Yeakel,
Gaffney,	Lyons,	Rigby,	Yester,
Geer,	Lutty,	Riley, R. L.,	Yetzer,
Gibson,	Madden,	Robertson,	Young,
Gleason,	Madigan,	Rose,	Ziegler,
Good,	Markley,	Rosen,	Sorg,
Goodling,			Speaker

NAYS—0

NOT VOTING—2

DuBois, Westrick,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the consideration on final passage of Senate Bill No. 708, as follows:

An Act to further amend Section 1207 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by changing the disposition of fines and forfeitures

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1207 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners

counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the act approved the twenty-seventh day of June one thousand nine hundred thirty-nine (P. L. 1135) is hereby further amended to read as follows

#### Section 1207 Disposition of Fines and Forfeitures

(a) All fines and penalties collected under the provisions of this act for violation of the same and all bail forfeited shall be paid to the Department and transmitted to the State Treasury and credited to the "General Fund" except those collected for violations of the provisions of sections [nine hundred and three (903) nine hundred and five (905)] one thousand and two (1002) one thousand and eleven (1011) one thousand and fifteen (1015) one thousand and eighteen (1018) one thousand and twenty (1020) one thousand and twenty-six (1026) one thousand and twenty-eight (1028) of this act committed within cities boroughs incorporated towns and townships which fines and penalties and all bail forfeited shall be paid to the treasurer of the city borough incorporated town or township wherein the violation occurred to be used by such city borough incorporated town or township for the construction repair and maintenance of the highways thereof provided that all fines and penalties collected and all bail forfeited for violations of the provisions of section one thousand and sixteen (1016) committed within cities boroughs incorporated towns and townships shall be paid to the treasury of the city borough incorporated town or township wherein the violation occurred to be used by such city borough incorporated town or township for the construction repair and maintenance of the highways thereof and provided further that all fines and penalties collected and all bail forfeited for violations of the provisions of subsection (f) of section six hundred twenty (620) shall be paid to the treasury of the county wherein violation occurred to be used by such county for the payment of physicians' fees for the examination of persons accused of violating the provisions of the said section any balance remaining in the treasury of the county at the expiration of the calendar year and not payable for physicians' services rendered shall be used for county highway purposes and provided further that all fines and penalties collected and all bail forfeited for violations of the provisions of sections nine hundred three (903) nine hundred four (904) nine hundred five (905) and nine hundred six (906) shall be paid as follows fifty (50) per centum to the Department and transmitted to the State Treasury and credited to the Motor License Fund when information is made by a member of the State Police or other officer or employee of the Commonwealth or to the treasury for highway purposes of the city borough incorporated town or township in which the violation occurred when information is made by a peace officer or officer or employee of such political subdivision and fifty (50) per centum to the Department and transmitted to the State Treasury and credited to the Motor License Fund when the violation occurred on a road or bridge maintained by the Commonwealth or to the treasury for highway purposes of the city borough incorporated town or township in which the violation occurred when not on a road or bridge maintained by the Commonwealth

(b) Sworn statements of all fines and penalties so collected and all bail forfeited shall also be made by the magistrate or other officer imposing or receiving the same to the secretary upon forms furnished by the department such reports shall be made monthly not later than the tenth (10th) day of the following month

Penalty Any magistrate or other officer who shall fail to make such monthly reports and returns or either of them shall be guilty of a misdemeanor in office and upon conviction thereof in a court of quarter sessions shall be sentenced to pay a fine of five hundred (\$500.00) dollars and costs of prosecution or undergo imprisonment for not



more than sixty days or suffer both such fine and imprisonment

Section 2 This act shall become effective the first day of January one thousand nine hundred fifty-two

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—44

Andrews,	Hersch,	Leonard, L.,	Olser,
Beaver,	Hewitt,	Leven,	Penglase,
Bucchin,	Johnson,	Limper,	Pitzer,
Byrne,	Jones, J. M.,	Lutty,	Riley, R. L.,
Conway,	Jones, P. F.,	Madigan,	Sarraf,
Corr,	Jones, T. H. W.,	McDermitt,	Schmidt,
Fenrich,	Kamyk,	McGee,	Stimmel,
Gleason,	Kent,	McInroy,	Tompkins,
Graybill,	Kline,	McNally,	Welsh,
Gutendorf,	Kolankiewicz,	Mihm,	Wescott,
Hagerty,	Lederer,	Moore, H. A.,	White,

#### NAYS—102

Banker,	Hamilton, W. H.,	Mintess,	Smith,
Barkdoll,	Harney,	Moore, C. E.,	Snider,
Baumunk,	Headlee,	Moran,	Sollenberger,
Bear,	Hocker,	Munley,	Spencer,
Beech,	Hunter,	Murray,	Swartz,
Berkstresser,	Jones, G. E.,	Najaka,	Stoner,
Blair,	Jump,	Naugle,	Toll,
Bower,	Kohl,	Needham,	VanSant,
Breth,	Kornick,	Pichney,	Varner,
Brown,	Kratz,	Polaski,	Wachhaus,
Clapper,	Leisey,	Price, H. W. Jr.,	Wargo,
Clendening,	Leonard, W. C.,	Price, R. A.,	Waterhouse,
Costa,	Light,	Readinger,	Watkins,
Dalrymple,	Loftus,	Reagan,	Weidner,
Davis,	Lyons,	Reidenbach,	Whalley,
Dowling,	Madden,	Reilly, J. M.,	Williams,
Dunn,	Markley,	Rigby,	Wilt,
Erb,	Mazza,	Robertson,	Wood,
Ferster,	McConnell,	Rosen,	Yeakel,
Fillo,	McCormack,	Royer,	Yester,
Firmstone,	McCullough,	Rubin,	Yetzer,
Flack,	McMillen,	Sax,	Young,
Frost,	Metz,	Scott,	Ziegler,
Goodling,	Mikula,	Seyler,	Sorg,
Guthrie,	Miller, H. G.,	Shoemaker,	Speaker
Hamilton, R. K.,	Miller, J. C.,	Shotwell,	

#### NOT VOTING—61

Amarando,	Ewing,	Kubacki,	Reese,
Bloom,	Filip,	Lafore,	Rose,
Boles,	Gaffney,	Lopresti,	Rovansek,
Bolton,	Geer,	Lovett,	Scanlon,
Bomberger,	Gibson,	Maxwell,	Schuster,
Boorse,	Good,	McKinney,	Stank,
Breisch,	Greenwood,	Mills,	Swope,
Cella,	Greer,	Monroe,	Tahl,
Cochran,	Guarnieri,	Muldowney,	Taylor,
Cooper,	Hall,	Musto,	Thompson, E. F.,
Coyle,	Haudenshield,	Peta,	Thompson, R. L.,
Dennison,	Helm,	Petrosky,	Toomey,
Dougherty,	Hoggard,	Pettigrew,	Varallo,
DuBols,	Jenkins,	Pfaff,	Verona,
Duffy,	Keller,	Polen,	Westrick,
			Wheeler,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

#### BILLS ON FINAL PASSAGE POSTPONED

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. McMILLEN.

The House resumed the consideration on final passage of House Bill No. 1624, as follows:

An Act to further amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" by further prescribing the powers and duties of the Department of Public Assistance and the local boards further defining "Assistance" and those persons eligible for assistance further prescribing residence requirements with respect to assistance changing the terms of county board members clarifying the provisions with respect to the payment to the United States of its share of moneys received by way of restitution prescribing additional penalties and repealing a certain act

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" as last amended by the act approved the twenty-first day of May on thousand nine hundred forty-three (P. L. 434) is hereby further amended to read as follows

Section 2 Definitions As used in this act unless otherwise indicated

"Assistance" means assistance in money goods shelter medical care work relief or services provided from or with State or Federal funds for indigent persons who reside in Pennsylvania and need assistance to [enable them to maintain] provide for themselves and their dependents a decent and healthful standard of living [and for indigent homeless or transient persons] The word assistance shall be construed to include pensions for those blind persons who are entitled to pensions as provided in this act and to include also burial for those indigent persons who were receiving assistance at the time of their death

"General Assistance" means assistance provided from or with State or Federal funds only to persons entitled under this act to assistance other than dependent children aged persons [and] blind persons and disabled persons

"Local Board" means any county board of assistance establishment under the provisions of this act

The masculine pronoun includes the feminine

Section 2 Clauses (a) (b) (c) and (j) of section four of said act clause (a) of which was amended by the act approved the twenty-sixth day of June one thousand nine hundred thirty-nine (P. L. 1091) clauses (b) and (c) of which were last amended by the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 434) and clause (j) of which was added by the act approved the twenty-sixth day of June one thou-



sand nine hundred thirty-nine (P. L. 1091) are hereby amended or further amended to read as follows

Section 4 General Powers and Duties of Department of Public Assistance The Department of Public Assistance shall have the power and its duty shall be

(a) To allocate to the several assistance programs funds with which to provide assistance and funds for administrative expenses and as may be needed from time to time to keep reasonable emergency funds in the hands of local boards which shall be used subject to the rules regulations and standards of the department by the executive director for the furnishing of assistance and pensions respectively in emergency cases upon application to him or under the direction of any member of the local board

(b) To establish with the approval of the State Board of Public Assistance rules regulations and standards consistent with the law as to eligibility for assistance and as to its nature and extent and to enforce compliance therewith by the local boards and by persons receiving assistance

(c) To [exercise general supervision of the local boards and to establish for such boards rules regulations and standards as to accounting and as to forms records and reports so as to effect reasonable uniformity] direct and supervise the local boards to establish for such boards rules and regulations and standards and to enforce compliance therewith

\* \* \* \* \*

(j) Whenever the department deems is necessary and advisable to purchase credit reports and other services on a fee basis or to employ investigators on a salary basis for the purpose of supplementing or confirming the investigation of eligibility for assistance by local boards

Section 3 Section five of said act as last amended in part by the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 434) further amended to read as follows

Section 5 Establishment of County Boards of Assistance (a) For each county of the Commonwealth there is hereby established a county board of assistance to be known as the

County Board of Assistance which shall be composed of men and women to be appointed as hereinafter provided The board shall be composed as far as possible of persons engaged or interested in business social welfare labor industry education or public administration The members of the board shall serve without compensation but shall be reimbursed for necessary expenses No member of a board shall hold office in any political party Not all of the members of a board shall belong to the same political party

(b) Each board shall be composed of eleven members in counties of the first and second classes and of seven members in other counties In each county having a board of seven the Governor shall with the advice and consent of two-thirds of all the members of the Senate appoint two members to serve for the term ending December thirty-first one thousand nine hundred thirty-eight two members to serve for the term ending December thirty-first one thousand nine hundred thirtynine and three members to serve for the term ending December thirty-first one thousand nine hundred forty In each county having a board of eleven the Governor shall in the same manner appoint three members to serve for the term ending December thirty-first one thousand nine hundred thirty-nine and four members to serve for the term ending December thirty-first one thousand nine hundred forty After the original appointments any vacancy caused by the expiration of a term shall be filled by an appointment in the manner above provided for a term of three years and any vacancy otherwise caused shall be filled for the duration of the unexpired term by appointment in the same manner [No member of a board shall be eligible to serve for more than two consecutive terms] Any member of a board who has served all or any portions of three consecutive three-year terms as above specified shall be ineligible for further reappointment until after

one full term has passed If service is terminated for any reason before such maximum period of service is completed and the member is reappointed to a term ending at a different time from his original series of terms his service shall be computed as if he were continuing to serve in the original series A member of a board who misses three or more consecutive meetings without reasons satisfactory to the rest of the board will be regarded as having in effect resigned from the position

(c) Each board shall organize annually and elect from among its members a chairman vice-chairman and a secretary

Section 4 Clauses (b.1) (c) and (f) of section seven of said act clause (b.1) of which was added by the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 434) and clauses (c) and (f) of which were amended by the act approved the twenty-sixth day of June one thousand nine hundred thirty-nine (P. L. 1091) are hereby amended or further amended to read as follows

Section 7 Powers and Duties of County Boards of Assistance Each county board of assistance shall have the power and its duty shall be

\* \* \* \* \*

(b.1) To administer public assistance in the county and the eligibility [of applicants] for assistance of applicants and continued eligibility for assistance of persons receiving the same in accordance with law and the general principles and policies determined by the State Board of Public Assistance

\* \* \* \* \*

(c) To conform to the rules regulations and standards established by the Department of Public Assistance [as to accounting and as to forms records and reports]

\* \* \* \* \*

(f) To supervise the administration of and promote any other public function related to assistance or to the work of the Department of Public Assistance or of the county board of assistance which shall be committed to the board by a political subdivision of the Commonwealth with the approval of the [State Board] Department of Public Assistance

Section 5 Clause (j) of section seven of said act as added by the act approved the twenty-sixth day of June one thousand nine hundred thirty-nine (P. L. 1091) is hereby repealed

Section 6 Section nine of said act as last amended in part by the acts approved the twenty-sixth day of June one thousand nine hundred thirty-nine (P. L. 1091) the sixteenth day of May one thousand nine hundred forty (1941 P. L. 945) the twenty-fourth day of July one thousand nine hundred forty-one (P. L. 475) the twenty-eighth day of July one thousand nine hundred forty-one (P. L. 546) the twenty-first day of May one thousand nine hundred forty-three (P. L. 434) the eighth day of July one thousand nine hundred forty-seven (P. L. 1448) and the twenty-eighth day of April one thousand nine hundred forty-nine (P. L. 767) is hereby further amended to read as follows

Section 9 Eligibility for Assistance Any person residing within this Commonwealth shall hereafter be entitled to receive public assistance as provided by law without regard to the period of time he or she has resided therein and the department of public assistance charged with the granting of public assistance may do so without regard to the period of time any person seeking public assistance and otherwise entitled thereto shall have resided within this State Provided however That if the applicant for public assistance has resided in Pennsylvania for less than one year immediately preceding the date of making application for assistance such person shall only be entitled to receive public assistance if he or she was last a resident of a state which by law regulation or reciprocal agreement with Pennsylvania grants public assistance to a person who has resided therein for less than one year A child less than one year of age is considered as deriving residence from either (1) a parent or (2) other relative with whom he is living as herein-



before provided in this section Except as hereinafter specifically otherwise provided in the case of pensions for the blind all persons of the following classes except those who hereafter advocate and actively participate by an overt act or acts in a movement proposing a change in the form of government of the United States by means not provided for in the Constitution of the United States shall be eligible to receive assistance in accordance with rules regulations and standards established by the Department of Public Assistance with the approval of the State Board of Assistance as to eligibility for assistance and as to its nature and extent

(a) Dependent Children A dependent child is defined as any needy child under the age of sixteen or under the age of eighteen if found to be regularly attending school who [(1)] has been deprived of parental support or care by reason of the death continued absence from the home or physical or mental incapacity of a parent and who is living with his father mother grandfather grandmother brother sister stepfather stepmother stepbrother stepsister uncle or aunt in a place of residence maintained by one or more of such relatives as his or their own home [and (2) has resided in this Commonwealth for one year immediately preceding the date of application for assistance or has been born in this Commonwealth within one year immediately preceding the date of such application of a mother who has resided in this Commonwealth for one year immediately preceding the birth of the child]

(b) Aged Persons An aged person is defined as one who (1) [is seventy years of age or more or who after December thirty-first one thousand nine hundred thirty-nine] is sixty-five years of age or more (2) [resides in this Commonwealth and has so resided therein for five years during the nine years immediately preceding the date of making application for assistance and has so resided continuously for one year immediately preceding the date of making such application except that in all cases where the state in which the applicant last had a residence makes similar provision for persons whose last residence was in this Commonwealth residence in this Commonwealth of one year immediately preceding the date of application shall be sufficient (3)] is not at the time of receiving assistance an inmate of a public institution and [(4)] (3) has not conveyed or transferred his real or personal property of the value of five hundred dollars (\$500.00) or upwards without fair consideration within two years preceding the date of making such application

Absence in the service of the Commonwealth or of the United States shall not be deemed to interrupt residence of an aged person in the Commonwealth if a domicile has not been acquired outside the Commonwealth

(c) Blind Persons A blind person is defined as one who (1) is twenty-one years of age or more (2) has three-sixtieth or ten-two hundredths or less normal vision (3) [has resided in the Commonwealth for at least five years during the nine years immediately preceding his application for a pension and has resided therein continuously for one year immediately preceding the application (4)] is not receiving assistance as an aged person during the period for which he is receiving assistance as a blind person [(5)] (4) is not an inmate of any prison jail insane asylum or any other public reform or correctional institution The pension of a blind person shall be forty dollars (\$40) per month Provided That any blind person with an actual income of one thousand five hundred ninety-six dollars (\$1,596) or upwards and any blind person having real property with an assessed valuation of over five thousand dollars (\$5,000) is not entitled to such pension And provided further That where a blind person has an income of less than one thousand five hundred ninety-six dollars (\$1,596) per year the pension shall be fixed in such amount so that the combined income and pension shall not exceed one thousand five hundred ninety-six dollars (\$1,596) a year No person shall be denied a pension because of the fact that he or she is not a citizen of the United States In the event that any act of Congress providing Federal aid toward pension for the blind requires the recipients to be citizens no such Federal aid

moneys shall be expended in the payment of pensions to non-citizens but such persons shall receive pensions out of moneys appropriated by this Commonwealth

(d) Disabled Persons A disabled person is defined as one who (1) is between the ages of eighteen and sixty-four inclusive (2) is permanently and totally disabled and (3) is not at the time of receiving assistance an inmate of a public institution

(e) Any children who at the time they are receiving assistance are at the direction of the court removed from the home of their parents and placed in foster homes or children's homes maintained by a county institution district

[[d]] (f) Other persons who are citizens of the United States and [who have a settlement in Pennsylvania and] all aliens who have within two years previous to the first day of January one thousand nine hundred and forty filed their declaration of intention to become a citizen and [who have a legal settlement in Pennsylvania and] need assistance to [enable them to maintain] provide for themselves and their dependents a decent and healthful standard of living and who do not require institutional care because of physical or mental infirmity

[(e) Any person within any group defined in this section who has a quasi-settlement in this Commonwealth until he is removed to his place of legal settlement]

[(f) Any children who at the time they are receiving assistance are at the direction of the court removed from the home of their parents and placed in foster homes or children's homes maintained by a county institution district]

Section 7 Section eleven of said act is hereby repealed  
Section 8 Subsection (b) of section twelve of said act is hereby amended to read as follows

Section 12 Federal Contributions Restitution

\* \* \* \* \*

(b) So long as required as a condition of Federal participation [one half] of the net amount collected or recovered by way of restitution from any [aged] person or from his estate by or for the Department of Public Assistance for any assistance received to which the Federal government contributed there shall be promptly paid to the United States an amount equal to its proportionate share of the amount collected or recovered and the remainder thereof shall be paid into the State Treasury and shall be credited to the current appropriation to the Department for Public Assistance as provided by law

Section 9 Section thirteen of said act subsection (a) and (b) as amended by the act approved the twenty-sixth day of June one thousand nine hundred thirty-nine (P. L. 1091) and subsections (c) and (d) of which were added by the act approved the sixteenth day of July one thousand nine hundred forty-one (P. L. 398) and another subsection (c) of which was added by the act approved the twenty-fifth day of July one thousand nine hundred forty-one (P. L. 509) is hereby further amended to read as follows

Section 13 Penalties Additional Powers of Department (a) Any person who either prior to or at the time of or subsequent to the application for assistance by means of a wilfully false statement or misrepresentation or by impersonation or other fraudulent means secures or attempts to secure or aids or abets any person in securing assistance under this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding [five hundred dollars (\$500.00)] one thousand dollars (\$1,000.00) or to undergo imprisonment not exceeding [six months] one (1) year or both at the discretion of the court and also shall be sentenced to make restitution of any moneys he has received by reason of any such false statement misrepresentation impersonation or fraudulent means

(b) Any person in the employ of any county board who either directly or indirectly influences or endeavors to influence the vote of any person receiving or applying for any form of assistance or pension under the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not



exceeding one hundred [(\$100)] dollars \$100.00 or to undergo imprisonment not exceeding six (6) months or both at the discretion of the court

(c) The Department of Public Assistance shall have power and authority to make and enforce rules and regulations

(1) To insure the names and lists of applicants and recipients or persons applying for or receiving assistance of any type covered by the public assistance provision of the Federal Social Security Act against improper publication

(2) To restrict the use of such information furnished other officials departments or persons to purposes connected with the administration of public assistance

(3) To afford adequate protection to the rights and interests of persons with respect to whom personal or confidential information is in its possession

(4) All such rules and regulations shall be kept on file with the department and shall be open to the public

(5) Such rules and regulations shall not prevent or interfere with investigations by the proper authorities as to the rights of individuals or groups to receive such assistance or aid the amount of the same

(d) Any person knowingly violating any of the rules and regulations of the department made in accordance with this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one hundred dollars [(\$100)] (\$100.00) or to undergo imprisonment not exceeding six (6) months or both at the discretion of the court

(e) Any person who knowingly receives any assistance under this act to which he is not entitled shall upon conviction thereof in a summary proceeding be sentenced to make restitution of such assistance and to pay a fine of not more than two hundred dollars (\$200.00) and in default of making restitution and the payment of the fine imposed to undergo imprisonment not exceeding sixty (60) days

[(c)] (f) It shall be unlawful for any person directly or indirectly to promise any employment position work compensation or other benefit provided for in clause (1) of section four of this act to any person as consideration favor or reward for any political activity or for the support of or opposition to any candidate in any election or any political party

It shall be unlawful for any person directly or indirectly to deprive attempt to deprive or threaten to deprive by any means any person of any employment position work compensation or other benefit provided for in clause (1) of section four of this act on account of race creed color or any support of or opposition to any candidate or any political party in any election

It shall be unlawful for any person administering or supervising work relief projects under the provisions of clause (1) of section four of this act to use such authority or influence for the purpose of interfering with an election or affecting the results thereof

Any person violating the provisions of this subsection shall be immediately removed from any position or office if any held under the provisions of clause (1) of section four of this act and in addition thereto he shall be sentenced to pay a fine not to exceed one thousand dollars [(\$1,000)] (\$1,000.00) and to imprisonment not to exceed one (1) year or both

Section 10 The act approved the first day of May one thousand nine hundred forty-five (P. L. 370) entitled "An act relating to settlements abolishing settlements and residence as a factor in eligibility for receiving public assistance or liability of the Commonwealth or any political subdivision thereof for granting assistance and repealing inconsistent legislation" is hereby repealed

Section 11 All other acts or parts of acts inconsistent with the provisions of this act are hereby repealed

Section 12 This act shall become effective immediately upon final enactment

Mr. McNALLY. Mr. Speaker, before moving to recommend House Bill 1624 to the Committee on Welfare for further study, I wish to call to your attention certain provisions of this bill.

When the Department of Public Assistance was set up in 1937 care was taken to give to the local county boards of assistance the widest autonomy. From time to time the Department of Public Assistance has tried to diminish these powers and now, if this bill is passed in its present form no authority will be left to the county boards.

This bill proposes to amend the present law as follows:

Section 4 (a) to read "subject to the rules and standards of the department; (b) and to enforce compliance therewith by the local boards to establish for such boards and by persons receiving assistance." (c) direct and supervise the local boards to establish for such boards rules, regulations and standards and to enforce compliance therewith. (j) to employ investigators on a salary basis . . .

These are bad amendments because it is hardly likely that representatives would agree to serve on boards whose autonomy would be entirely destroyed if such limitations were passed.

This bill proposes further that the present policy of granting "temporary" assistance providing determination of an applicant's eligibility as to residence shall be prohibited. The policy would place the care of these applicants on the county institution districts, which are not in position to assume such responsibility.

One proposed amendment, the one providing for conviction in a summary proceeding is a move in the right direction and would, if enacted, help to control the chiselers.

#### MOTION TO RECOMMIT

Mr. McNALLY. Mr. Speaker, I move that this bill be recommitted to the Committee on Welfare for further study and possible amendment.

On the question,

Will the House agree to the motion?

Mr. McMILLEN. Mr. Speaker, I want to make just a few statements concerning this bill. I believe at this time I would just like to say that this bill should not be returned to the Committee for any further consideration, since it has had due and deliberate attention.

Many of the provisions in this bill are an attempt to clean up what we are all willing to admit is next thing to a scandal in Pennsylvania. That is, the chiseling and the drawing of money out of the pockets of honest taxpayers by those who do not have the guts to get out and earn their own living.

You can find many instances in this bill where we have tried to tighten up on the administration of relief. During the entire session it has been our endeavor on both sides of this House, and on both sides of the Senate to tighten down on the expenditures of public money for public assistance as it applies to those who are not entitled to it. It is true that we have in this bill a provision for summary conviction. This will permit a local county board when it finds a chiseler to immediately bring him before the law, have him sentenced and clean up the case. As the situation exists now often times a year, a year and a half, in fact any amount of time that a

On the question recurring,  
Shall the bill pass finally?



Judge might prefer because of political or other reasons, to not bring a case up, or suspend it, and therefore the chiseler is never brought to account until long after his act has been committed.

It is also possible at times the delay is taking place that the chiseling may continue. There has been some very serious consideration given to the fact that a little more central authority be given to the central board here in Harrisburg.

I admit that more authority is being given to the board in Harrisburg in the matter of enforcing and bringing about the use of rules and regulations which they promulgate. We have for many years been operating actually with sixty-seven boards of assistance. It is a fact that at the present time county boards may accept or reject the rules and regulations of the central board here in Harrisburg. In most instances I will say the county boards have been very careful and have been very diligent in their work and often have considered the rules and regulations of the central board not as stringent as they themselves want it and therefore made stricter eligibility rules.

But, Mr. Speaker, we have also found in our investigations of the relief situation that there are places and there are counties where boards have refused to accept the rules promulgated by the central board as being too strict on eligibility and have adopted a looser set of regulations for political or other reasons known to themselves. It is a fact that in these areas chiseling and expenditure of moneys of the Commonwealth has been way beyond what actually were the needs of that area.

We need only to look at certain areas where in one week's time 600 people have been knocked off the relief rolls. We have to make a choice.

#### MOTION TO RECOMMIT WITHDRAWN

The SPEAKER. Will the gentleman yield for just a moment?

Mr. McMILLEN. I will, Mr. Speaker.

The SPEAKER. Will the gentleman from Allegheny, Mr. McNally, temporarily withdraw his motion to recommit so that the gentleman from Indiana, Mr. McMillen, may debate the merits of the bill?

Mr. McNALLY. I will, Mr. Speaker.

On the question recurring,

Shall the bill pass finally?

Mr. McMILLEN. Mr. Speaker, I did not realize that I was going afield. I wanted to explain what the purpose of this bill is; why we should keep it out of Committee.

The SPEAKER. The gentleman will proceed.

Mr. McMILLEN. Mr. Speaker, we have to make a choice. We do realize that we are centralizing authority in the central board here, but it is a fact that the board in Harrisburg is furnishing one hundred percent of the money and, therefore, should have some control and some say over these rules and regulations of eligibility.

The question is whether the abuses that exist among the boards who will not accept the present rules and regulations justifies this centralization of authority in order to bring about that acceptance.

For myself I debated this question a long time in my own mind, and have debated it on many occasions with people who are thinking on both sides of the question.

It seems to me that since it has not worked, over a period of years, to the benefit of the Commonwealth, we had better, at least for a short period of time, try this new approach in order to bring about the results that the legislature desires.

That, Mr. Speaker, is a desire to give to the needy, the aged, the blind and the disabled the help and assistance—just exactly what it says; it is an assistance law—and to stop the misuse of funds on those who are able to take care of themselves.

The decision is up to the Members on the floor of this House. For myself, I have made the decision that it is worth trying at least for the rest of this biennium. For that reason, I ask that the bill be not recommitted to the Committee on Welfare.

Mr. ANDREWS. Mr. Speaker, I am speaking only for myself concerning this bill. The authority that furnishes the money is obligated to police expenditure; to make as certain as is humanly possible that the funds spent for public assistance are spent in conformity with the Legislative intent.

Investigations that have been made in the last two years have demonstrated that from six to ten million dollars a year represent the amount of money that was being spent for public assistance, contrary to the legislative intent as expressed in the Public Assistance Act.

There has, up to this time, been little effort made in Harrisburg to make certain that there was uniformity as far as the treatment of the needy was concerned. It is the business of the Commonwealth to see that all the needy in the various counties are treated on the same basis and it is the duty of the Commonwealth to police the expenditure of public assistance funds, at least when those funds total \$130,000,000.

The gentleman from Indiana is quite correct when he says that in some of the counties in this Commonwealth public assistance boards have actually run hog-wild. Perhaps their action was based upon generous intent, but it was, nevertheless, depleting improperly the funds with which the Commonwealth had supplied them. I believe it is high time that the Commonwealth establishes a policy of policing the expenditure of the funds that it furnishes, and of seeing to it that there is uniformity throughout the Commonwealth in the manner in which the Public Assistance Law is administered.

Mr. SCHMIDT. Mr. Speaker, I would like to interrogate the gentleman from Indiana, Mr. McMillen.

The SPEAKER. Will the gentleman from Indiana, Mr. McMillen, permit himself to be interrogated?

Mr. McMILLEN. I shall, Mr. Speaker.

Mr. SCHMIDT. Mr. Speaker, are not the members of the various county boards appointed by the Governor of the Commonwealth?

Mr. SCHMIDT. Mr. Speaker, is it not within the

Mr. McMILLEN. Mr. Speaker, that is right. prerogative of the Governor to remove such members of such boards if he is advised that the board is running hog-wild, as you state?

Mr. McMILLEN. Mr. Speaker, any appointments made by the Governor may be recalled by the Governor, I would say that is a fair statement.

Mr. SCHMIDT. Mr. Speaker, would it not be more advisable that the Governor of this Commonwealth be ad-



vised of situations that are taking place in certain counties and he remedy the situation by removing those boards?

Mr. McMILLEN. That is a matter of opinion, Mr. Speaker.

Mr. SCHMIDT. Mr. Speaker, is it not also a fact that the purpose of these county boards is to de-centralize the public assistance setup?

Mr. McMILLEN. Mr. Speaker, that I presume was the intent and purpose at the time it was set up and they still will have authority; power to supervise and look after the administration of relief in the county to which they are appointed, even under this bill.

The only thing is if the central board, after due deliberation, promulgates the rule of eligibility and sends it out to the local boards, it will then be their responsibility to see that at least those standards are maintained.

Mr. SCHMIDT. Mr. Speaker, assuming that these situations do exist and the Governor does not see fit to remove these boards, would it not be possible under the present setup that when orders come through from the county boards to Harrisburg—to the central office—that the recommendations of the county boards be ignored?

Mr. McMILLEN. Mr. Speaker, I am sorry, I did not get the intent of the question.

Mr. SCHMIDT. Mr. Speaker, what I am getting at is this: Under the centralized setup that we now have in counties, which I imagine is for the purpose of making it easy to administer the laws in the Public Assistance setup, if we remove those boards or restrict those boards, would it not throw a greater burden on Harrisburg and make the administration of relief a more cumbersome and less efficient matter of administration?

Mr. McMILLEN. Mr. Speaker, no, I do not think so. It very definitely will place a greater responsibility upon the administrators of public assistance here in Harrisburg. I think that that is exactly what the Legislature intends, because when public criticism arises it is not directed at the county boards of public assistance; it is directed at the state board of public assistance. If we are going to correct the situation, we must start at the bottom of the thing and build from there out.

Mr. SCHMIDT. Mr. Speaker, would the gentleman grant me this? If the Governor, under the present setup, has the right to remove such boards it would be better to maintain the present system whereby the local boards are able to determine the immediate need rather than to have to refer them back to Harrisburg or the central board for a decision that may take weeks and maybe months?

Mr. McMILLEN. Mr. Speaker, I do not see where any situation of that kind can even arise.

Mr. SCHMIDT. Mr. Speaker, has the gentleman had experience with some of our other boards wherein it was necessary to refer to the Harrisburg office a case for determination? Do you know the red tape and time that it takes to get answers?

Mr. McMILLEN. Mr. Speaker, there are times when situations arise that perhaps might take time in some boards, but here you have a clear cut case. They have laid down a rule of eligibility and either a fellow is eligible or he is not eligible, and that is the answer.

Mr. SCHMIDT. Mr. Speaker, does not an occasion some-

times arise whereby it may be a borderline case and the need for assistance—whether it is clothing or food—may be such that the person cannot wait one week or two weeks, and it may be necessary for local authorities to expend local sums in order to meet that requirement or that need?

Mr. McMILLEN. Mr. Speaker, if such a case as that arises, as in the case of transients or something like that, all we need to do is walk down the street to the courthouse, and the county commissioners in any county, surely will be able to take care of them for a day or two or a week.

Mr. SCHMIDT. Mr. Speaker, then you would place in those cases the burden upon the local county setup?

Mr. McMILLEN. Mr. Speaker, is there any difference? The people are paying the bill one way or the other and there is no use in kidding ourselves about that.

Mr. SCHMIDT. Mr. Speaker, these transients may have come in from some other locality for which the local county does not feel responsible.

Mr. McMILLEN. Mr. Speaker, they can be sent back to where they came from.

Mr. SCHMIDT. That is all, Mr. Speaker.

I believe with the information furnished by the sponsor of the bill to the effect that the situation he is endeavoring to correct can be remedied under the present existing law whereby the Governor, being the appointive power has the power to remove, if situations do arise or do exist such as the sponsor states, it would be very, very easy to remedy the situation as it is then found.

Mr. ANDREWS. Mr. Speaker, I note under Section 7 that the powers and duties of county boards of assistance shall be: first, to administer public assistance in the county and determine the eligibility for assistance of applicants and continued eligibility for assistance of persons receiving the same. That is a clear-cut declaration.

The second obligation upon the board as stipulated in the bill is that it shall be the duty of the local boards to conform to the rules, regulations and standards established by the Department of Public Assistance.

Those two statements are the heart of the bill that we are considering and those two statements are in line with correct procedure.

Mr. McMILLEN. Mr. Speaker, there is one point I think we ought to dwell on just a minute. The gentleman from Allegheny, Mr. Schmidt, thinks that he can solve this problem by just removing a board. It is not as simple as that. The Boards of Public Assistance in the various counties are appointed by the governor with the consent of the Senate. Then, Mr. Speaker, I believe it would follow that he just cannot tell those people they are out. They are nominated and approved for a term of office. They serve until their duly elected successors are qualified. If the Governor wanted to dismiss a board of public assistance, for instance, in my county, it seems to me he could not just pick them up and say "you are out," without the consent of the Senate on that score. So I think, Mr. Speaker, the easy way out, as he tried to put it, just does not exist.

Mr. SCHMIDT. Mr. Speaker, I disagree with the conclusion arrived at by the sponsor of the amendment. The law has always been that the appointive power has the power to remove. The Governor has always seen fit to



appoint in the various counties representative citizens in those counties.

These citizens serve without pay. They assume a duty which they feel is a very important part of their civic activity. To place a restriction at this time upon those boards, I feel would tend to make those members feel that they are not trusted; their administrative ability is not that which it should be, and you will find that those people will refuse to serve in the future. In other words, they will not want to become rubber stamps.

If you do have men who arbitrarily ignore the law and the provisions of the law, I feel that the county would be justified in removing them and there is no necessity whatsoever to place upon the statute books of this Commonwealth such restrictions as are contained in this bill.

#### MOTION TO RECOMMIT

Mr. McNALLY. Mr. Speaker, I move that this bill be recommitted to the Committee on Welfare for further study.

The motion was not agreed to.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken.

A verification of the roll was requested by Messrs. McNally, Schmidt and Polaski.

The roll was verified and was as follows:

#### YEAS—95

Andrews,	Goodling,	Lyons,	Scott,
Barkdoll,	Graybill,	Madden,	Shoemaker,
Baumunk,	Greenwood,	Madigan,	Shotwell,
Bear,	Gutendorf,	Markley,	Smith,
Beech,	Guthrie,	McCormack,	Sollenberger,
Blair,	Hagerty,	McInroy,	Spencer,
Bloom,	Hall,	McKinney,	Stimmel,
Bower,	Hamilton, W. H.,	McMillen,	Stoner,
Breisch,	Helm,	Metz,	Swartz,
Brown,	Hewitt,	Miller, H. G.,	Tompkins,
Cells,	Hocker,	Mintess,	Toomey,
Clapper,	Jenkins,	Moore, C. E.,	VanSant,
Clendenning,	Jones, T. H. W.,	Moore, H. A.,	Varnier,
Costa,	Jump,	Murray,	Wachhaus,
Dalrymple,	Keller,	Naugle,	Watkins,
Davis,	Kent,	Pitzer,	Weldner,
Dowling,	Kline,	Polen,	Wescott,
Dunn,	Kohl,	Price, H. W. Jr.,	Whalley,
Erb,	Kratz,	Reilly, J. M.,	Wilt,
Ferster,	Lafore,	Riley, R. L.,	Wood,
Firmstone,	Leisey,	Robertson,	Yeakel,
Flack,	Leonard, W. O.,	Royer,	Ziegler,
Frost,	Light,	Rubin,	Sorg,
Gleason,	Lopresti,	Sax,	Speaker

#### NAYS—52

Banker,	Hunter,	Mihm,	Sarraf,
Beaver,	Jones, G. E.,	Moran,	Schmidt,
Berkstresser,	Jones, J. M.,	Munley,	Seyler,
Bolton,	Kamyk,	Najaka,	Snider,
Breth,	Kolankiewicz,	Needham,	Toll,
Buechin,	Kornick,	Olsen,	Verona,
Byrne,	Lederer,	Penglase,	Wargo,
Conway,	Leonard, L.,	Petrosky,	Waterhouse,
Corr,	Leven,	Polaski,	Welsh,
Dennison,	Limper,	Price, R. A.,	White,
Fenrich,	Lutty,	Reagan,	Williams,
Filo,	Mazza,	Reidenbach,	Yester,
Gaffney,	McCullough,	Rigby,	Yetzer,
Hamilton, R. K.,	McDermitt,	Rovansck,	Young,
Headlee,	McNally,		

#### NOT VOTING—54

Amarando,	Good,	McGee,	Ross,
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Boles,	Greer,	Mikula,	Rosen,
Bomberger,	Guarneri,	Miller, J. C.,	Scanlon,
Boorse,	Harney,	Mills,	Schuster,
Cochran,	Haudenshield,	Monroe,	Stank,
Cooper,	Hersch,	Muldowney,	Swope,
Coyle,	Hoggard,	Musto,	Tahl,
Dougherty,	Johnson,	Peta,	Taylor,
DuBois,	Jones, P. F.,	Pettigrew,	Thompson, E. F.,
Duffy,	Kubacki,	Pfaff,	Thompson, R. L.,
Ewing,	Loftus,	Pichney,	Varallo,
Filip,	Lovett,	Readinger,	Westrick,
Geer,	Maxwell,	Reese,	Wheeler,
Gibson,	McConnell,		

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

#### BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1097 as follows:

An Act to further amend subsections (a) (b) and (c) of Section 1112 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by authorizing the designation of through highways and stop intersections in second class townships

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsections (a) (b) and (c) of Section 1112 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as amended by the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 751) are further amended to read as follows



### Section 1112 Establishment of Thru Highways and Stop Intersections

(a) The Secretary of Highways of this Commonwealth with reference to State Highways and local authorities in counties cities boroughs incorporated towns and townships of the first and second class with reference to highways under their jurisdiction are hereby authorized to designate through highways by erecting at the entrance thereto from intersecting highways signs bearing the "Thru Traffic Stop" the word "Stop" to be in letters at least six (6) inches in height and the letters of the words "Thru" and "Traffic" shall be of the form and size approved by the Secretary of Highways of this Commonwealth. Provided That no stop sign shall be erected at an intersection where at all times there is control by either a traffic signals or by a flashing signal

(b) The Secretary of Highways of this Commonwealth with reference to State highways and local authorities in counties cities boroughs incorporated towns and townships of the first and second class with reference to highways under their jurisdictions are hereby authorized to designate stop intersections by erecting at the entrance thereto from intersecting highways signs bearing the word "Stop" in letters of at least six (6) inches in height

(c) Before local authorities in counties cities boroughs incorporated towns and townships of the first and second class shall designate any highway as a through highway or stop intersection which will interest or affect a State highway approval of such designation must first be obtained from the Secretary of Highways of this Commonwealth

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—205

Amarando,	Goodling,	Markley,	Rovansek,
Andrews,	Graybill,	Maxwell,	Royer,
Banker,	Greenwood,	Mazza,	Rubin,
Barkdoll,	Greer,	McConnell,	Sarraf,
Baumunk,	Guarnieri,	McCormack,	Sax,
Bear,	Gutendorf,	McCullough,	Scanlon,
Beaver,	Guthrie,	McDermitt,	Schmidt,
Beech,	Hagerty,	McGee,	Schuster,
Berkstresser,	Hall,	McInroy,	Scott,
Blair,	Hamilton, R. K.,	McKinney,	Seyler,
Bloom,	Hamilton, W. H.,	McMillen,	Shoemaker,
Boles,	Harney,	McNally,	Shotwell,
Bolton,	Haudenschild,	Metz,	Smith,
Bomberger,	Headlee,	Mihm,	Snider,
Boorse,	Helm,	Mikula,	Sollenberger,
Bower,	Hersch,	Miller, H. G.,	Spencer,
Breisch,	Hewitt,	Miller, J. C.,	Stank,
Breth,	Hocker,	Mills,	Stimmel,
Brown,	Hoggard,	Mintess,	Stoner,
Bucchin,	Hunter,	Monroe,	Swartz,
Byrne,	Jenkins,	Moore, C. E.,	Swope,
Cella,	Johnson,	Moore, H. A.,	Tahl,
Clapper,	Jones, G. E.,	Moran,	Taylor,
Clendening,	Jones, J. M.,	Muldowney,	Thompson, E. F.,
Cochran,	Jones, P. F.,	Munley,	Thompson, R. L.,
Conway,	Jones, T. H. W.,	Murray,	Toll,
Cooper,	Jump,	Musto,	Tompkins,
Corr,	Kamyk,	Najaka,	Toomey,
Costa,	Keller,	Naugle,	VanSant,
Coyle,	Kent,	Needham,	Varallo,
Dalrymple,	Kline,	Olsen,	Varnor,
Davis,	Kohl,	Penglase,	Verona,
Dennison,	Kolankiewicz,	Peta,	Wachhaus,
Dougherty,	Kornick,	Petrosky,	Wargo,
Dowling,	Kratz,	Pettigrew,	Waterhouse,
Duffy,	Kubacki,	Pfaff,	Watkins,
Dunn,	Lafore,	Pichney,	Weldner,
Erb,	Lederer,	Pitzer,	Welsh,
Ewing,	Leksey,	Polaski,	Wescott,
Fenrich,	Leonard, L.,	Polen,	Whalley,

Ferster,	Leonard, W. C.,	Price, H. W. Jr.,	Wheeler,
Fillip,	Leven,	Price, R. A.,	White,
Filo,	Light,	Readinger,	Williams,
Firmstone,	Limper,	Reagan,	Wilt,
Flack,	Loftus,	Reese,	Wood,
Frost,	Lopresti,	Reidenbach,	Yeakel,
Gaffney,	Lovett,	Reilly, J. M.,	Yester,
Geer,	Lutty,	Rigby,	Yetzer,
Gibson,	Lyons,	Riley, R. L.,	Young,
Gleason,	Madden,	Robertson,	Ziegler,
Good,	Madigan,	Rose,	Sorg,
		Rosen,	Speaker

#### NAYS—0

#### NOT VOTING—2

DuBois,

Westrick,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

#### BILLS PASSED OVER

There being no objection

House Bill No. 1254, Printer's No. 606 and

House Bill No. 1397, Printer's No. 961

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1495, entitled:

An Act to further amend the act approved the twenty-second day of June one thousand nine hundred thirty-seven (P. L. 1987) entitled as amended "An act to preserve and improve the purity of the waters of the Commonwealth for the protection of public health animal and aquatic life and for industrial consumption and recreation empowering and directing the creation of indebtedness or the issuing of non-debt revenue bonds by political subdivisions to provide works to abate pollution providing protection of water supply providing fort he jurisdiction of courts in the enforcement thereof requiring the approval of the Attorney General for prosecution thereunder providing additional remedies for abating pollution of waters imposing certain penalties and repealing certain acts authorizing the acquisition by purchase or condemnation or otherwise of easements and right of ways the acquisition or construction of pipes conduits drains or tunnels by the Sanitary Water Board and providing for payment of the costs thereof by the Commonwealth authorizing the Sanitary Water Board to establish standards of purity and to determine the time for compliance with certain provisions of the act in certain cases and making it unlawful to open reopen or continue operation of any coal mine or to change any approved drainage or disposal plan without prior approval by the Sanitary Water Board" by increasing maximum time after notice for discontinuance of discharge or treatment of sewage

On the question,

Will the House agree to the bill on third reading?

Mr. GUTENDORF. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Sec. 1 (Sec. 203), page 4, line 17, by striking out the brackets before the word "one" and after the word "year" and the words "two years"

Amend Sec. 1 (Sec. 203), page 5, line 1, by striking out the words "or person"

Amend Sec. 1 (Sec. 208), page 6, line 4, by striking out



the bracket before the word "one" and after the word "year"

Amend Sec. 1 (Sec. 208), page 6, line 5, by striking out the word "two years"

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time. Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

Mr. BRETH. Mr. Speaker, I would like to ask the gentleman to explain what the amendments do.

Mr. GUTENDORF. Mr. Speaker, the amendments I have offered concern persons, companies, corporations, or in other words industry. The amendments I have offered delete the extension of time for industries.

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1565, entitled:

An Act to further amend Section 1012 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the magistrates aldermen justices of the peace the courts and Department of Highways peace officers mayors burgesses the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by requiring the installation on all motor vehicles of mechanical or electrical directional signal equipment of a type approved by the Secretary of Revenue

On the question,

Will the House agree to the bill on third reading?

#### BILL RECOMMENDED

Mr. DENNSION, Mr. Speaker, I move that this bill be recommitted to the Committee on Motor Vehicles for the purpose of further study.

The motion was agreed to.

#### BILLS PASSED OVER

There being no objection

House Bill No. 1583, Printer's No. 1002 and

House Bill No. 1652, Printer's No. 1022

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1707, as follows:

An Act to further amend section seven of the act approved the fourteenth day of May one thousand nine hundred fifteen (P. L. 524) entitled "An act creating a fund for the purpose of rebuilding restoring and replacing buildings structures equipment or other property of the Commonwealth of Pennsylvania damaged or destroyed by fire or other casualty and regulating the placing of insurance thereon and providing penalties for any violation of the provisions of this act" by authorizing the Department of Property and Supplies to purchase insurance on property owned by the Commonwealth against loss or damage by fire or other casualty exceeding five hundred thousand dollars (\$500,000) and resulting from a single occurrence

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section seven of the act approved the fourteenth day of May one thousand nine hundred fifteen (P. L. 524) entitled "An act creating a fund for the purpose of rebuilding restoring and replacing buildings structures equipment or other property of the Commonwealth of Pennsylvania damaged or destroyed by fire or other casualty and regulating the placing of insurance thereon and providing penalties for any violation of the provisions of this act" as amended by the act approved the twelfth day of May one thousand nine hundred twenty-one (P. L. 549) is hereby further amended to read as follows

Section 7 That from and after the adoption and approval of this act it shall be unlawful for any department bureau commission or other branch of the State Government or any board of trustees overseers managers or other person or persons or custodians of State property to purchase secure or obtain any policy of insurance on any property owned by the Commonwealth the term of which policy of insurance shall extend beyond the thirty-first day of December Anno Domini one thousand nine hundred and twenty or to purchase obtain or secure any such policy of insurance for any amount in excess of the amount of insurance outstanding at the date of the approval of this act after deducting from such amount twenty per centum thereof for each calendar year which shall have elapsed from and after the thirty-first day of December Anno Domini one thousand nine hundred and fifteen to the date of purchasing securing or obtaining such policy of insurance Provided however That the Board of Public Grounds and Buildings or the board of trustees inspectors overseers or managers of any State institution may in their discretion purchase secure or obtain policies of insurance covering any loss or damage occurring to any property owned by the Commonwealth arising from boiler explosion Provided further That the Department of Property and Supplies is hereby authorized to purchase insurance on any structure building or other property owned by the Commonwealth of Pennsylvania against loss or damage by fire or other casualty such loss exceeding the sum of five hundred thousand dollars (\$500,000) and resulting from a single occurrence The proceeds of such insurance shall be paid into the Insurance Fund

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—205

Amarando.	Graybill,	Maxwell.	Rovansek,
Andrews.	Greenwood.	Mazza.	Royer.
Banker,	Greer,	McConnell,	Rubin,



Barkdoll,	Guarnieri,	McCormack,	Sarraf,
Baumunk,	Gutendorf,	McCullough,	Sax,
Bear,	Guthrie,	McDermitt,	Scanlon,
Beaver,	Hagerty,	McGee,	Schmidt,
Beech,	Hall,	McInroy,	Schuster,
Berkstreser,	Hamilton, R. K.,	McKinney,	Scott,
Blair,	Hamilton, W. H.,	McMillen,	Seyler,
Bloom,	Harney,	McNally,	Shoemaker,
Boies,	Haudenshield,	Metz,	Shotwell,
Bolton,	Headlee,	Mihm,	Smith,
Bomberger,	Helm,	Mikula,	Snider,
Boorse,	Hersch,	Miller, H. G.,	Sollenberger
Bower,	Hewitt,	Miller, J. C.,	Spencer,
Brelsich,	Hocker,	Mills,	Stank,
Breth,	Hoggard,	Mintess,	Stimmel,
Brown,	Hunter,	Monroe,	Stoner,
Bucchin,	Jenkins,	Moore, C. E.,	Swartz,
Byrne,	Johnson,	Moore, H. A.,	Swope,
Cella,	Jones, G. E.,	Moran,	Tahl,
Clapper,	Jones, J. M.,	Muldowney,	Taylor,
Clendening,	Jones, P. F.,	Munley,	Thompson, E. F.,
Cochran,	Jones, T. H. W.,	Murray,	Thompson, R. L.,
Conway,	Jump,	Musto,	Toll,
Cooper,	Kamyk,	Najaka,	Tompkins,
Corr,	Keller,	Naugle,	Toomey,
Costa,	Kent,	Needham,	VanSant,
Coyle,	Kline,	Olsen,	Varallo,
Dalrymple,	Kohl,	Penglase,	Varner,
Davis,	Kolankiewicz,	Peta,	Verona,
Dennison,	Kornick,	Petrosky,	Wachhaus,
Dougherty,	Kratz,	Pettigrew,	Wargo,
Dowling,	Kubacki,	Pfaff,	Waterhouse,
Duffy,	Lafore,	Pichney,	Watkins,
Dunn,	Lederer,	Pitzer,	Weidner,
Erb,	Leisey,	Polaski,	Welsh,
Ewing,	Leonard, L.,	Polen,	Wescott,
Fenrich,	Leonard, W. C.,	Price, H. W. Jr.,	Whalley,
Ferster,	Leven,	Price, R. A.,	Wheeler,
Filip,	Light,	Readinger,	White,
Filo,	Limper,	Reagan,	Williams,
Firmstone,	Loftus,	Reese,	Wilt,
Flack,	Lopresti,	Reidenbach,	Wood,
Frost,	Lovett,	Reilly, J. M.,	Yeakel,
Gaffney,	Lutty,	Rigby,	Yester,
Geer,	Lyons,	Riley, R. L.,	Yetzer,
Gibson,	Madden,	Robertson,	Young,
Gleason,	Madigan,	Rose,	Ziegler,
Good,	Markley,	Rosen,	Sorg,
Goodling,			Speaker

## NAYS—0

## NOT VOTING—2

DuBois, Westrick.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

## BILLS PASSED OVER

There being no objection

House Bill No. 1711, Printer's No. 968, and

House Bill No. 1731, Printer's No. 1051

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 230, entitled:

An Act to amend sections one thousand one hundred sixty-six and one thousand one hundred sixty-nine of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further providing for sabbatical leaves of absence for professional employees

On the question,

Will the House agree to the bill on third reading?

Mr. SOLLENBERGER. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend title, page 1, last line of title, by striking out the word "for".

Amend title, page 1, last line of title, by striking out the words "professional employees".

Amend Sec. 1 (Section 1166), page 2, line 13, by inserting after the word "staff" "or in first class school districts as a member of the instructional staff as defined by the local board of education".

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

## BILLS PASSED OVER

There being no objection

Senate Bill No. 319, Printer's No. 270

Senate Bill No. 494, Printer's No. 528

Senate Bill No. 500, Printer's No. 183

Senate Bill No. 502, Printer's No. 536

Senate Bill No. 503, Printer's No. 537

Senate Bill No. 504, Printer's No. 224, and

Senate Bill No. 644, Printer's No. 417,

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 658, entitled:

An Act authorizing council of cities of the second class to fix the salaries of the mayor and the council members of such cities and to provide for the assessment and retention of fines for absence of councilmen from meetings.

On the question,

Will the House agree to the bill on third reading?

Mr. JOHNSON. Mr. Speaker, I want to call to the attention of the House the following bills and I will ask unanimous consent to offer amendments to them. They are Senate bills 658, 676, 677, 678, 679, 680, 681 and 682.

These bills are the salary raisers for county officials. The purpose of the amendments is to make sure that those who take office in the new year of 1952 will be able to avail themselves of the fruits of the bills.

Mr. JOHNSON. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk read the amendment as follows:

Amend the bill, page 2, by inserting after line 19 the following:

Section 4. This act shall be applicable to all of the officers named herein who shall begin a term of office on or after the first Monday of January, one thousand nine hundred and fifty-two.



The SPEAKER. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

#### BILL PASSED OVER

There being no objection

Senate Bill No. 675, Printer's No. 489  
was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 676, entitled:

An Act to amend the act approved the twenty-eighth day of June one thousand nine hundred forty-seven (P. L. 1144) entitled "An act relating to the annual salaries of certain county officers of counties of the second class" by increasing the salaries of certain county officers

On the question,

Will the House agree to the bill on third reading?

Mr. JOHNSON. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk read the amendment as follows:

Amend Sec. 2, page 4, line 7, by striking out the word "on" and inserting in lieu thereof the following: "as to all of the pertinent county officers who shall begin a term of office on or after".

The SPEAKER. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 677, entitled:

An Act to amend the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 973) entitled "An act relating to the annual salaries of certain county officers of counties of the third class" by increasing the salaries of certain county officers

On the question,

Will the House agree to the bill on third reading?

Mr. JOHNSON. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk read the amendment as follows:

Amend Sec. 2, page 4, line 5, by striking out the word "on" and inserting in lieu thereof: "and applicable to all of the pertinent county officers who shall begin a term of office on or after".

The SPEAKER. Will the House give unanimous consent to the offering of an amendment at his time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 678, entitled:

An Act to further amend the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 947) entitled "An act relating to the annual salaries of certain officers of counties of the fourth class" by increasing the salaries of certain county officers

On the question,

Will the House agree to the bill on third reading?

Mr. JOHNSON. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk read the amendment as follows:

Amend Sec. 2, page 4, line 9, by striking out the word "on" and inserting in lieu thereof: "and applicable to all of the pertinent county officers who shall begin a term of office on or after".

The SPEAKER. Will the House give unanimous consent to the offering of an amendment at his time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 679, entitled:

An Act to amend the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 972) entitled "An act relating to the annual salaries of certain county officers of counties of the fifth class" by increasing the salaries of certain county officers

On the question,

Will the House agree to the bill on third reading?

Mr. JOHNSON. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk read the amendment as follows:

Amend Sec. 2, page 5, line 15, by striking out the word "on" and inserting in lieu thereof: "and applicable to all



of the pertinent county officers who shall begin a term of office on or after”.

The SPEAKER. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 680, entitled:

An Act to amend the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 928) entitled “An act relating to the annual salaries and compensation of certain county officers of counties of the sixth class” by increasing the salaries of certain county officers

On the question,

Will the House agree to the bill on third reading?

Mr. JOHNSON. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk read the amendment as follows:

Amend Sec. 2, page 5, line 12, by striking out the word “on” and inserting in lieu thereof: “and applicable to all of the pertinent county officers who shall begin a term of office on or after”.

The SPEAKER. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 681, entitled:

An Act to amend the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 971) entitled “An act relating to the annual salaries and compensation of certain county officers of counties of the eighth class” by increasing the salaries of certain county officers

On the question,

Will the House agree to the bill on third reading?

Mr. JOHNSON. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk read the amendment as follows:

Amend Sec. 2, page 3, line 15, by striking out the word “on” and inserting in lieu thereof: “and applicable to all

of the pertinent county officers who shall begin a term of office on or after”.

The SPEAKER. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 682, entitled:

An Act to amend the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 938) entitled “An act relating to the annual salaries and compensation of certain county officers of counties of the seventh class” by increasing the salaries of certain county officers

On the question,

Will the House agree to the bill on third reading?

Mr. JOHNSON. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk read the amendment as follows:

Amend Sec. 2, page 3, line 8, by inserting after the word “effective” the following: “and applicable to all of the pertinent county officers who shall begin a term of office on or after”.

The SPEAKER. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 718, as follows:

An Act to further amend section thirteen of the act approved the fourth day of June one thousand nine hundred and thirty-seven (P. L. 1625) entitled “An act providing for the creation maintenance and operation of a county employees’ retirement system in counties of the third class and imposing certain charges on counties” by extending and further regulating such retirement systems

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section thirteen of the act approved the fourth day of June one thousand nine hundred and thirty-seven (P. L. 1625) entitled “An act providing for the creation maintenance and operation of a county employees’ retirement system in counties of the third class and imposing certain charges on counties” as last amended by the act approved the twenty-seventh day of May one thousand



nine hundred and forty-three (P. L. 749) is hereby further amended to read as follows

Section 13 Involuntary Retirement Allowances Voluntary Retirement Allowances After Twenty-five Years of Service Should a contributor be discontinued from service not voluntarily or an elected county officer complete his term of office and discontinue service after having completed ten years of total service or voluntarily after having completed twenty-five (25) years of total service but before reaching superannuation retirement age he shall be paid as he may elect as follows (a) The full amount of the accumulated deduction standing to his credit in the members' annuity reserve account or (b) a member's annuity of equivalent actuarial value to his accumulated deductions standing to his credit in the members' annuity reserve account and in addition a county annuity having a value equal to the present value of a county annuity beginning at superannuation retirement age but based on the period of service up to the date of discontinuance from service and not on the period of service required to reach superannuation retirement age The same options shall be available to beneficiaries in case of involuntary retirement as provided herein in the case of superannuation retirement

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—205

Amarando,	Graybill,	Mazza,	Royer,
Andrews,	Greenwood,	McConnell,	Rubin,
Banker,	Greer,	McCormack,	Sarra,
Barkdoll,	Guarneri,	McCullough,	Sax,
Baumunk,	Gutendorf,	McDermitt,	Scanlon,
Bear,	Guthrie,	McGee,	Schmidt,
Beaver,	Hagerty,	McInroy,	Schuster,
Beech,	Hall,	McKinney,	Scott,
Berkstresser,	Hamilton, R. K.,	McMillen,	Seyler,
Blair,	Hamilton, W. H.,	McNally,	Shoemaker,
Bloom,	Harney,	Metz,	Shotwell,
Boles,	Haudenshield,	Mihm,	Smith,
Bolton,	Headlee,	Mikula,	Snider,
Bomberger,	Helm,	Miller, H. G.,	Sollenberger,
Boorse,	Hersch,	Miller, J. C.,	Spencer,
Bower,	Hewitt,	Mills,	Stank,
Breisch,	Hocker,	Mintess,	Stimmel,
Breth,	Hoggard,	Monroe,	Stoner,
Brown,	Hunter,	Moore, C. E.,	Swartz,
Bucchin,	Jenkins,	Moore, H. A.,	Swope,
Byrne,	Johnson,	Moran,	Tahl,
Cella,	Jones, G. E.,	Muldowney,	Taylor,
Clapper,	Jones, J. M.,	Munley,	Thompson, E. F.,
Clendenning,	Jones, P. F.,	Murray,	Thompson, R. L.,
Cochran,	Jones, T. H. W.,	Musto,	Toll,
Conway,	Jump,	Najaka,	Tompkins,
Cooper,	Kamyk,	Naugle,	Toomey,
Corr,	Keller,	Needham,	VanSant,
Costa,	Kent,	Olsen,	Varallo,
Coyle,	Kline,	Penglase,	Varner,
Dalrymple,	Kohl,	Peta,	Verona,
Davis,	Kolankiewicz,	Petrosky,	Wachhaus,
Dennison,	Kornick,	Pettigrew,	Wargo,
Dougherty,	Kratz,	Pfaff,	Waterhouse,
Dowling,	Kubacki,	Pichney,	Watkins,
Duffy,	Lafore,	Pitzer,	Weidner,
Dunn,	Lederer,	Polaski,	Welsh,
Erb,	Lelsey,	Polen,	Wescott,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Ferster,	Leven,	Readinger,	White,
Filip,	Light,	Reagan,	Williams,
Filo,	Limper,	Reese,	Wilt,
Firmstone,	Loftus,	Reidenbach,	Wood,
Flack,	Lopresti,	Reilly, J. M.,	Yeakel,
Frost,	Lovett,	Rigby,	Yester,
Gaffney,	Lutty,	Riley, R. L.,	Yetzer,
Geer,	Lyons,	Robertson,	Young,

Gibson,  
Gleason,  
Good,  
Goodling,

Madden,  
Madigan,  
Markley,  
Maxwell,

Rose,  
Rosen,  
Rovanssek,

Ziegler,  
Sorg,  
Speaker

NAYS—0

NOT VOTING—2

DuBois,

Westrick,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

#### BILLS PASSED OVER

There being no objection

Senate Bill No. 729, Printer's No. 402

Senate Bill No. 742, Printer's No. 461, and

Senate Bill No. 759, Printer's No. 415

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 796, entitled:

An Act prohibiting the occupation of living quarters over or the depositing of foreign substances in any body of water which is the source of water used for human consumption prescribing penalties and authorizing the courts of common pleas to enjoin violations

On the question,

Will the House agree to the bill on third reading?

Mr. SMITH. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend title, page 1, second line of title, by striking out the words "body of water" and inserting in lieu thereof: "lake or pond."

Amend Sec. 1, page 2, line 1, by striking out the word "natural."

Amend Sec. 1, page 2, line 1, by striking out the words "or other body of water."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 818, entitled:

An Act to further amend Section 3062 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by further regulating publication of notice of land subdivision ordinances



The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 3062 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" as reenacted and amended by the act approved the twenty-seven day of May one thousand nine hundred forty-nine (P. L. 1955) is hereby further amended to read as follows

Section 3062 Public Hearing No such regulations shall first be adopted until after a public hearing in relation thereto at which parties in interest and citizens shall have an opportunity to be heard Notice of the time and place of such hearing shall be published in an official paper if one has been designated by the Board of Township Commissioners or if none has been so designated then in a paper of general circulation in the township once a week for two successive weeks The provisions of the ordinance need not be advertised in full as in other cases A brief summary setting forth the principal provisions of the proposed ordinance and a reference to the place or places within the township where copies of the proposed ordinance may be examined shall be incorporated in the official notice

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—205

Amarando,	Graybill,	Maxwell,
Andrews,	Greenwood,	Mazza,
Banker,	Greer,	McConnell,
Barkdoll,	Guarnieri,	McCormack,
Baumunk,	Gutendorf,	McCullough,
Bear,	Guthrie,	McDermitt,
Beaver,	Hagerty,	McGee,
Beech,	Hall,	McInroy,
Berkstresser,	Hamilton, R. K.,	McKinney,
Blair,	Hamilton, W. H.,	McMillen,
Bloom,	Harney,	McNally,
Boles,	Haudenshield,	Metz,
Bolton,	Headlee,	Mihm,
Bomberger,	Helm,	Mikula,
Boorse,	Hersch,	Miller, H. G.,
Bower,	Hewitt,	Miller, J. C.,
Breisch,	Hocker,	Mills,
Breth,	Hoggard,	Mintess,
Brown,	Hunter,	Monroe,
Bucchin,	Jenkins,	Moore, C. E.,
Byrne,	Johnson,	Moore, H. A.,
Cella,	Jones, G. E.,	Moran,
Clapper,	Jones, J. M.,	Muldowney,
Clendenning,	Jones, P. F.,	Munley,
Cochran,	Jones, T. H. W.,	Murray,
Conway,	Jump,	Musto,
Cooper,	Kamyk,	Najaka,
Corr,	Keller,	Naugle,
Costa,	Kent,	Needham,
Coyle,	Kline,	Olsen,
Dalrymple,	Kohl,	Penglase,
Davis,	Kolankiewicz,	Peta,
Dennison,	Kornick,	Petrosky,
Dougherty,	Kratz,	Pettigrew,
Dowling,	Kubacki,	Pfaff,
Duffy,	Lafore,	Pichney,
Dunn,	Lederer,	Pitzer,
Erb,	Leisey,	Polaski,
Ewing,	Leonard, L.,	Polen,
Fenrich,	Leonard, W. C.,	Price, H. W. Jr.,
Ferster,	Leven,	Price, R. A.,
Filip,	Light,	Readinger,
Filo,	Limper,	Reagan,
Firmstone,	Loftus,	Reese,
Flack,	Lopresti,	Reidenbach,
Frost,	Lovett,	Reilly, J. M.,

Gaffney,  
Geer,  
Gibson,  
Gleason,  
Good,  
Goodling,

Lutty,  
Lyons,  
Madden,  
Maddigan,  
Markley,

Rigby,  
Riley, R. L.,  
Robertson,  
Rose,  
Rosen,

Yester,  
Yetzer,  
Young,  
Ziegler,  
Sorg,  
Speaker

NAYS—0

NOT VOTING—2

DuBois,

Westrick,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

#### SENATE MESSAGE

##### CONCURRENCE IN HOUSE RESOLUTION

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, September 25, 1951.

Resolved (if the Senate concur) that House Bill No. 826, Printer's No. 854, entitled "An act to further amend the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled 'An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties' by redefining the term 'final salary' and further providing the manner of computing employees' annuities," be recalled from the Governor for the purpose of amendment.

#### COMMUNICATION AND BILL TAKEN FROM TABLE

Mr. DENNISON. Mr. Speaker, I move that House Bill No. 1294, Printer's No. 722 together with communication from the Governor be taken from the table.

The motion was agreed to.

#### COMMUNICATIONS FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

#### APPROVAL OF HOUSE CONCURRENT RESOLUTION RECALLING HOUSE BILL No. 1294

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, August 24, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 1294, Printer's No. 722, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

JOHN S. FINE.



## RECONSIDERATION OF VOTE

Mr. DENNISON. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

Mr. ROYER. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Jefferson Mr. Dennison vote on the final passage of this bill?

Mr. DENNISON. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Lancaster Mr. Royer vote on the final passage of this bill?

Mr. ROYER. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. DENNISON. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. DENNISON. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend page 2, line 12 of the title, by striking out at the end of the line after the word "by" the following: "deleting from said."

Amend page 2, by striking out line 13 of the title.

Amend page 2, line 14 of the title, by striking out at the beginning of the line before the word "and" the following: "trailers" and inserting in lieu thereof the following: "providing that the operators of tractors shall be licensed under The Vehicle Code."

Amend Section 401, page 21, line 18, by striking out after the word "Licensed" and before the word "No" the following: "[."

Amend Section 401, page 21, line 19, by striking out after the word "exempted" and before the word "shall" the following: "under this act" and inserting in lieu thereof the following: "thereby."

Amend Section 401, page 21, line 19, by striking out at the end of the line after the article "a" the following: "[."

Amend Section 401, page 22, line 1, by striking out at the beginning of the line before the word "highway" the following: "[."

Amend Section 401, page 22, line 1, by striking out at the end of the line after the word "person" the following: "upon application."

Amend Section 401, page 22, line 2, by striking out after the word "licensed" and before the word "to" the following: "or authorized."

Amend Section 401, page 22, line 2, by striking out after the word "operate" and before the word "under" the following: "tractors" and inserting in lieu thereof the following: "a motor vehicle."

Amend Section 401, page 22, line 2, by striking out at the end of the line after the word "under" the following: "the laws of."

Amend Section 401, page 22, by striking out line 3.

Amend Section 401, page 22, by striking out lines 4 and inserting in lieu thereof the following: "The Vehicle Code."

Amend Section 401, page 22, line 9, by striking out at the end of the line after the word "days" the following: "[ All persons operating tractors on the highways must be."

Amend Section 401, page 22, by striking out lines 10 and 11.

Amend Section 610, page 35, by inserting between lines 17 and 18 the following paragraph:

"Penalty. Any person operating or moving a tractor or trailer and its load, of a size or weight exceeding the

maximum specified in this act, without first having obtained a permit or permits so to do, shall, upon summary conviction before a magistrate, be sentenced to pay a fine of fifty (\$50) dollars, and, in default of the payment thereof, shall undergo imprisonment for not more than ten (10) days.

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

## COMMUNICATION AND BILL TAKEN FROM TABLE

Mr. DENNISON. Mr. Speaker, I move that House Bill No. 1293, Printer's No. 794, together with communication from the Governor be taken from the table.

The motion was agreed to.

## COMMUNICATION FROM GOVERNOR

The Secretary of the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

## APPROVAL OF HOUSE CONCURRENT RESOLUTION RECALLING HOUSE BILL No. 1293

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, August 24, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 1293, Printer's No. 594, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

JOHN S. FINE.

## RECONSIDERATION OF VOTE

Mr. DENNISON. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

Mr. ROYER. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Jefferson, Mr. Dennison, vote on the final passage of this bill?

Mr. DENNISON. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Lancaster, Mr. Royer, vote on the final passage of this bill?

Mr. ROYER. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. DENNISON. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. DENNISON. Mr. Speaker, I ask unanimous consent to offer amendments at this time.



The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Title, page 2, last line of title, by striking out all of said line and inserting in lieu thereof "authorizing the Secretary of Revenue to prescribe the contents of accident reports altering certain penalties and providing for the disposition of fines".

Amend Sec. 1, (Sec. 1), page 3, lines 7 and 8, by striking out the word "including".

Amend Sec. 1, (Sec. 1), page 3, line 8, by inserting a bracket before and after the parenthesis which appears before the word "except".

Amend Sec. 1, (Sec. 1), page 3, line 8, by inserting after the word "rollers" the following: "combines".

Amend Sec. 1 (Sec. 1), page 3, line 9, by striking out the bracket before the word "farm" and after the word "tractors" and inserting immediately thereafter the following: "(vehicles of the tractor type which are self-propelled, designed and used primarily as farm implements for drawing plows, mowing machines and other implements of husbandry) exempt from registration".

Amend Sec. 1 (Sec. 1), page 3, line 9, by inserting a bracket before and after the parenthesis which appears after the word "drillers".

Amend Sec. 2, (Sec. 4), page 3, line 17, by inserting after the word "contain" the following: "such".

Amend Sec. 2, (Sec. 4), page 3, line 17, by striking out the word "to" and inserting in lieu thereof "as may".

Amend Sec. 2 (Sec. 4), page 4, line 2, by inserting after the word "act" the following: "or to make an appraisal of all operative facts".

Amend Sec. 2 (Sec. 5), page 5, line 1, by striking out the words "except as otherwise hereinafter provided".

Amend Sec. 2 (Sec. 32), page 8, by inserting between lines 3 and 4 the following: "guilty of a misdemeanor and upon conviction shall be".

Amend Sec. 2 (Sec. 32), page 8, line 4, by inserting a bracket before and after the word "imprisonment" and inserting immediately thereafter the following: "imprisoned".

Amend Sec. 2 (Sec. 32), page 8, line 6, by inserting after the word "return" the following: "a".

Amend Sec. 2 (Sec. 32), page 8, line 7, by inserting after the word "shall" the following: "upon summary conviction before a magistrate".

Amend Sec. 2 (Sec. 32), page 8, lines 7, 8 and 9, by striking out "not more than five hundred" in line 7, all of lines 8 and 9, and inserting in lieu thereof: "[not more than five hundred dollars (\$500) or imprisoned not to exceed] one hundred dollars (\$100) and costs of prosecution and in default of the payment thereof shall undergo imprisonment for thirty (30) days. [or both in the discretion of the court.]"

Amend Sec. 2 (Sec. 32), page 8, line 10, by inserting after the word "gives" the following: "any".

Amend Sec. 2 (Sec. 32), page 8, line 10, by inserting after the word "by" the following: "the secretary under".

Amend Sec. 2 (Sec. 32), page 8, line 12, by inserting after the word "forge]" the following: "makes a false affidavit in connection with any transaction under this act or who".

Amend Sec. 2 (Sec. 32), page 8, line 16, by inserting after the word "be" the following: "guilty of a misdemeanor and upon conviction shall be".

Amend Sec. 2 (Sec. 32), page 9, line 1, by inserting after the word "be" the following: "guilty of a misdemeanor and upon conviction shall be".

Amend Sec. 2 (Sec. 32), page 9, by inserting after line 3, the following: "(e) All fines and penalties imposed pursuant to the provisions of this act shall be paid to the Commonwealth.

Section 3. Section 35 of said act is hereby repealed.

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

## REPORTS FROM COMMITTEES

Mr. SCOTT from the Committee on Education, reported as committed, Senate Bill No. 482, entitled:

An Act to amend Section 771 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as fell to private and parochial schools amending consolidating and changing the laws relating thereto" by providing for suitable ceremonies affirming and developing allegiance to the Flag of the United States and our American way of life and organization of government.

Mr. BOWER from the Committee on Appropriations, reported as committed, House Bill No. 1651, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" by creating the Vocational Technical Institute Board of Pennsylvania as an administrative board in the Department of Public Instruction and defining its powers and duties.

## BILL ON FIRST READING

Pursuant to a resolution adopted by the House September 17, 1951, the following bill was read the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 482, entitled:

An Act to amend Section 771 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending consolidating and changing the laws relating thereto" by providing for suitable ceremonies affirming and developing allegiance to the Flag of the United States and our American way of life and organization of government.



And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

**ADJOURNMENT**

Mr. KOHL. Mr. Speaker, I move that this House do now

adjourn until Thursday, September 27, 1951 at 11:00 a. m.  
EST.

The motion was agreed to, and (at 11:07 p. m. EST) the  
House adjourned.







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Session 1951.

139th of the General Assembly.

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HARRISBURG, PA., THURSDAY, SEPTEMBER 27, 1951.

No. 88.

## SENATE

THURSDAY, September 27, 1951

The Senate met at 9:00 o'clock, a. m., Eastern Standard Time.

The PRESIDING OFFICER (Fred P. Hare) in the Chair.

### PRAYER

The Chaplain, Rev. WILLIAM D. McLEAN, Pastor of St. Peters Episcopal Church, Butler, Pennsylvania, offered the following prayer:

Almighty God, the fountain of all wisdom, Who knowest our necessities before we ask and our ignorance in asking, we beseech Thee to bless this Senate about to be in session. Sanctify all their thoughts and endeavors, that they may neither begin an action without a pure intention nor continue it without Thy blessing. And grant that, having the eyes of the mind opened to behold things invisible and unseen, they may in heart be inspired by Thy wisdom and in work be held up by Thy strength. This we ask through Jesus Christ, our Lord. Amen.

### JOURNAL APPROVED

The PRESIDING OFFICER. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WALKER and Mr. MALLERY, further reading was dispensed with, and the Journal was approved.

### NOMINATIONS BY THE GOVERNOR

#### NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

#### CONSIDERATION OF NOTARIES PUBLIC

Mr. WATSON. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on September 27, 1951.

Mr. BERGER. Mr. President, I second the motion. The motion as agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, September 27, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

#### ALLEGHENY COUNTY

Miss Myrtle V. Hatton, Pittsburgh, 535 Smithfield St.  
Charles F. Schade, Carnegie.

#### NORTHUMBERLAND COUNTY

Robert A. Pittello, Mt. Carmel.

JOHN S. FINE.

Commonwealth of Pennsylvania,

Governor's Office, Harrisburg, September 27, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

#### ALLEGHENY COUNTY

Mrs. Gladys I. McMahon, Pittsburgh, 1103 Western Ave.  
Edward R. Shaw, Clairton.

#### BEAVER COUNTY

Roy R. Jerrel, Beaver Falls.

#### CUMBERLAND COUNTY

Geo. T. Arms, Lemoyne.  
George N. Eppley, Upper Allen Twp., Grantham.

#### DELAWARE COUNTY

Mrs. Ruth Laughery, Clifton Heights.  
Miss Ruth T. Pangborne, Upper Darby Twp., Upper Darby.

#### LUZERNE COUNTY

Elwood G. Ruckel, Lehman Twp., Hunlock Creek.

#### NORTHAMPTON COUNTY

Carl E. Kaniper, Easton.

#### PHILADELPHIA COUNTY

Mrs. Mary C. Greenleaf, 6610 N Broad St.

JOHN S. FINE.

A motion was made by Mr. WATSON and Mr. BERGER, That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:



## YEAS—50

Bane,	Haluska,	McPherson, Jr.	Stevenson,
Barr,	Hare,	Meade,	Stiefel.
Barrett,	Holland,	Neff,	Taylor.
Berger,	Kephart,	Pechan,	Toole,
Blass,	Kessler,	Peelor,	Wade,
Byrne,	Lane,	Propert,	Wagner,
Chapman,	Leader,	Robinson,	Walker
Crowe,	Letzler,	Rosenfeld,	Watkins
Dent,	Mahany,	Ruth,	Watson,
Diehn,	Mallery,	Scarlett,	Wolfe,
DiSilvestro,	McCreesh,	Silvert,	Wood,
Fleming,	McGinnis,	Snowden,	Yosko.
Freed.	McMenamin,		

## NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

## NOMINATION BY THE GOVERNOR REFERRED TO COMMITTEE

He also presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows, and referred to the Committee on Executive Nominations.

## JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, September 27, 1951.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate William A. Allshouse, Main Street, Plumville, Indiana County, for appointment as Justice of the Peace in and for the Borough of Plumville, Indiana County, until the first Monday of January 1952, to fill a vacancy.

JOHN S. FINE.

## HOUSE MESSAGES

## AMENDMENT TO HOUSE BILL No. 269 RECALLED FROM THE GOVERNOR

The Clerk of the House of Representatives being introduced, presented for concurrence, House Bill No. 269, entitled:

An Act to amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "Public School Code of 1949," by providing for the establishment by the Department of Public Instruction of a standardized driver-training program in the public schools and providing for assistance to school districts in certain cases.

Said bill having been recalled from the Governor for amendment, the votes had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bill as amended, will appear on the Calendar.

## AMENDMENT TO HOUSE BILL No. 1338 RECALLED FROM THE GOVERNOR

He also presented for concurrence, House Bill No. 1338, entitled:

An Act to further amend Section 713 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "Vehicle Code," by in-

creasing the fee for learner's permits; and appropriating the increase for teaching of safe driving of motor vehicles.

Said bill having been recalled from the Governor for amendment, the votes had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bill as amended, will appear on the Calendar.

## CALENDAR

## HOUSE BILL No. 984 CALLED UP

Mr. WALKER. Mr. President, I ask unanimous consent to refer to the Calendar at this time in order to call up some bills out of order.

I call up House Bill No. 984, under the heading of Bills on Concurrence in House Amendments Recalled from the Governor.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

## BILL ON CONCURRENCE IN HOUSE AMENDMENTS RECALLED FROM THE GOVERNOR

Agreeably to order,

The Senate resumed the consideration of House Bill No. 984, as follows:

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further providing for exceptions to compulsory attendance  
The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clauses (3) and (4) of Section 1330 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" are hereby amended to read as follows

Section 1330 Exceptions to Compulsory Attendance The provisions of this act requiring regular attendance shall not apply to any child who

\* \* \* \* \*

(3) Has attained the age of fifteen (15) years and is engaged in farm work on a farm owned or operated by his parents or domestic service in [a private] the home of his parents on a permit issued by the school board or the designated school official of the school district of the child's residence [in accordance with regulations which the Superintendent of Public Instruction is hereby authorized by prescribel

(4) Has attained the age of fourteen (14) years and is engaged in farm work on a farm owned or operated by his parents or domestic service in [a private] the home of his parents on a permit issued as provided in clause (3) of this section and who has satisfactorily completed either in public or private schools the equivalent of the highest grade of the elementary school organization prevailing in the public schools of the district in which he resides [if the issuance of such a permit has first been recommended by the county or district superintendent of schools having supervision of the schools of the district where such child resides or by the principal of the private school where such child is enrolled and the reason therefor has been approved by the Superintendent of Public Instruction]



And the amendments made thereto having been printed as required by the Constitution.

On the question,

Will the Senate concur in the same?

**SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO HOUSE BILL No. 984, RECALLED FROM THE GOVERNOR**

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to House Bill No. 984, recalled from the Governor.

Mr. BERGER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

**YEAS—33**

Berger,	Kessler,	Pechan,	Wade,
Blass,	Leader,	Peelor,	Wagner,
Chapman,	Letzler,	Propert,	Walker,
Crowe,	Mahany,	Robinson,	Watkins,
Diehm,	Mallery,	Ruth,	Watson,
Fleming,	McPherson, Jr.,	Scarlett,	Wolfe,
Freed,	Meade,	Snowden,	Wood,
Kephart,	Neff,	Stevenson,	Hare,
		Taylor,	Presiding Officer

**NAYS—17**

Bane,	Dent,	Lane,	Rosenfeld,
Barr,	DiSilvestro,	McCreesh,	Silvert,
Barrett,	Haluska,	McGinnis,	Stiefel,
Byrne,	Holland,	McMenamin,	Toole,
			Yosko,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

**SENATE BILL No. 655 CALLED UP**

Mr. WALKER. Mr. President, I call up Senate Bill No. 655, on concurrence in House amendments.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

**BILL ON CONCURRENCE IN HOUSE AMENDMENTS**

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 655, entitled:

An Act to amend the title and act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 571) entitled "An act relating to assessment for taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects property and persons subject to and exempt from taxation for county borough town township school except in cities and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of ward borough town and township assessors abolishing the office of assistant triennial assessor in townships of the first class providing for the appointment of a chief assessor assistant assessors and other employees providing for their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the recorder of deeds and eliminat-

ing the triennial assessment" by further regulating the assessment and valuation of real property for local taxation purposes further defining the duties of assessors and chief assessors changing the time for the preparation inspection and revision of the assessment roll and duplicate assessment roll notice of appeal and hearings on appeals prescribing duties of and fees to be collected by municipal officers who issue building permits imposing duties on taxables making improvements on land and grantees of land prescribing penalties and changing procedure on appeals to court

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution.

On the question,

Will the Senate concur in the same?

**SENATE NON-CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 655**

Mr. WALKER. Mr. President, I move that the Senate do non-concur in the amendments made by the House to Senate Bill No. 655.

Mr. WOOD. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

**SENATE BILL No. 739 CALLED UP**

Mr. WALKER. Mr. President, I call up at this time Senate Bill No. 739, on third reading, recalled from the Governor.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

**BILL ON THIRD READING AND FINAL PASSAGE RECALLED FROM THE GOVERNOR**

Agreeably to order,

The Senate resumed the third reading and consideration of Senate Bill No. 739, as follows:

An Act providing for the construction by The General State Authority of an addition of a medical and surgical hospital building to the Philadelphia State Hospital on lands heretofore or about to be conveyed to it by The Mercy-Douglass Hospital and authorizing the Department of Property and Supplies to sublease said lands and building to the Mercy-Douglass Hospital  
The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 An addition to Philadelphia State Hospital of a medical and surgical hospital building is hereby authorized to be constructed by The General State Authority on those certain lands heretofore or about to be conveyed to it by Mercy-Douglass Hospital a corporation organized and existing under the laws of the Commonwealth of Pennsylvania and presently operating as a Medical and Surgical Hospital in the City and County of Philadelphia which lands are bounded and described as follows

All those certain tracts of land situate in the Fortieth Ward of the City of Philadelphia County of Philadelphia and State of Pennsylvania more fully bounded and described as follows to wit

Beginning at a point being the most southwestern corner of Fiftieth Street and Woodland Avenue thence along the western line of Fiftieth Street south forty degrees thirty-two minutes thirty seconds east two hundred and thirty-six feet to a point thence the following courses and distances south forty-nine degrees twenty-seven minutes thirty seconds west ninety-eight feet to a point thence



north forty regrees thirty-two minutes thirty seconds west one hundred eleven feet to a point thence south forty-nine degrees twenty-seven minutes thirty seconds west thirty and five-tenth feet to a point thence south forty degrees thirty-two minutes thirty seconds east fifteen feet to a point thence south forty-nine degrees twenty-seven minutes thirty seconds west one hundred forty-three feet to a point thence north forty degrees thirty-two minutes thirty seconds west fifteen feet to a point thence south forty-nine degrees twenty-seven minutes thirty seconds west thirty and five-tenths feet to a point thence south forty degrees thirty-two minutes thirty seconds east one hundred eleven feet to a point thence north forty-nine degrees twenty-seven minutes thirty seconds east forty-seven feet to a point thence south forty degrees thirty-two minutes thirty seconds east fifty feet to a point thence south forty-nine degrees twenty-seven minutes thirty seconds west one hundred forty-five feet to a point along the eastern line of Fifty-first Street as projected thence along the aforesaid line of Fifty-first Street as projected north forty degrees thirty-two minutes thirty seconds west two hundred and eighty-six feet to its intersection with the southern line of Woodland Avenue and thence along Woodland Avenue north forty-nine degrees twenty-seven minutes thirty seconds east four hundred feet to a point the place of beginning

Containing 1.862 acres more or less

And upon erection construction and completion said hospital building shall be constituted an addition to the Philadelphia State Hospital

Section 2 Upon the erection construction and completion of said hospital building and the leasing thereof by The General State Authority to the Commonwealth of Pennsylvania the Department of Property and Supplies with the approval of the Governor is hereby authorized and directed to sublease for the rental of one dollar (\$1.00) per annum to the Board of Trustees of Mercy-Douglass Hospital said land and hospital building upon such terms and conditions as shall be agree upon

Section 3 The sublease shall be prepared by the Department of Justice and executed by the Secretary of Property and Supplies with the approval of the Governor

Section 4 During the term of said sublease or any renewal thereof the Mercy-Douglass Hospital shall be subject to the laws of the Commonwealth of Pennsylvania and to the rules and regulations promulgated by any department board or commission of the Commonwealth or any agency governing private non-profit institutions

Section 5 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Bane,	Haluska,	Meade,	Stiefel,
Barr,	Holland,	Neff,	Taylor,
Barrett,	Kephart,	Pechan,	Toole,
Berger,	Kessler,	Peelor,	Wade,
Blass,	Lane,	Propert,	Wagner,
Byrne,	Leader,	Robinson,	Walker,
Chapman,	Letzler,	Rosenfeld,	Watkins,
Crowe,	Mahanay,	Ruth,	Watson,
Dent,	Mallery,	Scarlett,	Wolfe,
Diehm,	McCreesh,	Silvert,	Wood,
DiSilvestro,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Stevenson,	Hare,
Freed,	McPherson, Jr.		Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

#### SENATE BILL No. 836 CALLED UP

Mr. WALKER. Mr. President, I call up at this time Senate Bill No. 836, on third reading, recalled from the Governor.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

#### BILL ON THIRD READING AND FINAL PASSAGE RECALLED FROM THE GOVERNOR

Agreeably to order,

The Senate resumed the third reading and consideration of Senate Bill No. 836, as follows:

An Act making an appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred fifty-one

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of twenty-five million dollars (\$25,000,000) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Public Assistance for the payment of assistance and administrative expenses as provided by the Public Assistance Law and for the payment of attorneys' fees and court costs necessary for the proper conduct of the work of the Department of Public Assistance for the two fiscal years beginning June first one thousand nine hundred fifty-one and for the payment of assistance and administrative expenses attorneys fees and court costs accrued or incurred prior to and remaining unpaid on May thirty-first one thousand nine hundred fifty-one

Section 2 Out of the moneys appropriated by section one of this act the Department of Public Assistance shall allocate funds from time to time for the several assistance programs (old age assistance aid to dependent children pensions for the blind general assistance and other programs provided by the Public Assistance Law) for administrative expenses of the several county boards of assistance for such administrative expenses incurred by the department which are chargeable to such boards and for the payment of attorneys' fees and court costs necessary for the proper conduct of the work of the department

Section 3 Out of the moneys appropriated by section one of this act there is hereby allocated to the Treasury Department the sum of two hundred thousand dollars (\$200,000) and to the Department of the Auditor General the sum of one hundred forty thousand dollars (\$140,000) to pay the administrative expenses of said departments in auditing and disbursing the appropriation made by this act.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Bane,	Haluska,	Meade,	Stiefel,
Barr,	Holland,	Neff,	Taylor,
Barrett,	Kephart,	Pechan,	Toole,
Berger,	Kessler,	Peelor,	Wade,
Blass,	Lane,	Propert,	Wagner,



Byrne,	Leader,	Robinson,	Walker,
Chapman,	Letzler,	Rosenfeld,	Watkins,
Crowe,	Mahanay,	Ruth,	Watson,
Dent,	Mallery,	Scarlett,	Wolfe,
Diehm,	McCreesh,	Silvert,	Wood,
DiSilvestro,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Stevenson,	Hare,
Freed,	McPherson, Jr.		Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

## HOUSE BILL No. 1678 CALLED UP

Mr. WALKER. Mr. President, I call up for consideration at this time House Bill No. 1678.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

## BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1678, as follows:

An Act to further amend the act approved the twenty-first day of January one thousand nine hundred forty-seven (P. L. 3) entitled "An act relating to officers and employes of the General Assembly fixing the number qualifications compensation mileage and duties of the officers and employes of the Senate and of the House of Representatives providing for their election or appointment term of office or of service removal and manner of filling vacancies and making appropriations to the Senate House of Representatives and Legislative Reference Bureau" by providing for compensation on a daily basis for certain employes of the General Assembly when a regular biennial session of the General Assembly remains in session beyond the fifteenth day of June making appropriations

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clauses (4) (5) (6) and (22) of Section 3 of the act approved the twenty-first day of January one thousand nine hundred forty-seven (P. L. 3) entitled "An act relating to officers and employes of the General Assembly fixing the number qualifications compensation mileage and duties of the officers and employes of the Senate and of the House of Representatives providing for their election or appointment term of office or of service removal and manner of filling vacancies and making appropriations to the Senate House of Representatives and Legislative Reference Bureau" as last amended by the act approved the sixth day of March one thousand nine hundred fifty-one (P. L. 18) are hereby further amended to read as follows

Section 3 The following officers and employes of the Senate shall be appointed by the President pro tempore of the Senate to serve at his pleasure and receive the compensation and perform the duties herein specified

\* \* \* \* \*

(4) One journal clerk at a compensation of two thousand two hundred dollars (\$2200) for each regular session plus eleven dollars (\$11) for each day following the fifteenth day of June of any regular session which extends beyond the fifteenth day of June and eleven dollars (\$11) per diem for each special or extraordinary session

(5) One assistant journal clerk at a compensation of one thousand nine hundred eighty dollars (\$1980) for each regular session plus eleven dollars (\$11) for each day following the fifteenth day of June of any regular session which extends beyond the fifteenth day of June and eleven

dollars (\$11) per diem for each special or extraordinary session

(6) One reading clerk at a compensation of two thousand four hundred seventy-five dollars (\$2475) for each regular session plus eleven dollars (\$11.00) for each day following the fifteenth day of June of any regular session which extends beyond the fifteenth day of June and thirteen dollars and fifty cents (\$13.50) per diem for each special or extraordinary session

\* \* \* \* \*

(22) One executive clerk at a compensation of one thousand nine hundred eighty dollars (\$1980) for each regular session plus eleven dollars (\$11) for each day following the fifteenth day of June of any regular session which extends beyond the fifteenth day of June and eleven dollars (\$11) per diem for each special or extraordinary session

Section 2 Clauses (4) (5) and (6) of Section 21 of said act as amended by the act approved the eleventh day of February one thousand nine hundred forty-nine (P. L. 4) are hereby further amended to read as follows

Section 21 The House of Representatives shall immediately upon the final enactment of this act and in each odd-numbered year thereafter at the beginning of each regular biennial session of the General Assembly elect in addition to the Speaker as provided for by the Constitution the following officers and employes who shall serve for two years or until their successors are elected and have qualified unless sooner removed by a majority vote of all of the members of the House of Representatives during any regular biennial special or extraordinary session of the General Assembly and who shall receive the compensation and perform the duties herein specified

\* \* \* \* \*

(4) One journal clerk at a compensation of two thousand two hundred dollars (\$2200) for each regular session plus eleven dollars (\$11) for each day following the fifteenth day of June of any regular session which extends beyond the fifteenth day of June and eleven dollars (\$11) per diem for each special or extraordinary session

(5) One assistant journal clerk at a compensation of one thousand nine hundred eighty dollars (\$1980) for each regular session plus eleven dollars (\$11) for each day following the fifteenth day of June of any regular session which extends beyond the fifteenth day of June and eleven dollars (\$11) per diem for each special or extraordinary session

(6) Two reading clerks at a compensation of two thousand four hundred seventy-five dollars (\$2475) each for each regular session plus eleven dollars (\$11.00) for each day following the fifteenth day of June of any regular session which extends beyond the fifteenth day of June and thirteen dollars and fifty cents (\$13.50) each per diem for each special or extraordinary session

Section 3 The following sums or as much thereof as may be necessary are hereby appropriated from the General Fund to the Senate and to the House of Representatives of the General Assembly for the purposes hereinafter set forth for the work of the legislative session of one thousand nine hundred fifty-one Said sums shall be in addition to any sums heretofore appropriated to the Senate or to the House of Representatives for any of said purposes

## To the Senate

For the payment of daily compensation provided for in this act for regular session employees when the regular session extends beyond the fifteenth day of June the sum of four thousand eight hundred eighty-two dollars and fifty cents (\$4882.50)

## To the House of Representatives

For the payment of daily compensation provided for in this act for regular session employees when the regular session extends beyond the fifteenth day of June the sum of five thousand one hundred forty-five dollars (\$5145)

Section 4 The provisions of this act shall become effective immediately upon final enactment and the daily compensation provided for in this act shall be payable to regular session employees of the Senate and House of Representatives employed for the work of the legislative



session of one thousand nine hundred and fifty-one for work done on and after the sixteenth day of June one thousand nine hundred and fifty-one.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Bane,	Haluska,	Meade,	Stiefel,
Barr,	Holland,	Neff,	Taylor,
Barrett,	Kephart,	Pechan,	Toole,
Berger,	Kessler,	Peelor,	Wade,
Blass,	Lane,	Propert,	Wagner,
Byrne,	Leader,	Robinson,	Walker,
Chapman,	Letzler,	Rosenfeld,	Watkins,
Crowe,	Mahanay,	Ruth,	Watson,
Dent,	Mallery,	Scarlett,	Wolfe,
Diehm,	McCreesh,	Silvert,	Wood,
DiSilvestro,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Stevenson,	Hare,
Freed,	McPherson, Jr.		Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

#### HOUSE BILL No. 1703 CALLED UP

Mr. WALKER. Mr. President, I call up for consideration at this time House Bill No. 1703.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

#### BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senatep roceeded to the third reading and consideration of House Bill No. 1703, as follows:

An Act making an appropriation to the Senate and to the House of Representatives of the General Assembly and to the Legislative Reference Bureau for the payment of mileage compensation of employes and contingent expenses

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The following sums or as much thereof as may be necessary are hereby appropriated from the General Fund to the Senate and to the House of Representatives of the General Assembly and to the Legislative Reference Bureau for the purpose hereinafter set forth for the balance of the work of the legislative session of one thousand nine hundred fifty-one Said sums shall be in addition to any sums heretofore appropriated to the Senate or to the House of Representatives or to the Legislative Reference Bureau for any of said purposes

To the Senate

For the payment of the mileage of fifty Senators the sum of eight thousand dollars (\$8000)

To the Chief Clerk of the Senate for the payment of the compensation of employes in his office the sum of ninety thousand dollars (\$90,000)

For the payment of the necessary expenses including extra labor in the office of the Chief Clerk the sum of five thousand dollars (\$5000)

For the payment of postage labor and incidental ex-

penses in the office of the Secretary of the Senate the sum of two thousand five hundred dollars (\$2500)

For the payment of contingent expenses including clerical stenographic traveling and discretionary charges of the Majority Floor Leader of the Senate the sum of two thousand five hundred dollars (\$2500)

For the payment of contingent expenses including clerical stenographic traveling and discretionary charges of the Minority Floor Leader of the Senate the sum of one thousand five hundred dollars (\$1500)

For the payment of contingent expenses including extra services of employes of the Senate and clerical stenographic traveling and discretionary charges of the Majority Whip the sum of five hundred dollars (\$500)

For the payment of contingent expenses including extra services of employes of the Senate and clerical stenographic traveling and discretionary charges of the Minority Whip the sum of four hundred dollars (\$400)

For necessary clerical assistance and other necessary expenses in connection with the work of the Committee on Appropriations of the Senate in compiling data and information for the use of said committee and the Senate the sum of two thousand five hundred dollars (\$2500)

#### The the House of Representatives

For the payment of the mileage of two hundred and eight Members of the House of Representatives the sum of fifteen thousand dollars (\$15,000)

For the payment of salaries of the officers and employes of the House of Representatives Session of 1951 also for the payment of the session salaries of all officers and employes whose positions are now or may be hereafter created and for the payment of which provision is not otherwise made the sum of fifty thousand dollars (\$50,000)

For the payment of necessary expenses including extra labor in the office of the Chief Clerk and Library the sum of five thousand dollars (\$5,000)

For the payment of contingent expenses including clerical stenographic traveling and discretionary charges of the Speaker of the House of Representatives the sum of two thousand five hundred dollars (\$2500)

For the payment of contingent expenses including clerical stenographic traveling and discretionary charges of the Majority Floor Leader of the House of Representatives the sum of two thousand five hundred dollars (\$2500)

For the payment of contingent expenses including clerical stenographic traveling and discretionary charges of the Minority Floor Leader of the House of Representatives the sum of one thousand five hundred dollars (\$1500)

For the payment of contingent expenses including extra services of employes of the House of Representatives and clerical stenographic traveling and discretionary charges of the Majority Whip the sum of five hundred dollars (\$500)

For the payment of contingent expenses including extra services of employes of the House of Representatives and clerical stenographic traveling and discretionary charges of the Minority Whip the sum of four hundred dollars (\$400)

For the payment of postage clerical stenographic and express charges and all other expenses in the office of the Secretary of the House of Representatives the sum of two thousand five hundred dollars (\$2500)

For necessary clerical assistance and other necessary expenses in connection with the work of the Committee on Appropriations of the House of Representatives in compiling data and information for the use of said committee and the House of Representatives the sum of two thousand five hundred dollars (\$2500)

#### To the Legislative Reference Bureau

For the payment of the compensation of temporary employes and overtime compensation of all employes of the Legislative Reference Bureau the sum of five thousand dollars (\$5000)

Section 2 The provisions of this act shall become effective immediately upon final enactment



And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bane,	Haluska,	Meade,	Stiefel,
Barr,	Holland,	Neff,	Taylor,
Barrett,	Kephart,	Pechan,	Toole,
Berger,	Kessler,	Peelot,	Wade,
Blass,	Lane,	Propert,	Wagner,
Byrne,	Leader,	Robinson,	Walker,
Chapman,	Letzler,	Rosenfeld,	Watkins,
Crowe,	Mahany,	Ruth,	Watson,
Dent,	Mallery,	Scarlett,	Wolfe,
Diehm,	McCreesh,	Silvert,	Wood,
DiSilvestro,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Hare,	
Freed,	McPherson, Jr.		Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed with amendments in which the concurrence of the House is requested.

## HOUSE BILL No. 1720 CALLED UP

Mr. WALKER. Mr. President, I call up for consideration at this time House Bill No. 1720.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON THIRD READING  
FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1720, as follows:

An Act making an appropriation to the Department of Property and Supplies for the payment of rates rentals and other charges that may become due on leasees and other contracts executed by such department The General State Authority for the use and occupancy by the Commonwealth of various projects structures buildings and facilities of the Authority or for the service rendered by the Authority or its projects

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of three million five hundred thousand dollars (\$3,500,000) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Property and Supplies for the two fiscal years beginning June first one thousand nine hundred fifty-one for the payment by the Commonwealth of annual rates rentals and other charges for the use and occupancy of or the right to use or occupy the projects structures buildings equipment and facilities leased by The General State Authority to the Commonwealth or for services rendered by the Authority or its projects Payment of such annual rates rentals and other charges shall be made in equal monthly quarterly or annual installments or otherwise as required by the respective leases

Section 2 When approved by the Governor the appropriation in the act providing moneys for the purposes herein indicated for the biennium will be reduced by the amount appropriated by this act

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—49

Bane,	Haluska,	McPherson, Jr.,	Stevenson,
Barr,	Holland,	Meade,	Stiefel,
Barrett,	Kephart,	Neff,	Taylor,
Berger,	Kessler,	Pechan,	Toole,
Blass,	Lane,	Peelot,	Wade,
Byrne,	Leader,	Propert,	Wagner,
Chapman,	Letzler,	Robinson,	Walker,
Crowe,	Mahany,	Rosenfeld,	Watkins,
Dent,	Mallery,	Ruth,	Watson,
Diehm,	McCreesh,	Scarlett,	Wolfe,
DiSilvestro,	McGinnis,	Silvert,	Yosko,
Fleming,	McMenamin,	Snowden,	Hare,
Freed,			Presiding Officer

## NAYS—1

Wood,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

## HOUSE BILL No. 1721 CALLED UP

Mr. WALKER. Mr. President, I call up for consideration at this time House Bill No. 1721.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON THIRD READING AND  
FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1721, as follows:

An Act making an appropriation to the State Treasurer for the purpose of paying salaries and wages of State Officers and employes and other ordinary and general expenses in the interim between the thirty-first day of May one thousand nine hundred fifty-one and such time as the funds provided by the General Appropriation Act and other appropriation acts become available and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred fifty-one

Whereas Under the Constitution and the laws of this Commonwealth the State Treasurer may not pay out any moneys unless they be specifically appropriated by Act of the General Assembly therefore

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 That the sum of eighty million dollars (\$80,000,000) or as much thereof as may be necessary is hereby specifically appropriated to the State Treasurer of the Commonwealth of Pennsylvania for the purpose of paying the salaries and wages of the officers and employes and other ordinary and general expenses of the State government in the interim between the thirty-first day of May one thousand nine hundred fifty-one and such time as moneys appropriated by the General Appropriation Act and other appropriation acts of one thousand nine hundred fifty-one may become available for such purposes and for the payment of bills incurred and



remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred fifty-one

Section 2 Payments out of the appropriation of this act shall be made by the State Treasurer upon requisitions by the several departments boards commissions or officers in the same manner as payments are ordinarily made

Section 3 All amounts paid by the State Treasurer in accordance with this act shall be charged against the appropriations made for the salaries and wages of the officers and employes and other ordinary and general expenses of the State government in the General Appropriation Act of one thousand nine hundred fifty-one

Section 4 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Bane,	Haluska,	Meade,	Stiefel,
Barr,	Holland,	Neff,	Taylor,
Barrett,	Kephart,	Pechan,	Toole,
Berger,	Kessler,	Peelor,	Wade,
Blass,	Lane,	Propert,	Wagner,
Byrne,	Leader,	Robinson,	Walker,
Chapman,	Letzler,	Rosenfeld,	Watkins,
Crowe,	Mahany,	Ruth,	Watson,
Dent,	Mallery,	Scarlett,	Wolfe,
Diehm,	McCreesh,	Silvert,	Wood,
DiSilvestro,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Stevenson,	Hare,
Freud,	McPherson, Jr.,		Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

#### SENATE BILL No. 636 CALLED UP

Mr. WALKER. Mr. President, I call up for consideration at this time Senate Bill No. 636, on concurrence in House amendments.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

#### BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 636, as follows:

An Act to amend subsection (a) of Section 9 of the act approved the twenty-sixth day of May one thousand nine hundred forty-nine (P. L. 1828) entitled "An act concerning the investment powers and duties of guardians committees trustees and other fiduciaries except personal representatives and prescribing the nature and kind of investments which may be made and retained by such fiduciaries" by authorizing investments in common stocks and similar securities of unincorporated associations meeting certain qualifications and eliminating the requirement that stock and similar securities must be listed on an exchange as to the stock and securities of banks and insurance and investment companies

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (a) of Section 9 of the act approved the twenty-sixth day of May one thousand nine hundred forty-nine (P. L. 1828) entitled "An act concerning the investment powers and duties of guardians committees trustees and other fiduciaries except personal representatives and prescribing the nature and kind of investments which may be made and retained by such fiduciaries" is hereby amended to read as follows

#### Section 9 Stocks

(a) Preferred and Common Stock Preferred and common stock of any corporation organized under the laws of the United States or of any commonwealth or state thereof or of the District of Columbia shall be an authorized investment if

(1) purchase in the exercise of that degree of judgment and care under the circumstances then prevailing which men of prudence discretion and intelligence exercise in the management of their own affairs not in regard to speculation but in regard to the permanent disposition of their funds considering the probable income to be derived therefrom as well as the probable safety of their capital

(2) in the case of preferred stock the corporation issuing the stock has earned a net profit in eight of the preceding ten fiscal years as reflected in its statements and during each of the preceding ten fiscal years has paid dividends in the specified amounts upon all its preferred stock if any outstanding during such year [and]

(3) in the case of common stock the corporation issuing the stock has earned a net profit in twelve of the preceding sixteen fiscal years as reflected in its statements and during each of the preceding sixteen fiscal years has paid dividends in the specified amounts upon all its preferred stock if any outstanding during said year and in each of at least twelve of the preceding sixteen fiscal years has paid dividends in some amount upon all its common stock if any outstanding during such year and

(4) in the case of any stock other than stock of a bank or insurance company or of an investment company (as hereinafter defined) the stock is listed or traded (or if unlisted or not entitled to trading privileges shall be eligible for listing and application for such listing shall have been made) on the New York Stock Exchange or any other exchange approved by the Secretary of Banking

No investment in common stock shall be made which at that time would cause the market value of the investments in common stocks to exceed one third of the market value of the estate not including in such market value the value of any participation in a common trust fund No sale or other liquidation of any investment shall be required solely because of any change in market values whereby the percentages of stocks hereinabove set forth are exceeded In determining the market value of an estate a fiduciary may rely upon published market quotations as to those investments for which such quotations are available and upon such valuations of other property as in his best judgment seem fair and reasonable according to available information

When a corporation has acquired a substantial part of its property within sixteen years immediately preceding the investment by consolidation or merger or by the purchase of a substantial part of the property of any other corporation or corporations the earnings of the predecessor or constituent corporations shall be consolidated so as to ascertain whether the requirements of this section have been satisfied

"Corporation" as used in this section shall include a voluntary association a joint-stock association or company a business trust a Massachusetts trust a common-law trust and any other organization organized and existing for any lawful purpose and which like a corporation continues to exist notwithstanding changes in the personnel of its members or participants and conducts its affairs through a committee a board or some other group acting in a representative capacity

"Investment Company" as used in this section shall mean a corporation which is registered as an investment company under the Federal Investment Company Act of



1940 as from time to time amended and which has no preferred stock bonds loans or any other outstanding securities having preference or priority as to assets or earnings over its common stock

"Common stock" as used in this section shall include the stock certificates of beneficial interests or trust participation certificates issued by any corporation or unincorporated association included under the definition of "corporation" in the preceding paragraph

Section 2 The provisions of this act shall become effective immediately upon final enactment

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

#### SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 636

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 636.

Mr. BERGER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—48

Bane,	Haluska,	McPherson, Jr.	Stevenson,
Barr,	Holland,	Meade,	Stiefel,
Barrett,	Kephart,	Neff,	Taylor,
Berger,	Kessler,	Pechan,	Toole,
Blass,	Lane,	Peelor,	Wade,
Byrne,	Leader,	Propert,	Wagner,
Chapman,	Letzler,	Robinson,	Walker,
Crowe,	Mahany,	Rosenfeld,	Watkins,
Dent,	Mallery,	Ruth,	Watson,
Diehm,	McCreesh,	Scarlett,	Wolfe,
DiSilvestro,	McGinnis,	Silvert,	Yosko,
Freed,	McMenamin,	Snowden,	Hare,
			Presiding Officer

#### NAYS—2

Fleming, Wood,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### HOUSE MESSAGES

##### SENATE BILL No. 104 RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives being introduced, returned to the Senate, Senate Bill No. 104, entitled:

An Act providing for the sentencing of persons convicted of certain crimes to an indeterminate sentence having a minimum of one day and a maximum of life in certain cases; authorizing the criminal courts to impose such a sentence and certain temporary sentences in connection therewith, requiring psychiatric examinations of such persons before the imposition of such a sentence, conferring powers and imposing duties upon the Department of Welfare and the Pennsylvania Board of Parole, and providing for the parole, conditional parole or absolute discharge of persons so sentenced and the procedure relating thereto.

with the information that the House has passed the same

with amendments in which the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bill as amended will appear on the Calendar.

##### SENATE BILL No. 818 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 818, entitled:

To further amend Section 3062 of the act approved the twenty-fourth day of June, one thousand nine hundred thirty-one, (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto," by further regulating publication of notice of land subdivision ordinances.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bill as amended will appear on the Calendar.

##### AMENDMENT TO HOUSE BILL No. 1404 RECALLED FROM THE GOVERNOR

He also presented for concurrence, House Bill No. 1404, entitled:

An Act to amend the act approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30) entitled "Public School Code of 1949," by providing for the addition to the tax duplicates of school districts of the third and fourth class, of properties occupied during the fiscal year of the school districts, in certain cases.

Said bill having been recalled from the Governor for amendment, the votes had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bill as amended, will appear on the Calendar.

##### HOUSE CONCURS IN SENATE BILL No. 718

He also returned to the Senate, Senate Bill No. 718, entitled:

An Act to further amend section thirteen of the act, approved the fourth day of June, one thousand nine hundred and thirty-seven (P. L. 1625), entitled "An act providing for the creation, maintenance and operation of a county employees' retirement system in counties of the third class; and imposing certain charges on counties," by extending and further regulating such retirement systems.

with the information that the House has passed the same without amendments.

##### HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence bills of the House, as follows:

House Bill No. 1097, entitled:

An Act to further amend subsections (a), (b) and (c) of Section 1112 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "Vehicle Code," by authorizing the designation of thru highways and stop intersections in second class townships.

Which was committed to the Committee on Highways.



House Bill No. 1580, entitled:

An Act to further amend subsection (a) of Section 672 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "Public School Code of 1949," by changing the time for the levy and assessment of school taxes in certain cases.

Which was committed to the Committee on Education.

House Bill No. 1707, entitled:

An Act to further amend section seven of the act, approved the fourteenth day of May, one thousand nine hundred fifteen (P. L. 524), entitled "An act creating a fund for the purpose of rebuilding, restoring, and replacing buildings, structures, equipment, or other property of the Commonwealth of Pennsylvania, damaged or destroyed by fire or other casualty, and regulating the placing of insurance thereon, and providing penalties for any violation of the provisions of this act," by authorizing the Department of Property and Supplies to purchase insurance on property owned by the Commonwealth against loss or damage by fire or other casualty exceeding five hundred thousand dollars (\$500,000) and resulting from a single occurrence.

Which was committed to the Committee on State Government.

House Bill No. 1708, entitled:

An Act to amend Section 312 and to repeal Section 313 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled, "Public School Code of 1949," by providing representation of each component district on the board of directors of union and merged school districts.

Which was committed to the Committee on Education.

#### HOUSE BILL No. 900 CALLED UP

Mr. WALKER. Mr. President, I call up House Bill No. 900, on concurrence in House amendments recalled from the Governor.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

#### BILL ON CONCURRENCE IN HOUSE AMENDMENTS RECALLED FROM THE GOVERNOR

#### BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 900, on concurrence in House amendments recalled from the Governor, entitled:

An Act to further amend section one thousand and twenty-seven of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled, "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees presenting and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused

by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by changing the requirements that certain vehicles stop at railway grade crossings.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

#### SENATE BILL No. 615 CALLED UP

Mr. WALKER. Mr. President, I call up Senate Bill No. 615, on concurrence in House amendments.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

#### BILL ON CONCURRENCE IN HOUSE AMENDMENTS

#### BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 615 on concurrence in House amendments, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by increasing annual registration fees for certain commercial motor vehicles trucks tractors trailers and semi-trailers prescribing additional equipment requirements for certain vehicles increasing the maximum gross weights and axle loads allowed for certain vehicles changing the requirements for weighing vehicles removal of excess loads and prescribing and changing penalties providing that certain penalties shall be enforced by liens upon vehicles and the sale of such vehicles free of all liens and encumbrances and imposing duties upon operators owners magistrates and sheriffs

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

#### SENATE BILL No. 736 CALLED UP

Mr. WALKER. Mr. President, I call up Senate Bill No. 736, on concurrence in House amendments.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

#### BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,



Then Senate resumed the consideration of Senate Bill No. 736, as follows:

An Act providing for the registration of professional bondsmen in cities of the first class providing for criminal offenses and penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Definition (A) The words "professional bondsman" when used in this act apply to any person who for a consideration has in more than six criminal cases in the next preceding calendar year become a surety or has indemnified or agreed to indemnify a surety or who has solicited or arranged for the furnishing of bail for any person charged with crime but shall not include a fidelity guarantee or surety company duly authorized to transact business in Pennsylvania nor any duly authorized agent thereof (b) the words "person" and "whoever" mean and include an individual copartnership association or corporation

Section 2 Registration (a) The Clerk of the Court of Quarter Sessions of any county of the first class upon payment by any person of an annual fee of ten dollars (\$10) shall issue to such person a certificate showing that such person is registered as a professional bondsman until the following December thirty-first

(b) In any criminal case no professional bondsman shall become a surety or indemnify or agree to indemnify a surety or solicit or arrange for the furnishing of bail unless he is at such time registered as a professional bondsman in the office of the Clerk of the Court of Quarter Sessions as herein provided

Section 3 Suspension or Revocation of License Upon application by the District Attorney of any county of the first class the Court of Quarter Sessions may issue a rule upon any registered professional bondsman to show cause why his registration should not be suspended or revoked returnable not less than ten (10) days after the issuance thereof A hearing shall be held on the rule and for good cause the court may revoke or suspend the registration Any registration which is revoked may not be reissued by the Clerk of the Court of Quarter Sessions within a period of five (5) years from the date of revocation without leave of court first specifically had and obtained

Section 4 Premiums In any criminal case the total amount paid in connection with the entry of bail for any person which is received by or through any professional bondsman or bondsmen shall not exceed eight per centum (8%) of the amount of bail so entered for such person

Section 5 Penalties Whoever wilfully violates any of the provisions of this act shall be guilty of a misdemeanor and shall in addition to any other penalty provided by law or by this act be sentenced to imprisonment for a term not exceeding one (1) year or be fined not exceeding one thousand dollars (\$1000) or both

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution.

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 736

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 736.

Mr. WOLFE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,	Haluska,	Meade,	Stiefel,
Barr,	Holland,	Neff,	Taylor,
Barrett,	Kephart,	Pechan,	Toole,
Berger,	Kessler,	Peelor,	Wade,
Blass,	Lane,	Probert,	Wagner,
Byrne,	Leader,	Robinson,	Walker,
Chapman,	Letzler,	Rosenfeld,	Watkins,
Crowe,	Mahanay,	Ruth,	Watson,
Dent,	Mallery,	Scarlett,	Wolfe,
Diehm,	McCreesh,	Silvert,	Wood,
Disilvestro,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Stevenson,	Hare,
Freed,	McPherson, Jr.		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 789 CALLED UP

Mr. WALKER. Mr. President, I call up Senate Bill No. 789, on concurrence in House amendments.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 789, entitled:

An Act to further amend clause (b) of Section 507 and clause (c) of Section 2403 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees in certain departments boards and commissions shall be determined" by making special provision for the purchase of fuel for use in any State hospital or any other State institution

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution.

On the question,

Will the Senate concur in the same?

SENATE NON-CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 789

Mr. WALKER. Mr. President, I move that the Senate do non-concur in the amendments made by the House to Senate Bill No. 789.

Mr. ROBINSON. Mr. President, I second the motion.



The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

### THIRD READING CALENDAR

Mr. WALKER. Mr. President, I request at this time that we take up consideration of the Third Reading Calendar.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

### BILLS ON THIRD READING

#### BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 769, on third reading, entitled:

An Act to further amend clause (a) of section one thousand eight hundred three and clause (e) of section one thousand eight hundred six of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by further regulating the leasing and sale of State forest and park lands by the Commonwealth and defining the powers and duties of the Department of Forests and Waters and the rights of lessees with respect to such leased lands

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 811, on third reading, entitled:

An Act to add section 1501.1 to the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by empowering township supervisors to compel connection with and use of sewer systems constructed by municipal authorities to impose penalties to enforce regulations and orders and to connect properties of owners failing or neglecting to make connection

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

### BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 851, as follows:

An Act to amend Section 16 of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1237) entitled "An act affecting marital relations prescribing grounds and regulating proceedings for divorce and the annulment of bigamous marriages and amending revising and consolidating the law relating thereto" by further defining residence of the libellant

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 16 of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1237) entitled "An act affecting marital relations prescribing grounds and regulating proceedings for divorce and the annulment of bigamous marriages and amending revising and consolidating the law relating thereto" is hereby amended to read as follows

Section 16 Residence of Libellant No spouse shall be entitled to commence proceedings for divorce by virtue of this act who shall not have been a bona fide resident in this Commonwealth at least one whole year immediately previous to the filing of his or her petition or libel Residence upon a United States Military Reservation located within or adjacent to any county of this Commonwealth shall be considered as residence within such county under this section The libellant shall be a competent witness to prove his or her residence

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Bane,	Haluska,	Meade,	Stiefel,
Barr,	Holland,	Neff,	Taylor,
Barrett,	Kephart,	Pechan,	Toole,
Berger,	Kessler,	Peelor,	Wade,
Blass,	Lane,	Probert,	Wagner,
Byrne,	Leader,	Robinson,	Walker,
Chapman,	Letzler,	Rosenfeld,	Watkins,
Crowe,	Mahanay,	Ruth,	Watson,
DISilvestro,	Mallery,	Scarlett,	Wolfe,
Dent,	McCreesh,	Silvert,	Wood,
Diehm,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Stevenson,	Hare,
Freed,	McPherson, Jr.		Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 867, as follows:

An Act to add section 2315.2 to the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the



appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by authorizing the Department of Welfare to enter into certain contracts for utility services at State institutions and providing for the payment of services furnished and for the Commonwealth's share of expenses and charges incurred

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Article XXIII of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" is hereby amended by adding after section 2315.1 thereof a new section to read as follows

Section 2315.2 Utility Services for State Institutions For the purpose of providing utility services for State institutions the department may execute such agreements and contracts as it may seem necessary therefor with any political subdivision or any authority to provide utility services and for defraying the Commonwealth's share of the expenses and charges to be incurred in establishing and contracting with an authority or political subdivision for the purpose of acquiring holding constructing improving maintaining and operating sewage systems water supply systems electric power gas steam or other utility systems

Payment of the costs of such expenses charges and services shall be made from appropriations to the department for such purposes in accordance with the agreement made by the department

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz;

#### YEAS—50

Bane,	Haluska,	Meade,	Stiefel,
Barr,	Holland,	Neff,	Taylor,
Barrett,	Kephart,	Pechan,	Toole,
Berger,	Kessler,	Peelor,	Wade,
Blass,	Lane,	Propert,	Wagner,
Byrne,	Leader,	Robinson,	Walker,
Chapman,	Letzler,	Rosenfeld,	Watkins,
Crowe,	Mahanay,	Ruth,	Watson,
Dent,	Mallery,	Scarlett,	Wolfe,
Diehm,	McCreesh,	Silver,	Wood,
DiSilvestro,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Stevenson,	Hare,
Freed,	McPherson, Jr.		Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 868, as follows:

An Act to amend section 1 of the act approved the sixth day of April one thousand nine hundred fifty-one (P. L. 68) entitled "An act authorizing the Department of Welfare the Department of Health or any departmental administrative board commission or officer of either department to proceed by injunction or other process in the court of common pleas in any county where an alleged unauthorized activity is committed to prohibit and restrain any unlicensed person association copartnership or corporation from engaging in an activity for which a license is required to be issued by either department and setting out the method of procedure therefor" by clarifying the provisions thereof to include periods when licenses are revoked and periods after violation of laws rules and regulations governing private institutions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1 of the act approved the sixth day of April one thousand nine hundred fifty-one (P. L. 68) entitled "An act authorizing the Department of Welfare the Department of Health or any departmental administrative board commission or officer of either department to proceed by injunction or other process in the court of common pleas in any county where an alleged unauthorized activity is committed to prohibit and restrain any unlicensed person association copartnership or corporation from engaging in an activity for which a license is required to be issued by either department and setting out the method of procedure therefor" is hereby amended to read as follows

Section 1 The Department of Welfare the Department of Health or any departmental administrative board commission or officer of either department upon the advice of the Attorney General may maintain an action in the name of the Commonwealth for an injunction or other process restraining or prohibiting any person copartnership association or corporation from establishing conducting or operating without a license any private nursing home private hospital private boarding home private mental hospital or any other private institution whenever a license to engage in such activity is required by law and such licenses are issued by the department instituting suit and from conducting or operating any such private institution during any period when the license to engage in such activity is revoked by the department instituting suit whether or not an appeal on such revocation is pending and during any period after which the licensee has violated the laws of this Commonwealth and the rules and regulations of the department issuing the license

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz;

#### YEAS—50

Bane,	Haluska,	Meade,	Stiefel,
Barr,	Holland,	Neff,	Taylor,
Barrett,	Kephart,	Pechan,	Toole,
Berger,	Kessler,	Peelor,	Wade,
Blass,	Lane,	Propert,	Wagner,
Byrne,	Leader,	Robinson,	Walker,
Chapman,	Letzler,	Rosenfeld,	Watkins,
Crowe,	Mahanay,	Ruth,	Watson,



Dent,	Mallery,	Scarlett,	Wolfe,
Diehm,	McCreesh,	Silvert,	Wood,
DiSilvestro,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Stevenson,	Hare,
Freed,	McPherson, Jr.		Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

## BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 967, on third reading, entitled:

An Act to further amend the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" providing for disability leave with salary and hospital and medical expenses for employes of jails and workhouses in counties of the second class temporarily incapacitated in the performance of duties

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1228, on third reading, entitled:

An Act establishing The Pennsylvania State School for the Deaf providing for its operation and maintenance by the Department of Public Instruction and for the admission of pupils thereto and the expense of maintaining pupils therein authorizing the acquisition of a site by The General State Authority or the use of land now owned by the Commonwealth the conveying of Commonwealth owned land to The General State Authority and the erection or construction and the furnishing and equipping of buildings and structures by The General State Authority and the leasing thereof by the Commonwealth and conferring powers and imposing duties on district and county superintendents of schools

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1312, on third reading, entitled:

An Act to provide for the better protection of life and health of the citizens of this Commonwealth by requiring and regulating the examination licensure and registration of persons and registration of corporations engaging in the care preparation and disposition of the bodies of deceased persons and providing penalties providing for a State Board of Funeral Directors in the Department of Health and repealing other laws

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1518, on third reading, entitled:

An Act to amend Section 2001 of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by changing the provisions relating to protests by property owners to the exercise of zoning powers

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1603, on third reading, entitled:

An Act to further amend Section 4 to amend subsection (d) of Section 4.1 to add Sections 4.2 and 4.3 and to amend paragraph (1) of Section 14 of the act approved the twentieth day of May one thousand nine hundred fifteen (P. L. 566) entitled "An act requiring cities of the first class to establish a pension fund for employes of said cities and all county or other public employes if any paid by appropriation of the city councils thereof and out of the treasury of said cities and regulating the administration and the payment of such pensions" by clarifying the amount of contributions by certain pensioners and the method of computing lesser pensions changing date of completing certain payments and the age to which pension increments may be computed fixing minimum pensions and providing benefits for surviving spouse

go over in its order temporarily.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1669, on third reading, entitled:

An Act to amend section one thousand three hundred ten point one of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" by providing for the sale of escheatable property by the Secretary of Revenue

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

## SENATE BILL No. 653 CALLED UP

Mr. WALKER. Mr. President, I call up at this time Senate Bill No. 653, on concurrence in House amendments.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

## BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 653, as follows:

An Act to further amend the act approved the twenty-first day of May one thousand nine hundred forty-three



(P. L. 571) entitled "An act relating to assessment for taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects property and persons subject to and exempt from taxation for county borough town township school except in cities and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for the assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of ward borough town and township assessors abolishing the office of assistant triennial assessor in township of the first class providing for the appointment of a chief assessor assistant assessors and other employees providing for their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the recorder of deeds and eliminating the triennial assessment" by providing for a uniform permanent record system in the boards for the assessment and revision of taxes providing for a committee to prepare such system and conferring powers and imposing duties upon the boards for the assessment and revision of taxes the chairman of the Local Government Commission and chief assessors

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 302 of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 571) entitled "An act relating to assessment for taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects property and persons subject to and exempt from taxation for county borough town township school except in cities and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for the assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of ward borough town and township assessors abolishing the office of assistant triennial assessor in townships of the first class providing for the appointment of a chief assessor assistant assessors and other employees providing for their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the recorder of deeds and eliminating the triennial assessment" as amended by the act approved the third day of July one thousand nine hundred forty-seven (P. L. 1229) is hereby further amended to read as follows

Section 302 Powers and Duties of the Board The board shall have the power and it shall be its duty to

(1) Appoint as hereinafter provided a chief county assessor and such assistant assessors clerks and other employees as may be deemed necessary

(2) Adopt rule and regulations not inconsistent with this act which shall govern the chief assessor his assistants and local elected assessors in the making of the assessment

[Such rules may include but not by way of limitation the use of tax maps land value make other maps and materials assessors' manuals property record cards indicating the nature of improvements and the application of unit values to the information shown in such maps and records]

(3) Hear and determine appeals as hereinafter provided from the valuations fixed by the assessor or revised by the boards as the case may be

(4) Establish within the limits of this act the form of the assessment roll and the order of listing of persons and property in such assessment roll and in the tax duplicates prepared from such roll

(5) Prepare annually and submit to the county commissioners an estimate of the expense to be incurred incidental to the carrying out of the provisions of this act.

(6) Examine and revise the assessments and valuation as hereinafter provided

(7) Establish a permanent system of records consisting

of tax maps property record cards and property owners index as hereinafter provided and such additional maps materials and manuals as it shall deem necessary

Section 2 Article III of said act is hereby amended by adding after Section 305 two new sections to read as follows

Section 306 Permanent Records System (a) It shall be the duty of the board within five years to establish through its chief assessor and staff a permanent records system and thereafter to keep it current consisting of

(1) Tax maps of the entire county drawn to scale or aerial maps which maps shall indicate all property and lot lines set forth dimensions or areas indicate whether the land is improved and identify the respective parcels or lots by a system of numbers or symbols and numbers whereby the ownership of such parcels and lots can be ascertained by reference to the property record cards and property owner's index

(2) Property record cards arranged geographically according to the location of property on the tax maps which cards shall set forth the location and description thereof the acreage or dimensions description of improvements if any of the owner's name address and date of acquisition the purchase price if any set forth in the deed of acquisition the assessed valuation and the identifying number or symbol and number shown on the tax map

(3) Property owner's index consisting of an alphabetical listing of all property owners setting forth brief descriptions of each parcel or lot owned and cross-indexed with the property record cards and the tax map

(b) The board is hereby authorized and empowered to enter into such contracts as may be necessary to establish the permanent records system herein provided for or may through its chief assessor and staff or any other county employees prepare and complete such system

Section 307 Uniformity of Permanent Records System

(a) For the purpose of achieving uniformity throughout the Commonwealth of the uniform permanent records system hereinbefore provided for the form of the tax maps property record cards and property owners index and the manner in which the information required to be set forth thereon shall be prepared or approved by a committee consisting of ten members five of whom shall be members of the Pennsylvania State Association of County Commissioners to be appointed as hereinafter provided and four of whom shall be members of the General Assembly two to be appointed by the Speaker of the House of Representatives and two to be appointed by the President pro tempore of the Senate and one the chairman of the local government commission

(b) The members of the committee representing the Pennsylvania State Association of County Commissioners shall be appointed by the president thereof from each class of county subject to the provisions of this act The President of the State Association of County Commissioners shall make such appointments promptly and shall notify the chairman of the local government commission of the names and addresses of such appointees The members of the committee performing the duties set forth in this section shall serve without compensation The committee shall meet at the call of the chairman of the local government commission or his agent who shall serve as chairman thereof The chairman may call a meeting at any time but shall call a meeting within thirty days after receiving a request to do so signed by all the members of the committee other than the chairman

(c) It shall be the duty of the chairman of the local government commission or his agent in cooperation with said committee to prepare forms of the tax maps property record cards and property owner's index for use of the counties in establishing a uniform permanent records system as hereinbefore provided and to issue sample forms and instructions to the counties as needed Should the committee for any reason fail to meet and furnish the necessary cooperation in the preparation of such forms the chairman of the local government commission shall complete the preparation thereof



Section 3 Subsection two of Section 403 of said act is hereby amended to read as follows

Section 403 Duties of Chief Assessor It shall be the duty of the chief assessor to

\* \* \* \* \*

(2) Prepare or cause to be prepared [when directed by the board land value maps tax maps permanent record cards] the uniform permanent records system and such other maps plans surveys and records as may be deemed necessary to secure a proper and equitable assessment

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

#### SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 653

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 653.

Mr. LETZLER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Bane,	Haluska,	Meade,	Stiefel,
Barr,	Holland,	Neff,	Taylor,
Barrett,	Kephart,	Pechan,	Toole,
Berger,	Kessler,	Peelor,	Wade,
Blass,	Lane,	Propert,	Wagner,
Byrne,	Leader,	Robinson,	Walker,
Chapman,	Letzler,	Rosenfeld,	Watkins,
Crowe,	Mahany,	Ruth,	Watson,
Dent,	Mallery,	Scarlett,	Wolfe,
Diehm,	McCreesh,	Silvert,	Wood,
DiSilvestro,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Stevenson,	Hare,
Freud	McPherson, Jr.,		Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### SENATE BILL No. 654 CALLED UP

Mr. WALKER. Mr. President, I call up at this time Senate Bill No. 654, on concurrence in House amendments.

The PRESIDING OFFICER. Is their objection? The Chair hears none.

#### BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 654, as follows:

An Act to further amend the act approved the seventh day of July one thousand nine hundred forty-seven (P. L. 1368) entitled "An act amending revising and consolidating the laws relating to delinquent county city except of the first and second class and second class A borough town township school district except of the first class and school districts within cities of the second class A and institution district taxes providing when how and upon what property and to what extent liens ing of claims therefor the collection and adjudication

of such claims sales of real property including seated and unseated lands subject to the lien of such tax claims the disposition of the proceeds thereof including State taxes and municipal claims recovered and the redemption of property providing for the discharge and divestiture by certain tax sales of all estates in property and of mortgages and liens on such property and the proceedings therefor creating a Tax Claim Bureau in each county except a county of the first class to act as agent for taxing districts defining its powers and duties including sales of property the management of property taken in sequestration and the management sale and disposition of property heretofore sold to the county commissioners taxing districts and trustees at tax sales providing a method for the service of process and notices imposing duties on taxing districts and their officers and on tax collectors and certain expenses on counties and for their reimbursement by taxing districts and repealing existing laws" by providing for the collection and distribution of said taxes by the bureau further regulating the sale of properties turned over to the bureau by county commissioners and taxing districts and of properties purchased at tax sales by county commissioners under the provisions of said act imposing certain costs upon the taxing districts and further providing for the execution of deeds

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The definition of "owner" in Section 102 of the act approved the seventh day of July one thousand nine hundred forty-seven (P. L. 1368) entitled "An act amending revising and consolidating the laws relating to delinquent county city except of the first and second class and second class A borough town township school district except of the first class and school districts within cities of the second class A and institution district taxes providing when how and upon what property and to what extent liens shall be allowed for such taxes the return and entering of claims therefor the collection and adjudication of such claims sales of real property including seated and unseated lands subject to the lien of such tax claims the disposition of the proceeds thereof including State taxes and municipal claims recovered and the redemption of property providing for the discharge and divestiture by certain tax sales of all estates in property and of mortgages and liens on such property and the proceedings therefor creating a Tax Claim Bureau in each county except a county of the first class to act as agent for taxing districts defining its powers and duties including sales of property the management of property taken in sequestration and the management sale and disposition of property heretofore sold to the county commissioners taxing districts and trustees at tax sales providing a method for the service of process and notices imposing duties on taxing districts and their officers and on tax collectors and certain expenses on counties and for their reimbursement by taxing districts and repealing existing laws" as amended by the act approved the twentieth day of May one thousand nine hundred forty-nine (P. L. 1602) is hereby further amended to read as follows

Section 102 Definitions As used in this act the following words shall be construed as herein defined unless the context clearly indicates otherwise

\* \* \* \* \*

"Owner" the person in whose name the property is last registered if registered according to law and in all other cases means any person in open peaceable and notorious possession of the property as apparent owner or owners thereof or the reputed owner or owners thereof in the neighborhood of such property as to property having been turned over to the bureau by any county "owner" shall mean the county

\* \* \* \* \*

Section 2 Sections 204 and 205 of said act are hereby amended to read as follows

Section 204 County Bureau to [Certify Returns to County Treasurer for Collection] Collect Taxes Each county bureau shall [certify to the county treasurer a



copy of all returns of tax claims filed in its office and it shall be the duty of the county treasurer to receive and collect such taxes and give proper receipt therefor when payment is offered and to make distribution of the moneys received therefor as provided by this act [A record of all taxes collected by him shall be certified to the bureau in the manner to be established under the provisions of the following section]

Section 205 System of Accounting and Payment Over In each county bureau a system of accounting [certifying of claims and collections] and payment over of all moneys collected or received under the provisions of this act [between the bureau and the county treasurer] shall be established in the bureau as may be determined by the county commissioners the county controller if any and county treasurer

All taxes and municipal claims recovered in full by the bureau [or by the county treasurer] under the provisions of this act whether by payment by the owner before sale payment by a purchaser who has bid the upset price at a sale by redemption or through sequestration shall be paid over to the taxing districts entitled thereto In all other cases including net moneys received through sequestration or from the management or through public or private sale of property the moneys received shall be paid over first to the respective taxing districts in proportion to the taxes due them second the municipal claims against such property due any taxing district third mortgages and other liens in order of their priority and fourth except in cases of property purchased by a taxing district prior to the effective date of this act and turned over to the bureau for sale the balance remaining shall be paid to the owner of the property sold Such payments shall in all cases be less the percentage to which the county is entitled in accordance with this act Provided however That where by the sale or redemption of property tax liens of the Commonwealth are recovered payment shall first be made of the tax liens of the Commonwealth to the State Treasurer through the Department of Revenue and in the case of the public or private sale of property by the bureau after the continuance of a former sale because of insufficient bid the purchase price received shall first be applied to the satisfaction of the tax liens of the Commonwealth and shall be paid over in like manner

Moneys recovered on account of costs fees and expenses advanced by the county or any other taxing district shall be repaid to the taxing district making the advance

The bureau shall keep an accurate account of all moneys received by it [or by the county treasurer] under the provisions of this act and a separate account for each property

All payments out of moneys recovered shall be made by the [county treasurer under the system of accounting established] bureau at stated intervals but not less frequently than once every three (3) months

Section 3 Section 207 of said act as amended by the act approved the twentieth day of May one thousand nine hundred forty-nine (P. L. 1579) is hereby further amended to read as follows

Section 207 Reimbursement of County In order to reimburse the county for the actual costs and expenses of operating the bureau created by this act for a period of four years after this one thousand nine hundred forty-nine amendment becomes effective the county shall receive and retain out of all moneys collected or received under the provisions of this act four per centum (4%) thereof and thereafter shall receive and retain two per centum (2%) thereof which percentage shall be deducted by the [county treasurer] bureau before paying over money to the respective taxing districts entitled thereto and shall be [retained in] paid into the county treasury for the use of the county The reimbursement herein provided for shall be in addition to the costs fees and expenses advanced by the county which upon recovery are payable to the county as provided by the preceding section of this act

Section 3 Section 404 and 608 of said act are hereby amended to read as follows

Section 404 Powers of Sequestrator A sequestrator shall have power to retain possession of the property as se-

questrator until all taxes owing to the several taxing districts shall have been collected or paid He shall have power (a) to lease the property for a period not exceeding one (1) year with the usual privilege of renewal or termination thereof upon three (3) months' notice [but not for the purpose of extracting any minerals or oil or the cutting of timber] (b) to make such repairs to the property as may be reasonably necessary to restore and maintain it in a tenantable condition and to carry insurance on such property (c) to advertise the property for rent (d) to collect the costs of repairs advertising and commissions of rental agents from rentals collected or from a redeeming owner (e) to sell and dispose of growing crops and (f) to appoint a licensed real estate broker or agent as agent to collect the rentals of the property and pay such agents the customary commissions for rent collection The bureau shall not in any case without prior approval of the county commissioners or in case of cities of the first class the city council incur any expense for the maintenance repair or alteration of any property in excess of eighty per centum (80%) of the amount of rental to be received from such property within a period of one (1) year under a lease entered into at or before the time such expense is incurred All commissions costs and necessary expenses shall be deducted from the rents collected before paying the net balance towards taxes

Section 608 Deed When the purchaser has paid the amount of his bid it shall be the duty of the bureau to make to the said purchaser his or their hires or assigns a deed in fee simple for the property sold Each such deed shall be in the name of the bureau as trustee grantor and shall be executed and duly acknowledged before the prothonotary by the director and a notation of such deed and acknowledgement shall be duly entered on the proper records The deed shall before delivery be recorded in the office for the recording of deeds at the cost of the purchaser

Section 5 Section 612.1 of said act as added by the act approved the twentieth day of May one thousand nine hundred forty-nine (P. L. 1579) is hereby amended to read as follows

Section 612.1 County Commissioners May Bid and Purchase Property [When No Bids Offered] Costs Paid by Taxing Districts Whenever any property shall be put up for public sale upon order of court as provided in section six hundred twelve the county commissioners are hereby authorized to bid [the sum of one dollar (\$1)] up to and including one dollar over and above all costs as prescribed in section six hundred twelve for said property at such sale and if the property is sold to them for the county the county shall take and have an absolute title free and clear of all tax and municipal claims mortgages liens and charges and estates of whatsoever kind except ground rents separately taxed in the same manner and to the same extent as a private purchaser would have taken In such cases the proportionate share of said costs shall be paid to the county by the respective taxing districts in proportion to the taxes due them on such property An amount equal to such costs due the county from any taxing district may be deducted from any tax moneys thereafter payable to such district under the provisions of this act Upon the sale thereafter of such property by the county the proceeds from the sale shall be distributed to the taxing authorities in proportion to the taxes due them on such property at the time of the last tax sale

Any property purchased at such sale by the county may thereafter by the county commissioners be (1) leased to any taxing district to be used for public purposes (2) used for any suitable public purpose by the county [or] (3) sold in the same manner as any other real property owned in fee simple by the county or (4) sold upon petition to the court of common pleas which shall fix a day not more than thirty (30) days thereafter for a hearing and sale At least five (5) days notice of such hearing and sale shall be given to all the taxing authorities having an interest therein and notice shall also be given by publication at least two times with approximately ten (10) days intervening in at least one (1) newspaper of general circulation published in the county setting forth the location of the property that was acquired



at a public tax sale giving the date and place the terms of the proposed sale and that the property will be sold clear and free of all liens and charges (except ground rents if any) and the lowest amount which the county is prepared to accept for the sale of the property

If after such hearing the court is satisfied that the proposed sale is proper and to the advantage of the county and the other taxing districts interested it shall allow any person to offer more than the minimum price fixed by the county or other price as the court may find proper and enter a decree approving such sale and directing a conveyance of such property to the person or persons purchasing the same upon the payment of the purchase price and all costs of the proceeding

The title conveyed shall be free and clear of all tax and municipal claims mortgages liens and charges and estates of whatever kind except ground rents separately taxed

Section 6 Sections 615 and 702 of said act are hereby amended to read as follows

Section 615 Deeds When the price for the private sale of any said property has been finally approved or confirmed as hereinbefore provided the bureau shall upon payment over of the purchase price less the option money if any make to the purchaser his or their heirs or assigns a deed in fee simple for the property sold Each such deed shall be in the name of the bureau as trustee grantor and shall be executed and duly acknowledged before the prothonotary by the director Such deed shall convey title to the purchaser free clear and discharged of all tax claims and tax judgments whether or not returned filed or entered as provided by this or any other act

Section 702 Powers and Duties of Bureau as Agent The property turned over to it as provided in the preceding section shall not be subject to redemption and until finally sold as hereinafter provided the bureau shall manage and control the property for the trustee county with power (a) to lease the property for a period not exceeding one (1) year with the usual privilege of renewal on termination thereof upon three (3) months' notice [but not] and any such lease may be on a royalty basis for the purpose of extracting any minerals or oil or the cutting of timber (b) to make such repairs to the property as may be reasonably necessary to restore and maintain it in a tenable condition and to carry insurance on such property (c) to advertise the property for sale or for rent (d) to appoint an agent or agents who shall be a licensed real estate broker or agent to collect the rentals and pay such agents the customary commissions for rent collection (e) to harvest and sell the crops or produce of the property (f) to sell any scrap or salvage resulting from repairs or alterations to building on the property or from the demolition of buildings no longer safe for occupancy (g) to recover the cost of advertising repairs alterations or demolition of buildings the harvesting of crops and the commissions of rental agents from the rental or sale of the property or any crops or salvage therefrom and (h) to sell the property at private sale to give options thereon and receive option money and to make deeds for such property when sold in the same manner as provided in Article VI

The bureau shall not in any case incur any expense for the maintenance repair or alteration of any such property in excess of eighty per centum (80%) of the amount of rental to be received for such property within a period of one (1) year under a lease entered into at or before the time such expense is incurred

Section 7 Section 703 of said act as amended by the acts approved the twentieth day of May one thousand nine hundred forty-nine (P. L. 1579) and the twentieth day of May one thousand nine hundred forty-nine (P. L. 1602) is hereby further amended to read as follows

Section 703 Such Properties to be Sold Under Provisions of Article VI (a) All properties so turned over to the bureau which have not been sold at private sale as hereinbefore provided with the exception of such properties leased to a previous owner or other member of his family dwelling therein and receiving or within the preceding sixty (60) days having received assistance from any public

agency [shall be sold by the bureau at public sale held not later than the first day of June one thousand nine hundred fifty-one or at a public sale held not later than two years after this act becomes effective as to such taxing district Such sales shall be made if requested by the county commissioners taxing district or trustee which delivered possession thereof to the bureau in the same manner as if said property was being sold at a first sale on a tax claim as provided in Articles III and VI and if so such request is made] may be sold at public sale by the bureau upon written request of any taxing authorities having any tax claims or tax judgments against the property Such sale shall be made at the time specified in the request and in the same manner as if the property was being sold at a first sale on a tax claim as provided in Articles III and VI except that it shall be a simple public sale with no upset price and shall divest only the lien of tax claims and tax judgments The purchaser of any such property shall be given a deed executed and acknowledged as hereinbefore provided which shall convey title free clear and discharged of all tax claims and tax judgments whether or not returned filed or entered as provided by this or any other act The notices to be given of such sale as required in Article VI shall state that there is no upset price and that the sale shall divest only the lien of taxes and tax judgments

(b) In lieu of the public sale provided for in the preceding subsection or if such sale is held but the property is not sold due to the absence of any bid the bureau upon written request of any such interested taxing authorities may sell such property upon petition to court for an order to sell clear and free of all claims liens mortgages and estates in the same manner with like proceedings and with like effect as if said properties had been first exposed to public sale as provided in Article VI but not sold because of insufficient bid The sale of properties turned over to the bureau under the provisions of this article shall except as herein otherwise provided be subject to all the provisions of Article VI in so far as they may be applicable and when sold at public sale by order of court as above provided such properties shall be sold free and discharged from all tax and municipal claims mortgages liens charges and estates whatsoever

[It is the intent of this section that where said property is exposed to a first public sale at the request of the county commissioners of trustee as above provided but is not sold because of insufficient bid the property shall thereafter be sold by order of court as herein provided freed and discharged from all liens and encumbrances as provided under Article VI]

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 654

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 654.

Mr. FREED. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bane,  
Barr,  
Barrett,  
Berger,

Haluska,  
Holland,  
Kephardt,  
Kessler,

Meade,  
Neff,  
Pechan,  
Peelot,

Stiefel,  
Taylor,  
Toole,  
Wade,



Blass,	Lane,	Propert,	Wagner,
Byrne,	Leader,	Robinson,	Walker,
Chapman,	Letzler,	Rosenfeld,	Watkins,
Crowe,	Mahany,	Ruth,	Watson,
Dent,	Mallery,	Scarlett,	Wolfe,
Diehm,	McCreesh,	Silvert,	Wood,
DiSilvestro,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Stevenson,	Hare,
Freed,	McPherson, Jr.,		Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

## NOMINATIONS BY THE GOVERNOR

## NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

## CONSIDERATION OF NOTARIES PUBLIC

Mr. WATSON. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on September 27, 1951.

Mr. WOLFE. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, September 27, 1951.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

## SCHUYLKILL COUNTY

Clair B. Hill, West Penn Twp., New Ringgold.  
Mrs. LaRue Reese, Tamaqua.

JOHN S. FINE.

A motion was made by Mr. WATSON and Mr. WOLFE, That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bane,	Haluska,	Meade,	Stiefel,
Barr,	Holland,	Neff,	Taylor,
Barrett,	Kephart,	Pechan,	Toole,
Berger,	Kessler,	Peelor,	Wade,
Blass,	Lane,	Propert,	Wagner,
Byrne,	Leader,	Robinson,	Walker,
Chapman,	Letzler,	Rosenfeld,	Watkins,
Crowe,	Mahany,	Ruth,	Watson,
Dent,	Mallery,	Scarlett,	Wolfe,
Diehm,	McCreesh,	Silvert,	Wood,
DiSilvestro,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Stevenson,	Hare,
Freed,	McPherson, Jr.,		Presiding Officer

## NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

## EXECUTIVE NOMINATION TAKEN FROM TABLE

Mr. WATSON. Mr. President, I call from the table the nomination made by His Excellency, the Governor, of Charles G. Sechler, as Clerk of the Court of Oyer and Terminer and Clerk of the Court of Quarter Sessions of the Peace.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

## EXECUTIVE SESSION

A motion was made by Mr. WATSON and Mr. WOLFE, That the Senate do now resolve itself into Executive Session, for the purpose of considering the nomination of His Excellency, the Governor of the Commonwealth of Pennsylvania, which was laid on the table yesterday.

The motion was agreed to.

The Clerk read the nomination as follows:

CLERK OF THE COURT OF OYER AND TERMINER  
AND CLERK OF THE COURT OF QUARTER SESSIONS  
OF THE PEACE, SOMERSET COUNTY

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, September 25, 1951.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Charles G. Sechler, Somerset, Somerset County, for appointment as Clerk of the Court of Oyer and Terminer and Clerk of the Court of Quarter Sessions of the Peace in and for the County of Somerset, until the first Monday of January 1952, vice Ivan Lambert, resigned.

JOHN S. FINE.

## CONSIDERATION OF EXECUTIVE NOMINATION

Whereupon,

A motion was made by Mr. WATSON and Mr. WOLFE, That the Senate do advise and consent to the nomination.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bane,	Haluska,	Meade,	Stiefel,
Barr,	Holland,	Neff,	Taylor,
Barrett,	Kephart,	Pechan,	Toole,
Berger,	Kessler,	Peelor,	Wade,
Blass,	Lane,	Propert,	Wagner,
Byrne,	Leader,	Robinson,	Walker,
Chapman,	Letzler,	Rosenfeld,	Watkins,
Crowe,	Mahany,	Ruth,	Watson,
Dent,	Mallery,	Scarlett,	Wolfe,
Diehm,	McCreesh,	Silvert,	Wood,
DiSilvestro,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Stevenson,	Hare,
Freed,	McPherson, Jr.,		Presiding Officer

## NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.



## EXECUTIVE SESSION RISES

Mr. WATSON. Mr. President, I move that the Executive Session do now rise.

Mr. LETZLER. Mr. President, I second the motion.  
The motion was agreed to.

## REPORT FROM COMMITTEE

Mr. SNOWDEN. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. SNOWDEN, from the Committee on Highways, reported as committed, House Bill No. 1097, entitled:

An Act to further amend subsection (a) (b) and (c) of Section 1112 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by authorizing the designation of thru highways and stop intersections in second class townships.

## HOUSE BILL No. 1715 CALLED UP

Mr. WALKER. Mr. President, I call up House Bill No. 1715 on the Third Reading Calendar.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

## BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1715, on third reading, entitled:

An Act making an appropriation to The Brandywine Battlefield Park Commission for the payment of necessary expenses

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON THIRD READING POSTPONED  
CALLED UP

Mr. WALKER. Mr. President, on pages 14 and 15 of today's Calendar, Bills on Third Reading Postponed, for the information of the gentlemen of the Senate, I am desirous of recommitting these bills to committee in order to hold down the pages of the Calendar. Therefore, Mr. President, I request that we take these bills up in their order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

## BILLS RECOMMENDED

Mr. WALKER. Mr. President, I move that Senate Bill No. 61, on third reading, entitled:

An Act making an appropriation to the National Agricultural College Farm School Pennsylvania, at Doylestown, Pennsylvania.

be recommitted to the Committee on Appropriations.

Mr. LETZLER. Mr. President, I second the motion.

The motion was agreed to.

Mr. WALKER. Mr. President, I move that Senate Bill No. 283, on third reading entitled:

An Act making an appropriation to Sleighton Farm School for Girls, situate in Delaware County, Pennsylvania.

be recommitted to the Committee on Appropriations.

Mr. MALLERY. Mr. President, I second the motion.

The motion was agreed to.

Mr. WALKER. Mr. President, I move that Senate Bill No. 284, on third reading, entitled:

An Act making an appropriation to the Williamson Free School of Mechanical Trades, for maintenance.  
be recommitted to the Committee on Appropriations.

Mr. MALLERY. Mr. President, I second the motion.

The motion was agreed to.

Mr. WALKER. Mr. President, I move that Senate Bill No. 286, on third reading, entitled:

An Act making an appropriation to the Elwyn Training School at Elwyn in the County of Delaware, Commonwealth of Pennsylvania and prescribing certain conditions upon which the appropriation will be available to the school.

be recommitted to the Committee on Appropriations.

Mr. MALLERY. Mr. President, I second the motion.

The motion was agreed to.

Mr. WALKER. Mr. President, I move that Senate Bill No. 465, on third reading, entitled:

An Act making an appropriation to the Department of Welfare to reimburse State aided hospitals for part of the cost of training student nurses in approved schools of nursing.

be recommitted to the Committee on Appropriations.

Mr. MALLERY. Mr. President, I second the motion.

The motion was agreed to.

Mr. WALKER. Mr. President, I move that Senate Bill No. 485, on third reading, entitled:

An Act making an appropriation to the Department of Welfare for the additional maintenance of certain hospitals in out-patient and dispensary service.

be recommitted to the Committee on Appropriations.

Mr. ROBINSON. Mr. President, I second the motion.

The motion was agreed to.

Mr. WALKER. Mr. President, I move that Senate Bill No. 570, on third reading, entitled:

An Act making an appropriation to the Department of Labor and Industry to meet the obligation of the Commonwealth to pay a part of the compensation payable for certain occupational diseases.

be recommitted to the Committee on Appropriations.



Mr. ROBINSON. Mr. President, I second the motion.  
The motion was agreed to.

Mr. WALKER. Mr. President, I move that House Bill No. 576, on third reading, entitled:

An Act to further amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by permitting certain districts to make their own enumeration for per capita tax purposes.

be recommitted to the Committee on Education.

Mr. WOOD. Mr. President, I second the motion.

The motion was agreed to.

Mr. WALKER. Mr. President, I move that Senate Bill No. 579, on third reading, entitled:

An Act making an appropriation for the purpose of maintaining the public roads and improving and replacing bridges thereon through the Cornplanter Indian Reservation in Elk Township, Warren County, Pennsylvania.

be recommitted to the Committee on Appropriations.

Mr. ROBINSON. Mr. President, I second the motion.

The motion was agreed to.

#### SECOND READING CALENDAR

Mr. WALKER. Mr. President, I request that we now take up the Second Reading Calendar.

The PRESIDING OFFICERS. Is there objection? The Chair hears none.

#### BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 148, on second reading, entitled:

An Act to further amend section one of the act approved the twenty-fifth day of April one thousand nine hundred twenty-nine (P. L. 723) entitled "An act regulating the investment of funds by administrative departments boards commissions and officers of the State Government" by authorizing the investment of such funds in bonds notes or other obligations issued assumed or guaranteed by International Bank for Reconstruction and Development

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 149, on second reading, entitled:

An Act to amend section three of the act approved the twenty-sixth day of May one thousand nine hundred forty-nine (P. L. 1828) entitled "An act concerning the investment powers and duties of guardians committees trustees and other fiduciaries except personal representatives and prescribing the nature and kind of investments which may be made and retained by such fiduciaries" by adding a new paragraph (4) to authorize such fiduciaries to invest in bonds notes or other obligations issued assumed or guaranteed by International Bank for Reconstruction and Development.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 207, on second reading, entitled:

An Act to further amend the second paragraph of section 2 of the act approved the seventh day of June one

thousand nine hundred one (P. L. 493) entitled as amended "An act providing for the examination licensure and registration of persons firms or corporations engaged or engaging in the business or work of plumbing or house drainage and prescribing certain rules regulations and requirements for the construction of plumbing house drainage and cesspools in cities of the second class second class A and third class and imposing fines penalties and forfeiture for violation thereof" by further providing for the appointment of the plumbing inspector in certain cases in third class cities

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

#### BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 285, entitled:

An Act making an appropriation to the Elwyn Training School at Elwyn Delaware County to provide adequate school building facilities and providing for a lien against the property improved thereby.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

#### BILL RECOMMITTED

Mr. WALKER. Mr. President, I move that Senate Bill No. 285, the bill just read, be recommitted to the Committee on Appropriations.

Mr. MEADE. Mr. President, I second the motion.

The motion was agreed to.

#### BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 309, entitled:

An Act making an appropriation to the Pennsylvania State College of Optometry Philadelphia Pennsylvania.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

#### BILL RECOMMITTED

Mr. WALKER. Mr. President, I move that Senate Bill No. 309, the bill just read, be recommitted to the Committee on Appropriations.

Mr. WAGNER. Mr. President, I second the motion.

The motion was agreed to.

#### BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 431, on second reading, entitled:

An Act to further amend clause (c) of Section 9 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating to certain classes of persons designated and defined as dependent children aged persons blind persons



and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of the Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" by increasing pensions for the blind and changing the provisions relating to eligibility therefor.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 488, on second reading, entitled:

An Act to impose a temporary tax on real estate for public school purposes in school districts of the first class A for current expenses.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

#### BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 557, entitled:

An Act making an appropriation to the Department of Mines for the purpose of administering the provisions of "The Coal Mine Sealing Act of 1947."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

#### BILL RECOMMITTED

Mr. WALKER. Mr. President, I move that Senate Bill No. 557, the bill just read, be recommitted to the Committee on Appropriations.

Mr. DIEHM. Mr. President, I second the motion. The motion was agreed to.

#### BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 561, entitled:

An Act making an appropriation to the Department of Welfare for the purpose of administering the "Pennsylvania Hospital Survey and Construction Act of 1947."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

#### BILL RECOMMITTED

Mr. WALKER. Mr. President, I move that Senate Bill No. 561, the bill just read, be recommitted to the Committee on Appropriations.

Mr. KESSLER. Mr. President, I second the motion. The motion was agreed to.

#### BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 572, entitled:

An Act making an appropriation to the State Veterans' Commission for the expenses of the commission furnishing certain assistance to needy Pennsylvania veterans of any war or their dependents for participation in certain defense activities for the rehabilitation and care of veterans including the acquisition of land by purchase condemnation or gift and construction of buildings for such purpose.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

#### BILL RECOMMITTED

Mr. WALKER. Mr. President, I move that Senate Bill No. 572, the bill just read, be recommitted to the Committee on Appropriations.

Mr. MALLERY. Mr. President, I second the motion. The motion was agreed to.

#### BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 623, on second reading, entitled:

An Act to amend subsection (f) of section two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 748) entitled as amended "An act relating to and regulating the purchase and sale of securities providing for the registration and regulation of certain individuals and entities selling contracting to sell or dispose of attempting or offering to dispose of soliciting offers to buy or inducing holders thereof to exchange securities defined herein including securities issued by them or engaging in the business of inducing holders of securities to effect the sale thereof in order to produce funds to pay for other investments sold by them or in the business of buying securities directly from individuals who are not registered hereunder or in the business of advising others as to the value or investment qualifications of securities and the management of investment accounts and the solicitors of such investment advisors providing for the revocation and suspension of registrations conferring powers and imposing duties on the Pennsylvania Securities Commission and otherwise providing for the administration of this act providing for appeals to the Court of Common Pleas of Dauphin County and to the Supreme Court of Pennsylvania conferring jurisdiction upon the several courts of common pleas to issue injunctions against violations of this act and to appoint receivers and prescribing fees and penalties" by changing the exemptions of certain corporations the number of whose stockholders does not exceed twenty-five to companies the number of whose security holders does not exceed twenty-five by exempting certain offerings to directors officers and employees of the issuing company and certain private offerings by companies without any selling commission or fee by extending to companies certain exemptions now available only to corporations by eliminating the requirement that certain exemptions are not available until five days after a claim therefor is mailed or filed.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.



## BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 732, entitled:

An Act making an appropriation to the Department of Military Affairs for the payment of certain moral claims providing for the hearing adjustment and paying of moral claims growing out of property damages to certain persons as a result of accidents occurring through negligence in the operation of airplanes of or under the control of the Pennsylvania National Guard.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

## BILL RECOMMITTED

Mr. WALKER. Mr. President, I move that Senate Bill No. 732, the bill just read, be recommitted to the Committee on Appropriations.

Mr. LETZLER. Mr. President, I second the motion.

The motion was agreed to.

## BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 735, entitled:

An Act making an appropriation to the Department of Welfare for the conversion and maintenance of the Oak-bourne Colony Hospital to a psychiatric hospital for children.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

## BILL RECOMMITTED

Mr. WALKER. Mr. President, I move that Senate Bill No. 735, the bill just read, be recommitted to the Committee on Appropriations.

Mr. WAGNER. Mr. President, I second the motion.

The motion was agreed to.

## BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 744, on second reading, entitled:

An Act to amend Article VIII of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities

boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by requiring overhead exhaust outlets on diesel motor vehicles.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

## BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 754, entitled:

An Act making an appropriation to the trustees of Pennsylvania State College for the establishment and maintenance of a research laboratory for the study of animal and poultry diseases of economic concern to the poultry and livestock raisers of the Commonwealth.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

## BILL RECOMMITTED

Mr. WALKER. Mr. President, I move that Senate Bill No. 754, the bill just read, be recommitted to the Committee on Appropriations.

Mr. FREED. Mr. President, I second the motion.

The motion was agreed to.

## BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 764, entitled:

An Act making an appropriation to the Department of Forests and Waters for the use of the Valley Forge Park Commission for purchase of lands and for the necessary expenses incurred incident thereto.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

## BILL RECOMMITTED

Mr. WALKER. Mr. President, I move that Senate Bill No. 764, the bill just read, be recommitted to the Committee on Appropriations.

Mr. ROBINSON. Mr. President, I second the motion.

The motion was agreed to.

## BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 825, entitled:

An Act making an appropriation to the State Planning Board for the purpose of aiding local governmental agencies in solving certain regional planning problems.



And said bill having been read at length the second time and agreed to,  
Ordered, To be transcribed for a third reading.

### BILL RECOMMITTED

Mr. WALKER. Mr. President, I move that Senate Bill No. 825, the bill just read, be recommitted to the Committee on Appropriations.

Mr. WATSON. Mr. President, I second the motion.  
The motion was agreed to.

### BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 854, on second reading, entitled:

An Act to add sections 324.1 and 324.2 to the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by providing for credit for years of service for certain former state employees and for the furnishing of information and the transfer monies by the board to the State Employees' Retirement Board.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 855, on second reading, entitled:

An Act to add Sections 11.1 and 11.2 to the act approved the twenty-eighth day of May one thousand nine hundred fifteen (P. L. 596) entitled "An act requiring cities of the second class to establish a pension fund for employees of said cities and regulating the administration and the payment of such pensions" by providing for credit for years of service for certain former State employees and for the furnishing of information and the transfer of certain monies by the pension board to the State Employees' Retirement Board.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 856, on second reading, entitled:

An Act to add sections 10.2 and 10.3 to the act approved the fourth day of June one thousand nine hundred thirty-seven (P. L. 1625) entitled "An act providing for the creation maintenance and operation of a county employees retirement system in counties of the third class and imposing certain charges on counties" by providing for credit for years of service for certain former state employees and for the furnishing of information and the transfer of certain monies by the board to the State Employees' Retirement Board.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 857, on second reading, entitled:

An Act to add sections 10.1 and 10.2 to the act approved the fifth day of August one thousand nine hundred forty-one (P. L. 803) entitled as amended "An act providing for the creation maintenance and operation of a county employees' retirement system in counties of the fifth sixth seventh and eighth class imposing certain charges on counties and prescribing penalties" by providing for credit for years of service for certain former state employees and

for the furnishing of information and the transfer of certain monies by the board to the State Employees' Retirement Board.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 858, on second reading, entitled:

An Act to add sections 11.1 and 11.2 to the act approved the eighth day of July one thousand nine hundred forty-one (P. L. 298) entitled "An act authorizing the creation of and providing for and regulating the maintenance and operation of a county employees' retirement system in counties of the fourth class imposing certain charges on counties and fixing penalties" by providing for credit for years of service for certain former state employees and for the furnishing of information and the transfer of certain monies by the board to the State Employees' Retirement Board.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 859, on second reading, entitled:

An Act to add Sections 10.1 and 10.2 to the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of Departments in which State employees service excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by providing for credit for years of service for certain former employees of counties and municipalities and for the furnishing of information and the transfer of certain moneys by the board to the retirement boards of counties and municipalities.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 860, on second reading, entitled:

An Act to add subdivision (d) to Article XLIII of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by providing for credit for years of service for certain former State employees and for the furnishing of information and the transfer of certain monies by pension boards to the State Employees' Retirement Board.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 861, on second reading, entitled:

An Act to add Sections 10.1 and 10.2 to the act approved the fourth day of June one thousand nine hundred forty-three (P. L. 886) entitled as amended "An act creating a Municipal Employees' Retirement System for the payment of retirement allowances to officers and employees of political subdivisions and municipal authorities and of institutions supported and maintained by political subdivisions



and providing for the administration of the same by a board composed of certain state officers and others appointed by the Governor imposing certain duties on the State Employees' Retirement Board and the actuary thereof providing the procedure whereby political subdivisions and municipal authorities may join such system and imposing certain liabilities and obligations on such political subdivisions and municipal authorities in connection therewith and as to certain existing retirement and pension system and upon officers and employees of such political subdivisions institutions supported and maintained by political subdivision and upon municipal authorities providing certain exemptions from taxation execution attachment levy and sale and making an appropriation" by providing for credit for years of service for certain former state employees and for the furnishing of information and the transfer of certain monies by the board to the State Employees' Retirement Board.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 862, on second reading, entitled:

An Act to add Sections 11.1 and 11.2 to the act approved the twentieth day of May one thousand nine hundred fifteen (P. L. 566) entitled "An act requiring cities of the first class to establish a pension fund for employees of said cities and all county or other public employees if any paid by appropriation of the city councils thereof and out of the treasury of said cities and regulating the administration and the payment of such pensions" by providing for credit for years of service for certain former State employees and for the furnishing of information and the transfer of certain moneys by the Board of Pensions to the State Employees' Retirement Board.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 862, on second reading, entitled:

An Act to add Section 510.1 to the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing school directors of school districts in townships of the second class to appoint special school police and defining the power and duties of such police.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 863, on second reading, entitled:

An Act to amend the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 912) entitled "An act to regulate the drilling and abandoning of oil and gas wells and providing a penalty for violation of the provisions of this act" by requiring the approval of the Department of Mines authorizing injunctions and changing the disposition of fines.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

#### BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 865, entitled:

An Act making an appropriation to the Department of Forests and Waters for a survey and research study of the extent of infection of woodlands of Pennsylvania by the oak wilt disease and the determination of measures for control and eradication.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

#### BILL RECOMMITTED

Mr. WALKER. Mr. President, I move that Senate Bill No. 865, the bill just read, be recommitted to the Committee on Appropriations.

Mr. MALLERY. Mr. President, I second the motion. The motion was agreed to.

#### BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 869, on second reading, entitled:

An Act to further amend section 322 of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by clarifying the provisions of said section as to the minimum and maximum retirement allowance payments to be made from the employees retirement fund in counties of the second class to beneficiaries having heretofore retired.

go over in its order, temporarily.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

#### BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 937, entitled:

An Act to amend Section 3 of the act approved the twenty-sixth day of March one thousand nine hundred twenty-five (P. L. 83) entitled "An act for the protection of public health by regulating the serving of milk for drinking purposes to patrons of hotels restaurants lunch rooms fountains and dining cars and providing penalties" by permitting the purchase and sale of milk in bulk for use in certain automatic milk dispensing machines.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

#### BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1047, on second reading, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1216) entitled "An act to define real estate brokers and real estate salesmen and providing for the licensing regulation and supervision of resident and nonresident real estate brokers and real estate salesmen and their business" by further defining "real estate brokers" and "real estate salesmen" authorizing the issuance of limited real estate brokers' and salesmen's licenses within a limited



field or branch of the real estate business and prescribing the powers and duties of the department and commission with respect thereto further regulating licensing and the suspension and revocation of such licenses regulating the use of names of real estate salesmen in the corporate or partnership names of corporations or partnerships engaged in the real estate business and further regulating the payment of commissions.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1051, on second reading, entitled:

An Act creating a Bituminous Mine Law Study Commission for the purpose of making a study and investigation of all laws relating to bituminous coal mines and the preparation of a modern code relating thereto and making an appropriation.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1116, on second reading, entitled:

An Act to further amend Sections 1 and 2 of the act approved the twenty-fourth day of July one thousand nine hundred thirteen (P. L. 965) entitled "An act defining commodities regulating the sale thereof and providing penalties for violation hereof" by defining further words and terms and regulating the sale of certain additional commodities.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1246, on second reading, entitled:

An Act to amend the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by providing for farm fish pond licenses regulating the use of such ponds and the terms of such licenses and prescribing penalties.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1247, on second reading, entitled:

An Act to further amend section two of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 720) entitled "An act providing for the taking over by the Commonwealth under certain terms conditions and limitations of certain streets in cities of the second class second class A and third class as State highways and for the improvement construction reconstruction resurfacing and maintenance by the Commonwealth of certain defined width of said streets imposing duties on such cities and on public utility companies using such streets providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon authorizing cities persons associations or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance providing for the assessment of certain portions of the cost of street improvements on abutting property owners regulating the replacement of certain facilities of public utility companies prohibiting the opening of said streets after improvement without a

permit and providing penalty therefor regulating the maintenance of detours authorizing the increase of city indebtedness in certain cases and appropriating money in the Motor License Fund for the purposes of this act" by changing or deleting certain routes and adding certain new routes.

go over in its order, temporarily.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1248, on second reading, entitled:

An Act to further amend the act approved the fifth day of May one thousand nine hundred twenty-seven (P. L. 787) entitled "An act establishing certain public roads as State Highways and providing for their construction and maintenance at the expense of the Commonwealth" by changing certain routes

go over in its order, temporarily.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1249, on second reading, entitled:

An Act to further amend the act approved the eighteenth day of May one thousand nine hundred forty-five (P. L. 809) entitled "An act removing certain roads or sections of road from the State highway system and providing for their future maintenance and construction" by removing additional roads from the State highway system

go over in its order, temporarily.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1250, on second reading, entitled:

An Act to further amend section two of the act approved the first day of June one thousand nine hundred thirty-three (P. L. 1172) entitled "An act establishing certain streets in boroughs and incorporated towns as State highways and providing for their construction and maintenance at the expense of the Commonwealth" by changing or deleting certain routes and adding certain new routes

go over in its order, temporarily.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1251, on second reading, entitled:

An Act to further amend the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 594) entitled "An act establishing certain township roads as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act" by changing or deleting certain routes and adding certain new routes

go over in its order, temporarily.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1252, on second reading, entitled:



An Act to establish certain roads or sections of road as State Highways

go over in its order, temporarily.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1253, on second reading, entitled:

An Act to amend the act approved the eighth day of April one thousand nine hundred twenty-five (P. L. 191) entitled "An act establishing certain public roads as State highways and providing for their construction and maintenance at the expense of the Commonwealth" by changing certain routes

go over in its order, temporarily.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1264, on second reading, entitled:

An Act to further amend Section 1201 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by providing that in cities of the first and second classes informations charging violations of any summary provisions of The Vehicle Code shall be brought before the traffic court in such cities

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1287, on second reading, entitled:

An Act to further amend subsection B of section one thousand nine of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled as amended "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers and employers' mutual banking associations defining the rights powers duties liabilities and immunities of such corporations of existing corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and employees' mutual banking associations and of the officers directors trustees shareholders attorneys and other employees of all such corporations employees' mutual banking associations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and

imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by further limiting the amount which may be invested in shares of other banking institutions

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1331, on second reading, entitled:

An Act authorizing the Department of Highways to erect and maintain toll bridges over the Susquehanna River at certain points and to provide the necessary approaches and connections with State Highways empowering counties to pay certain damages providing for the collection of tolls and making an appropriation

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1350, on second reading, entitled:

An Act to amend Section 2508 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for the allocation of funds to school districts for programs essential to the mobilization or demobilization of civilian manpower

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WATSON. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

## REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. WATSON, from the Committee on Executive Nominations reported with a favorable recommendation the following nomination, made by His Excellency, the Governor of the Commonwealth:

The Clerk read the nomination as follows:

### JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,

Governor's Office, Harrisburg, September 26, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John H. Demler, R. D. 2, Jonestown, Lebanon County, for appointment as Justice of the Peace in and for the Township of Union, Lebanon County, until the first Monday of January, 1952, vice Howard E. Ditzler, resigned.

JOHN S. FINE.

### CONSIDERATION OF EXECUTIVE NOMINATION

Mr. WATSON, asked and obtained unanimous consent for immediate consideration of the nomination read by the Clerk.

### EXECUTIVE SESSION

A motion was made by Mr. WATSON and Mr. WOOD,



That the Senate do now resolve itself into Executive Session, for the purpose of acting upon the nomination just reported.

Which was agreed to.

Whereupon,

A motion was made by Mr. WATSON and Mr. WOOD,

That the Senate do advise and consent to the nomination reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Bane.	Haluska.	Meade,	Stiefel.
Barr.	Holland.	Neff,	Taylor.
Barrett,	Kephart,	Pechan.	Toole.
Berger.	Kessler.	Peelor,	Wade.
Blass.	Lane.	Propert.	Wagner.
Byrne.	Leader.	Robinson.	Walker.
Chapman.	Letzler.	Rosenfeld.	Watkins.
Crowe.	Mahany.	Ruth.	Watson.
Dent.	Mallery.	Scarlett.	Wolfe.
Diehm.	McCreesh.	Silvert.	Wood.
DiSilvestro.	McGinnis.	Snowden.	Yosko.
Fleming.	McMenamin	Stevenson.	Hare.
Freed	McPherson, Jr.,		Presiding Officer

#### NAYS—0

Two third of all Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

#### EXECUTIVE SESSION RISES

Mr. WATSON. Mr. President, I move that the Executive Session do now rise.

Mr. WOOD. Mr. President, I second the motion.

The motion was agreed to.

#### SECOND READING CALENDAR

#### BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1421, entitled:

An Act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools for two years beginning June first, one thousand nine hundred fifty-one, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred fifty-one.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

#### BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1428, on second reading, entitled:

An Act to further amend the act approved the seventeenth day of May one thousand nine hundred seventeen (P. L. 208) entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the Violation thereof defining the words "drugs" and "poison" and providing for the appointment of a board which shall have in charge the enforcement

of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity" by defining "prescription" further providing for meetings of the board and examination of pharmacists by the board further regulating experience requirements of applicants for examination and registration as pharmacists exempting physicians from certain requirements of the act.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1429, on second reading, entitled:

An Act to amend Section 1 of the act approved the twenty-seventh day of April one thousand nine hundred twenty-five (P. L. 299) entitled "A supplement to an act approved the seventeenth day of May one thousand nine hundred seventeen (P. L. 208) entitled 'An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words "drug" and "poison" and providing for the appointment of a board which shall have in charge the enforcement of said laws and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity providing for the registration of apprentices in pharmacy requiring employers of such apprentices to see that they are registered and imposing penalties" by requiring persons entering reputable and properly chartered colleges of pharmacy to apply to the State Board of Pharmacy for registration and certification as registered apprentices.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1441, on second reading, entitled:

An Act to further amend the act approved the second day of June one thousand nine hundred fifteen (P. L. 736) entitled as amended "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties" by increasing maximum and minimum rates and deleting the limitation of number of weeks and aggregate of compensation for total disability increasing the maximum amounts payable upon death and increasing the minimum and maximum wages upon which death compensation shall be paid and changing procedure.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1442, on second reading, entitled:

An Act to further amend the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 566) entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employe arising out of and in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder imposing duties on the Department of Labor and Industry the Workmen's Compensation Board Workmen's Compensation Referees and deams of medical schools creating a medical board to determine controverted medical issues establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board imposing upon the Commonwealth



a part of the compensation payable for certain occupational diseases making an appropriation and prescribing penalties" by increasing maximum and minimum rates and total amounts and aggregate of compensation and changing time for mailing medical reports.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1503, on second reading, entitled:

An Act to amend the title and to further amend sections two four five seven and fifteen of the act approved the twenty-seventh day of April one thousand nine hundred twenty-seven (P. L. 465) entitled "An act to provide for the safety of persons employed housed or assembled in certain buildings and structures not in cities of the first class second class and second class A by requiring certain construction and ways of egress equipment and maintenance providing for the licensing of projectionists requiring the submission of plans for examination and approval providing for the promulgation of rules and regulations for the enforcement of this act providing for the enforcement of this act by the Department of Labor and Industry and in certain cases by the chiefs of fire departments in cities of the third class providing penalties for violations of the provisions of this act and repealing certain acts" by excluding cities of the first class and second class and including cities of the second class A for the licensing of projectionists covering in Class I buildings not formerly covered and authorizing the increase of ways of egress.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

#### BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1533, entitled:

An Act to further amend Section 28 of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 414) entitled "An act relating to vital statistics and to make uniform the law with reference thereto" by further providing for payment of the compensation of local registrars.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

#### BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1546, on second reading, entitled:

An Act to amend Section 504 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further regulating the operation and maintenance of cafeterias by boards of school directors.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1550, on second reading, entitled:

An Act to further amend Section 1 of the act approved the twenty-fifth day of April one thousand nine hundred twenty-nine (P. L. 723) entitled "An act regulating the investment of funds by administrative departments boards commissions and officers of the State Government" by expanding the investment powers of State administrative departments, boards, commissions, or officers.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1553, on second reading, entitled:

An Act to further amend section twenty-seven of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 748) entitled as amended "An act relating to and regulating the purchase and sale of securities providing for the registration and regulation of certain individuals and entities selling contracting to sell or dispose of attempting or offering to dispose of soliciting offers to buy or inducing holders thereof to exchange securities defined herein including securities issued by them or engaging in the business of including holders of securities to effect the sale thereof in order to produce funds to pay for other investments sold by them or in the business of buying securities directly from individuals who are not registered hereunder or in the business of advising others as to the value or investment qualifications of securities and the management of investment accounts and the solicitors of such investment advisers providing for the revocation and suspension of registrations conferring powers and imposing duties on the Pennsylvania Securities Commission and otherwise providing for the administration of this act providing for appeals to the Court of Common Pleas of Dauphin County and to the Supreme Court of Pennsylvania conferring jurisdiction upon the several courts of common pleas to issue injunctions against violations of this act and to appoint receivers and prescribing fees and penalties" increasing the fees charged by the Pennsylvania Securities Commission.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1566, on second reading, entitled:

An Act to further amend subsection C of Section 1 of the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 1145) entitled "An act empowering cities of the second class cities of the second class A cities of the third class boroughs towns townships of the first class school districts of the second class school districts of the third class and school districts of the fourth class to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes and permitting penalties to be imposed and enforced providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court" by authorizing financially handicapped or distressed school districts to levy additional taxes with certain limitations.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1567, on second reading, entitled:

An Act to amend subsection (b) of Section 672 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating



to the public school system including certain provisions applicable as well to private and parochial school amending revising consolidating and changing the laws relating thereto" by authorizing financially handicapped or distressed school districts to levy additional taxes with certain limitations.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1581, on second reading, entitled:

An Act to amend the act approved the eleventh day of May one thousand nine hundred five (P. L. 518) entitled "An act making an appropriation for the erection of a home or school for indigent orphans to be called the Thaddeus Stevens Industrial and Reform School of Pennsylvania in which school provision shall be made for giving instruction in reading writing arithmetic drawing duties of citizenship elementary manual training the elements of farming and other requisite branches" by further providing for the course of instruction and the admission of students at such institution and authorizing certain tuition charges for its use.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1585, on second reading, entitled:

An Act to amend Section 9 of the act approved the eighteenth day of April one thousand nine hundred forty-nine (P. L. 604) entitled "An act to promote the welfare of the people of the Commonwealth creating a State Highway and Bridge Authority as a body corporate and politic with power to construct reconstruct improve maintain equip furnish and operate highway and bridge projects and roadside rests and to lease the same and to fix and collect fees rentals and charges for the use thereof authorizing and regulating the issuance of bonds by said Authority and providing for the payment of such bonds and the rights of the holders thereof and to enter into agreements with the Government of the United States or any Federal agency and authorizing the Department of Highways to grant assign convey or lease to the Authority lands easements or rights of way of the Commonwealth and interests therein and to acquire lands therefor authorizing said Authority and the Department of Highways to enter into agreements providing for mutual cooperation in furtherance of the construction of any project hereby authorized granting the rights of eminent domain empowering said Authority to sell and convey projects and property to the Commonwealth and providing that no debt of the Commonwealth or any of its political subdivisions shall be incurred in the exercise of any of the powers granted by this act and making an appropriation" by further providing for examination of the accounts and books of the Authority.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1587, on second reading, entitled:

An Act to amend section 8 of the act approved the thirty-first day of March one thousand nine hundred forty-nine (P. L. 372) entitled "An act to promote the welfare of the people of the Commonwealth creating The General State Authority as a body corporate and politic with power to construct improve equip furnish and operate projects and to lease the same and to fix fees rentals and charges for the use thereof authorizing and regulating the issuance of bonds for said Authority and providing for the payment of such bonds and the rights of the holders

thereof and to enter into agreements with the Government of the United States or any Federal agency and authorizing the Department of Property and Supplies to grant assign convey or lease to the Authority lands of the Commonwealth and interests therein and to acquire lands therefor granting the right of eminent domain empowering The General State Authority to sell and convey projects and property to the Commonwealth and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act" by further providing for examination of the accounts and books of the Authority.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1589, on second reading, entitled:

An Act to further amend Section 9 of the act approved the fifth day of July one thousand nine hundred forty-seven (P. L. 1217) entitled "An act to promote the education and educational facilities of the people of the Commonwealth of Pennsylvania creating a State Public School Building Authority as a body corporate and politic with power to construct improve and operate projects and to lease the same and to fix and collect fees rentals and charges for the use thereof authorizing school districts to enter into contracts to lease authorizing and regulating the issuance of bonds by said Authority and providing for the payment of such bonds and the rights of the holders thereof granting the right of eminent domain increasing the powers and duties of the Department of Public Instruction and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted under this act and making an appropriation to said Authority to pay expenses incident to its formation" by further providing for examination of the books and accounts of the Authority.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1607, on second reading, entitled:

An Act providing for the marking of liquified petroleum gas containers and prohibiting the refilling or use of such containers without authorization by the owner thereof authorizing the Department of Labor and Industry after public hearing to prescribe uniform regulations for safety in the design construction location installation and operation of equipment for storing handling transporting by tank truck or tank trailer and utilizing liquified petroleum gases for fuel purposes and for the odorization of said gases used therewith prohibiting the adoption by municipalities or other political subdivisions of ordinances or regulations in conflict with this act providing for prosecutions for violations of this act by summary proceedings and prescribing the penalty therefor.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1640, on second reading, entitled:

An Act to amend subsection (b) of Section 1403 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising



and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by further providing for the composition of the return board.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1641, on second reading, entitled:

An Act to add Section 599-A to Article V subdivision (j) of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by authorizing the appointment of special school police and defining their powers and duties.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1644, on second reading, entitled:

An Act declaring the Communist Party and similar revolutionary organizations illegal making membership in or participation in the revolutionary activities of the Communist Party or any organization furthering the revolutionary conspiracy by force and violence a felony and providing penalties.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1648, on second reading, entitled:

An Act to further amend the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by further regulating the date of the primary election.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1660, on second reading, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused

by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by requiring that logs carried on certain vehicles and trailers be securely fastened

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

## BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1164, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by further fixing fees for annual registration and chassis and maximum gross weights of certain commercial vehicles

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

## BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1671, on second reading, entitled:

An Act to amend Section 902 of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1242) entitled "An act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto" by requiring the supervisors of townships of the second class to furnish the Department of Highways copies of petitions ordinances agreements and resolutions laying out or vacating public roads

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1680, on second reading, entitled:

An Act to further amend the act approved the fifth day of May one thousand nine hundred eleven (P. L. 198) entitled "An act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the ex-



penses thereof" by conferring exclusive jurisdiction on the county court of Allegheny County in cases of appeals from decisions of the collector of mercantile taxes imposed by political subdivisions within the territorial limits of its jurisdiction

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

#### SENATE BILL No. 162 CALLED UP FROM POSTPONED CALENDAR

Mr. WALKER. Mr. President, I call up Senate Bill No. 162 from the Second Reading Postponed Calendar.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

#### BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 162, entitled:

An Act making an appropriation to the Pennsylvania Museum and School of Industrial Art Philadelphia.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

#### BILL RECOMMITTED

Mr. WALKER. Mr. President, I move that Senate Bill No. 162, the bill just read, be recommitted to the Committee on Appropriations.

Mr. WOOD. Mr. President, I second the motion.

The motion was agreed to.

#### SENATE BILL No. 196 CALLED UP FROM POSTPONED CALENDAR

Mr. WALKER. Mr. President, I call up Senate Bill No. 196 from the Second Reading Postponed Calendar.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

#### BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 196, entitled:

An Act making an appropriation to the City of Philadelphia for repairing Penn Treaty Monument and improving the grounds thereof located in the Eighteenth Ward of said City of Philadelphia.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

#### BILL RECOMMITTED

Mr. WALKER. Mr. President, I move that Senate Bill No. 196, the bill just read, be recommitted to the Committee on Appropriations.

Mr. WOOD. Mr. President, I second the motion.

The motion was agreed to.

#### SENATE BILL No. 218 CALLED UP FROM POSTPONED CALENDAR

Mr. WALKER. Mr. President, I call up Senate Bill No. 218 from the Second Reading Postponed Calendar.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

#### BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 218, entitled:

An Act making an appropriation to the Paoli Memorial Association for improvements and maintenance and for planting on the Paoli Parade Ground situate in Malvern Borough, Chester County, Pennsylvania.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

#### BILL RECOMMITTED

Mr. WALKER. Mr. President, I move that Senate Bill No. 218, the bill just read, be recommitted to the Committee on Appropriations.

Mr. SNOWDEN. Mr. President, I second the motion.

The motion was agreed to.

#### SENATE BILL No. 258 CALLED UP FROM POSTPONED CALENDAR

Mr. WALKER. Mr. President, I call up Senate Bill No. 258 from the Second Reading Postponed Calendar.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

#### BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 258, entitled:

An Act making an appropriation to the Board of Finance and Revenue from the State Stores Fund for refund of distillers' licenses.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

#### BILL RECOMMITTED

Mr. WALKER. Mr. President, I move that Senate Bill No. 258, the bill just read, be recommitted to the Committee on Appropriations.

Mr. WAGNER. Mr. President, I second the motion.

The motion was agreed to.

#### SENATE BILL No. 344 CALLED UP FROM POSTPONED CALENDAR

Mr. WALKER. Mr. President, I call up Senate Bill No. 344 from the Second Reading Postponed Calendar.

The PRESIDING OFFICER. Is there objection? The Chair hears none.



## BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 344, entitled:

An Act making an appropriation to the Department of Health for use in research and demonstration work dealing with the improvement of nutritional status of civilians including children and elderly people as well as family groups industrial workers and others.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

## BILL RECOMMITTED

Mr. WALKER. Mr. President, I move that Senate Bill No. 344, the bill just read, be recommitted to the Committee on Appropriations.

Mr. LETZLER. Mr. President, I second the motion.

The motion was agreed to.

## SENATE BILL No. 363 CALLED UP FROM POSTPONED CALENDAR

Mr. WALKER. Mr. President, I call up Senate Bill No. 363 from the Second Reading Postponed Calendar.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

## BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 363, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for the purchase of furniture furnishings and historical objects for Pottsgrove Mansion in the Borough of Pottstown.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

## BILL RECOMMITTED

Mr. WALKER. Mr. President, I move that Senate Bill No. 363, the bill just read, be recommitted to the Committee on Appropriations.

Mr. SNOWDEN. Mr. President, I second the motion.

The motion was agreed to.

## SENATE BILL No. 415 CALLED UP FROM POSTPONED CALENDAR

Mr. WALKER. Mr. President, I call up Senate Bill No. 415 from the Second Reading Postponed Calendar.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

## BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 415, entitled:

An Act authorizing the establishment in The Pennsylvania State College through the extension services of said institution and educational program in industrial and labor relations stating the objectives and purposes of said program conferring obligations and duties on the trustees and president of said institution providing for the establishment of an advisory committee its appointment and defining its powers and duties and making an appropriation therefor

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

## BILL POSTPONED

Mr. WALKER. Mr. President, I move that Senate Bill No. 415, the bill just read, be placed on the Third Reading Postponed Calendar.

Mr. WOOD. Mr. President, I second the motion.

The motion was agreed to.

## SENATE BILL No. 455 CALLED UP FROM POSTPONED CALENDAR

Mr. WALKER. Mr. President, I call up Senate Bill No. 455 from the Second Reading Postponed Calendar.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

## BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 455, entitled:

An Act making an appropriation to the Department of Health for the use of the Institute for Cancer Research, Incorporated, Fox Chase, Philadelphia, Pennsylvania.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

## BILL RECOMMITTED

Mr. WALKER. Mr. President, I move that Senate Bill No. 455, the bill just read, be recommitted to the Committee on Appropriations.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

## SENATE BILL No. 511 CALLED UP FROM POSTPONED CALENDAR

Mr. WALKER. Mr. President, I call up Senate Bill No. 511 from the Second Reading Postponed Calendar.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

## BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 511, entitled:



An Act making an appropriation to the Pennsylvania Historical and Museum Commission for the further restoration, preservation and improvement of Drake Well Memorial Park, birthplace of the petroleum industry.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

#### BILL RECOMMITTED

Mr. WALKER. Mr. President, I move that Senate Bill No. 511, the bill just read, be recommitted to the Committee on Appropriations.

Mr. WOOD. Mr. President, I second the motion.

The motion was agreed to.

#### SENATE BILL No. 546 CALLED UP FROM POSTPONED CALENDAR

Mr. WALKER. Mr. President, I call up Senate Bill No. 546 from the Second Reading Postponed Calendar.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

#### BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 546, entitled:

An Act making an appropriation to the Department of Military Affairs for the maintenance and education of children of certain disabled veterans, soldiers, sailors, marines, female field clerks, yeomen (female) and nurses.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

#### BILL RECOMMITTED

Mr. WALKER. Mr. President, I move that Senate Bill No. 546, the bill just read, be recommitted to the Committee on Appropriations.

Mr. DIEHM. Mr. President, I second the motion.

The motion was agreed to.

#### SENATE BILL No. 548 CALLED UP FROM POSTPONED CALENDAR

Mr. WALKER. Mr. President, I call up Senate Bill No. 548 from the Second Reading Postponed Calendar.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

#### BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 548, entitled:

An Act making an appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first, one thousand nine hundred fifty-one, and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first, one thousand nine hundred fifty-one.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

#### BILL RECOMMITTED

Mr. WALKER. Mr. President, I move that Senate Bill No. 548, the bill just read, be recommitted to the committee on Appropriations.

Mr. WOOD. Mr. President, I second the motion.

The motion was agreed to.

#### SENATE BILL No. 551 CALLED UP FROM POSTPONED CALENDAR

Mr. WALKER. Mr. President, I call up Senate Bill No. 551, from the Second Reading Postponed Calendar.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

#### BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 551, entitled:

An Act making an appropriation to the Department of Labor and Industry for the payment of additional workmen's compensation in cases of second injuries.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

#### BILL RECOMMITTED

Mr. WALKER. Mr. President, I move that Senate Bill No. 551, the bill just read, be recommitted to the Committee on Appropriations.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

#### SENATE BILL No. 552 CALLED UP FROM POSTPONED CALENDAR

Mr. WALKER. Mr. President, I call up Senate Bill No. 552 from the Second Reading Postponed Calendar.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

#### BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 552, entitled:

An Act making an appropriation to the several fire companies of the City of Harrisburg Pennsylvania

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

#### BILL RECOMMITTED

Mr. WALKER. Mr. President, I move that Senate Bill No. 552, the bill just read, be recommitted to the Committee on Appropriations.



Mr. PECHAN. Mr. President, I second the motion.  
The motion was agreed to.

SENATE BILL No. 554 CALLED UP FROM  
POSTPONED CALENDAR

Mr. WALKER. Mr. President, I call up Senate Bill No. 554 from the Second Reading Postponed Calendar.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 554, entitled:

An Act making an appropriation to The Glen Mills School situate in Delaware County Pennsylvania

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. WALKER. Mr. President, I move that Senate Bill No. 554, the bill just read, be recommitted to the Committee on Appropriations.

Mr. BERGER. Mr. President, I second the motion.  
The motion was agreed to.

SENATE BILL No. 560 CALLED UP FROM  
POSTPONED CALENDAR

Mr. WALKER. Mr. President, I call up Senate Bill No. 560 from the Second Reading Postponed Calendar.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 560, entitled:

An Act making an appropriation for the maintenance, repair and improvement of the Port of Philadelphia.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. WALKER. Mr. President, I move that Senate Bill No. 560, the bill just read, be recommitted to the Committee on Appropriations.

Mr. WOOD. Mr. President, I second the motion.  
The motion was agreed to.

SENATE BILL No. 566 CALLED UP FROM  
POSTPONED CALENDAR

Mr. WALKER. Mr. President, I call up Senate Bill No. 566 from the Second Reading Postponed Calendar.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 566, entitled:

An Act making an appropriation to the Department of Agriculture for the control of stem rust of wheat, oats, barley and rye by the eradication of rust spreading barberry bushes; and providing for payment thereof to counties making like expenditures of county funds.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. WALKER. Mr. President, I move that Senate Bill No. 566, the bill just read, be recommitted to the Committee on Appropriations.

Mr. WOLFE. Mr. President, I second the motion.  
The motion was agreed to.

SENATE BILL No. 568 CALLED UP FROM  
POSTPONED CALENDAR

Mr. WALKER. Mr. President, I call up Senate Bill No. 568 from the Second Reading Postponed Calendar.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 568, entitled:

An Act making an appropriation to the State Tax Equalization Board for payment of necessary expenses.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. WALKER. Mr. President, I move that Senate Bill No. 568, the bill just read, be recommitted to the Committee on Appropriations.

Mr. WATSON. Mr. President, I second the motion.  
The motion was agreed to.

SENATE BILL No. 577 CALLED UP FROM  
POSTPONED CALENDAR

Mr. WALKER. Mr. President, I call up Senate Bill No. 577 from the Second Reading Postponed Calendar.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 577, entitled:



An Act making an appropriation to the State Public School Building Authority for payment of the costs and expenses incurred in the work of the Authority.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILL RECOMMITTED

Mr. WALKER. Mr. President, I move that Senate Bill No. 577, the bill just read, be recommitted to the Committee on Appropriations.

Mr. TAYLOR. Mr. President, I second the motion. The motion was agreed to.

### HOUSE BILL No. 759 CALLED UP

Mr. WALKER. Mr. President, I call up House Bill No. 759 from the Second Reading Postponed Calendar.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

### BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 759, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for the preservation protection and development of buildings and grounds at Ephrata Cloisters a famous Historical shrine belonging to the Commonwealth

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### BILL RECOMMITTED

Mr. WALKER. Mr. President, I move that House Bill No. 759, the bill just read, be recommitted to the Committee on Appropriations.

Mr. WAGNER. Mr. President, I second the motion. The motion was agreed to.

### SENATE BILL No. 869 CALLED UP

Mr. WALKER. Mr. President, I call up Senate Bill No. 869, from the Second Reading Calendar, which was passed over in its order temporarily.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

### BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 869, entitled:

An Act to further amend section 322 of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by clarifying the provisions of said section as to the minimum and maximum retirement allowance payments to be made from the employees re-

tirement fund in counties of the second class to beneficiaries having heretofore retired

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

### EXECUTIVE NOMINATIONS TAKEN FROM TABLE

Mr. WATSON. Mr. President, for the purpose of confirmation I call from the table the nominations of Mrs. Ida Bowermaster, Justice of the Peace; Evans B Dague, Justice of the Peace; Members of the Crawford County Board of Assistance; Member of the Adams County Board of Assistance; Members of the Bedford County Board of Assistance; Herman J. Heatter, Justice of the Peace; Mrs. Doris H. Park, Justice of the Peace, and Member of the Board of Trustees of Mansfield State Teachers' College.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The Clerk read the nominations as follows:

### JUSTICES OF THE PEACE

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, August 1, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Ida Bowermaster, Gordonville, Lancaster County, for appointment as Justice of the Peace in and for the Township of Leacock, Lancaster County, until the first Monday of January 1954, vice Charles S. Bowermaster, deceased.

JOHN S. FINE.

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, August 14, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for advice and consent of the Senate Evans B. Dague, Boyd's Corner, Parkesburg, Chester County, for appointment as Justice of the Peace in and for the Township of Sadsbury, Chester County, until the first Monday of January 1954, vice Hayes T. Pfitzenmeyer, resigned.

JOHN S. FINE.

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, September 17, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Paul E. Allen (Republican), Trust Company Building, Meadville, Crawford County, for appointment as a Member of the Crawford County Board of Assistance, to serve until December 31, 1952, and until his successor is duly appointed and qualified, vice Kenneth W. Rice, Esq., Meadville, resigned.

JOHN S. FINE.

### MEMBER OF ADAMS COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, September 17, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Stan-



islaus E. Krichten (Democrat), 355 Ridge Avenue, McSherrystown, Adams County, for appointment as a member of the Adams County Board of Assistance, to serve until December 31, 1953, and until his successor is duly appointed and qualified, vice William V. Sneeringer, Littlestown, resigned.

JOHN S. FINE.

#### MEMBERS OF BEDFORD COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, September 17, 1951.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Members of the Bedford County Board of Assistance:

Mrs. Fannie Cessna (Republican), 233 South Richard Street, Bedford, Bedford County, to serve until December 31, 1953, and until her successor is duly appointed and qualified, to fill a vacancy.

Carl Stake (Republican), Saxton, Bedford County, to serve until December 31, 1953, and until his successor is duly appointed and qualified, to fill a vacancy.

Rev. Thomas Garner (Republican), Bedford, Bedford County, to serve until December 31, 1952, and until his successor is duly appointed and qualified, to fill a vacancy.

Ross T. Snyder (Democrat), New Enterprise, Bedford County, to serve until December 31, 1951, and until his successor is duly appointed and qualified, vice A. Ross Diehl, Bedford, resigned.

JOHN S. FINE.

#### JUSTICES OF THE PEACE

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, September 17, 1951.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Herman J. Heatter, 243 Main Street, Walnutport, Northampton County, for appointment as Justice of the Peace in and for the Borough of Walnutport, Northampton County, until the first Monday of January 1954, vice E. A. Acker, resigned.

JOHN S. FINE.

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, September 19, 1951.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Doris H. Park, P. O. New Kensington, Westmoreland County, for appointment as Justice of the Peace in and for the Township of Frazer, Allegheny County, until the first Monday of January 1954, vice James Glowatski, resigned.

JOHN S. FINE.

#### MEMBER OF THE BOARD OF TRUSTEES OF MANSFIELD STATE TEACHERS' COLLEGE

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, August 6, 1951.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Paul H. Conner, Coudersport, Potter County, for appointment as a Member of the Board of Trustees of Mansfield State Teachers' College, to serve until the third Tuesday of January 1957, and until his successor shall have been ap-

pointed and qualified, vice Hon. Thomas A. Crichton, whose term expired.

JOHN S. FINE.

#### EXECUTIVE SESSION

A motion was made by Mr. WATSON and Mr. WOOD, That the Senate do now resolve itself into Executive Session, for the purpose of acting upon the nominations reported.

Which was agreed to.

Whereupon,

A motion was made by Mr. WATSON and Mr. WOOD, That the Senate do advice and consent to the nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Bane,	Haluska,	Meade,	Stiefel,
Barr,	Holland,	Neff,	Taylor,
Barrett,	Kephart,	Pechan,	Toole,
Berger,	Kessler,	Peelor,	Wade,
Blass,	Lane,	Propert,	Wagner,
Byrne,	Leader,	Robinson,	Walker,
Chapman,	Letzler,	Rosenfeld,	Watkins,
Crowe,	Mahany,	Ruth,	Watson,
Dent,	Mallery,	Scarlett,	Wolfe,
Diehm,	McCreesh,	Silvert,	Wood,
DiSilvestro,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Stevenson,	Hare,
Freed,	McPherson, Jr.		Presiding Officer

#### NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordred, That the Governor be informed accordingly.

#### EXECUTIVE SESSION RISES

Mr. WATSON. Mr. President, I move that the Executive Session do now rise.

Mr. WOOD. Mr. President, I second the motion.

The motion was agreed to.

#### RECESS

Mr. WALKER. Mr. President, I move that the Senate do now take a recess until 2 o'clock, p. m., Eastern Standard Time.

Mr. FLEMING. Mr. President, I second the motion.

The motion was agreed to.

#### AFTER RECESS

The PRESIDING OFFICER. The time of recess having elapsed the Senate will be in order.

#### COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows:

#### APPROVED AND SIGNED SENATE CONCURRENT RESOLUTION RETURNING SENATE BILL No. 406, WITHOUT AMENDMENT

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, September 26, 1951.



To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Concurrent Resolution returning to the Governor without amendment Senate Bill No. 406, Printer's No. 137.

JOHN S. FINE.

APPROVED AND SIGNED SENATE BILL No. 191,  
PRINTER'S No. 133

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, September 26, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 191, Printer's No. 133, entitled "An Act to further amend Section 671 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled 'An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto' by authorizing the change of the fiscal year by districts of the second class."

JOHN S. FINE.

APPROVED AND SIGNED SENATE BILL No. 456,  
PRINTER'S No. 526

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, September 26, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 456, Printer's No. 526, entitled "An Act to further amend the act approved the thirty-first day of May one thousand nine hundred forty-seven (P. L. 368) entitled 'An act to protect consumers in the purchase for fuel purposes of the hard coal known as anthracite providing for and regulating the sale offering for sale resale delivery and shipment of anthracite according to a standard provided for in this act requiring producers and dealers and persons engaged in the sale and resale of anthracite from storage yards or otherwise to consumers to keep certain records conferring powers on the Anthracite Committee and its agents and providing penalties' by defining 'Retail Dealer' 'Wholesale Dealer' 'Municipal Weighmaster' 'Municipality' and 'storage place for anthracite' requiring producers wholesale dealers and municipal weighmasters to issue certain statements and keep certain records imposing and changing penalties providing for the payment of fines for violations to the Commonwealth and providing for injunctions to restrain violations."

JOHN S. FINE.

APPROVED AND SIGNED SENATE BILL No. 734,  
PRINTER'S No. 369

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, September 26, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 734, Printer's No. 369, entitled "An Act to amend sections one and two of the act approved the twentieth day of May one thousand nine hundred forty-nine (P. L. 1511) entitled 'An act defining cold storage requiring licenses to operate cold storage warehouses and locker plants requiring records reports making wrapping protecting limiting time of storage disposition sale return or transfer of foods in cold storage conferring powers on the Department of Agriculture including adoption of rules and regulations special permits for storage of feeding stuffs for animal use and providing penalties for violation of this act' by redefining the term 'Cold Storage Warehouse' and reducing the license fee."

fining the term 'Cold Storage Warehouse' and reducing the license fee."

JOHN S. FINE.

## HOUSE MESSAGES

### HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced presented for concurrence bills of the House, as follows:

House Bill No. 1397, entitled:

An Act making an appropriation for the payment of expenses incurred by the State Council of Civil Defense.

Which was committed to the Committee on Appropriations.

House Bill No. 1651, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "Administrative Code of 1929," by creating the Vocational Technical Institute Board of Pennsylvania as an administrative board in the Department of Public Instruction and defining its powers and duties.

Which was committed to the Committee on Education.

House Bill No. 1662, entitled:

An Act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania in order to purchase and cancel all, or any part of, the obligations of The General State Authority, and the State Highway and Bridge Authority, or either of them in certain cases.

Which was committed to the Committee on State Government.

House Bill No. 1727, entitled:

An Act to further amend the act, approved the twenty-eighth day of May, one thousand nine hundred fifteen (P. L. 596), entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities and regulating the administration and the payment of such pensions," by further providing for certain minimum and maximum pensions.

Which was committed to the Committee on Local Government.

House Bill No. 1737, entitled:

An Act to promote the welfare of the people of this Commonwealth; creating The Port of Erie Authority as a body corporate and politic with power to acquire, construct, maintain and operate projects for the improvement and development of the port district, and to collect tolls, fares, fees, rentals and charges for the use thereof; defining its powers and duties; authorizing the issuance of bonds for said authority; defining the port district and granting the right of eminent domain within the port district.

Which was committed to the Committee on State Government.

House Bill No. 1738, entitled:

An Act making an appropriation to the State Public School Building Authority for payment of the costs and expenses incurred in the work of the Authority.

Which was committed to the Committee on Appropriations.



House Bill No. 1739, entitled:

An Act making an appropriation to the Department of Property and Supplies to conduct a service for photographing correspondence, records, reports and other papers; and for studying and recommending filing systems or the use of space by departments, boards and commissions.

Which was committed to the Committee on Appropriations.

#### SENATE BILL No. 796 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 796, entitled:

An Act prohibiting the occupation of living quarters over or the depositing of foreign substances in any body of water which is the source of water used for human consumption; prescribing penalties; and authorizing the courts of common pleas to enjoin violations.

with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bill as amended will appear on the Calendar.

#### AMENDMENT TO HOUSE BILL No. 1057, RECALLED FROM THE GOVERNOR

He also presented for concurrence, House Bill No. 1057, entitled:

An Act to add Section 6.1 to the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 1216), entitled "Real Estate Brokers License Act of 1929," by authorizing the issuance of limited real estate brokers' and salesmen's licenses within a limited field or branch of the real estate business and conferring powers and imposing duties upon the Department of Public Instruction and the State Real Estate Commission with respect to examination for and the issuance of such licenses.

Said bill having been recalled from the Governor for amendment, the votes had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bill as amended, will appear on the Calendar.

#### AMENDMENT TO HOUSE BILL No. 1293, RECALLED FROM THE GOVERNOR

He also presented for concurrence, House Bill No. 1293, entitled:

An Act to amend the act, approved the first day of June, one thousand nine hundred forty-five (P. L. 1340), entitled "Motor Vehicle Safety Responsibility Act," by clarifying and extending the provisions of the act to include certain vehicles of the tractor type; and making editorial changes.

Said bill having been recalled from the Governor for amendment, the votes had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bill as amended, will appear on the Calendar.

#### AMENDMENT TO HOUSE BILL No. 1294, RECALLED FROM THE GOVERNOR

He also presented for concurrence, House Bill No. 1294, entitled:

An Act to amend the title of, and the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 1005), entitled "Tractor Code," by deleting from said act all provisions relating to operators, operators' licenses, and trailers; and further providing for the equipment of tractors.

Said bill having been recalled from the Governor for amendment, the votes had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bill as amended, will appear on the Calendar.

#### AMENDMENT TO HOUSE BILL No. 1505, RECALLED FROM THE GOVERNOR

He also presented for concurrence, House Bill No. 1505, entitled:

An Act to amend the act approved the twelfth day of June, one thousand nine hundred thirty-one (P. L. 510), entitled "An act providing for the licensure and regulation of certain private nursing homes and private hospitals; conferring certain powers and duties upon the Department of Welfare; and providing penalties," by further providing for the licensure and regulation of such nursing homes and hospitals.

Said bill having been recalled from the Governor for amendment, the votes had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bill as amended, will appear on the Calendar.

#### HOUSE CONCURS IN RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL No. 668

He also presented communication from the House of Representatives informing the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate, September 26, 1951.

Resolved (If the House of Representatives concur) That Senate Bill No. 668, Printer's No. 357, entitled:

An Act to designate the several judicial districts of the Commonwealth as required by the Constitution, and to provide for the election and commissioning of judges, learned in the law, for the said districts.

be recalled from the Governor for the purpose of further consideration.

#### HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1703

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1703, entitled:

An Act making an appropriation to the Senate and to the House of Representatives of the General Assembly and to the Legislative Reference Bureau for the payment of mileage, compensation of employees and contingent expenses.



# HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1720

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1720, entitled:

An Act making an appropriation to the Department of Property and Supplies for the payment of rates, rentals and other charges that may become due on leases and other contracts executed by such department with The General State Authority, for the use and occupancy by the Commonwealth of various projects, structures, buildings and facilities of the Authority, or for the services rendered by the Authority or its projects.

# HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1721

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1721, entitled:

An Act making an appropriation to the State Treasurer for the purpose of paying salaries and wages of State Officers and employees, and other ordinary and general expenses in the interim between the thirty-first day of May, one thousand nine hundred fifty-one, and such time as the funds provided by the General Appropriation Act become available, and for the payment of bills incurred and remaining unpaid at the close of the fiscal years ending May thirty-first, one thousand nine hundred fifty-one.

# HOUSE CONCURS IN AMENDMENTS TO SENATE BILL No. 739 RECALLED FROM THE GOVERNOR

He also informed the Senate that the House has concurred in amendments made by the Senate to Senate Bill No. 739, entitled:

An Act providing for the construction by The General State Authority of an addition of a medical and surgical hospital building to the Philadelphia State Hospital on a site heretofore conveyed to it by the Mercy-Douglass Hospital and authorizing the Department of Property and Supplies to sublease said land and building to the Mercy-Douglass Hospital.

Said bill having been recalled from the Governor for the purpose of amendment. The votes had on final passage and third reading were reconsidered in the Senate and the bill amended.

# HOUSE CONCURS IN AMENDMENTS TO SENATE BILL No. 836 RECALLED FROM THE GOVERNOR

He also informed the Senate that the House has concurred in amendments made by the Senate to Senate Bill No. 836, entitled:

An Act making an appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first, one thousand nine hundred fifty-one.

Said bill having been recalled from the Governor for the purpose of amendment. The votes had on final passage and third reading were reconsidered in the Senate and the bill amended.

# PERMISSION TO ADDRESS SENATE

Mr. BARR asked and obtained unanimous consent to address the Senate.

Mr. BARR. Mr. President, while the Republican Members were in caucus, there was brought to my attention an article appearing in the Pittsburgh Post Gazette as of this date, written by Miss Ingrid Jewell, correspondent of the Pittsburgh Post, in their Washington Bureau. It concerns redistricting in Allegheny County.

It appears to me, Mr. President, if there is any leadership in Allegheny County in the Republican Party, they should come forward now and try and save the Congressmen in Allegheny County, and not steal a Congressman from us. This article, Mr. President, states that the plan for Allegheny County was worked out by the two County Republican Senators, Senator Walker, of Oakmont, and Senator Fleming, of Aspinwall.

As you know, Mr. President, Allegheny County for many many years has been a Democratic County. I have looked over the jig saw puzzle that they have presented, I presume, to the Chairman of the Reapportionment Committee, and I find that after next year's election, when probably the Democrats will carry the county by approximately one hundred thousand votes, the minority will be representing the majority in Congress. In other words, there will be four Congressmen with a one hundred thousand plurality, one will be a Democrat and three Republicans.

Mr. President, I want to serve notice on Senator Walker and Senator Flemming, if this bill comes to the floor in this form—they thought, I think it was in 1945, I am not sure, that Senator Barr put on a little show on the gerrymandering you did then but you have run across an irate Irishman, and I promise you I do not think we will be home for Christmas.

# PERMISSION TO ADDRESS SENATE

Mr. WALKER asked and obtained unanimous consent to address the Senate.

Mr. WALKER. Mr. President, now that is just another demonstration of the danger of education. People learn to read the newspapers, newspapers learn to write stories. I have not the faintest idea who the newspaper correspondent is that wrote that or the source of her information.

Mr. President, I am not denying the bill in 1945, but I certainly refuse to accept the charge of parentage on anything that might be done in Allegheny County in 1951. As far as I am concerned, the present dedistricting leaves me very happy. It might not produce the same emotional result in the breast of the gentleman from Allegheny, Senator Barr, but I have no desire whatsoever to change Allegheny County. Just because the newspaper article says it was done by Senator Fleming and Senator Walker, that should not be accepted as gospel. For the gentleman's information, I had nothing to do with it. I do not want to have anything to do with it. I want to leave it just as it is.

# PERMISSION TO ADDRESS SENATE

Mr. BARR asked and obtained unanimous consent to address the Senate.

Mr. BARR. Mr. President, I want to read one para-



graph to my colleague. The caption on the paragraph there is, "Local Senators Father Plan."

"The plan, so far as Allegheny County is concerned, was worked out by the County's two Republican Senators: John M. Walker, of Oakmont, and Robert D. Fleming, of Aspinwall. They did so at the request of Senator G. Graybill Diehm, Lancaster, Republican Chairman of the Senate Reapportionment Committee."

Mr. President, I said I was taking this story; I did not write the story myself, Senator Walker. I simply ask that if there is any Republican leadership left in our county, there should be something done to try and save the Congressmen we have in our county now.

#### PERMISSION TO ADDRESS SENATE

Mr. WALKER asked and obtained unanimous consent to address the Senate.

Mr. WALKER. Mr. President, the gentleman knows, because we have discussed this, that it has been my firm conviction they should leave Allegheny County alone. If they want to drop Congressmen from Pennsylvania, they can drop them from Philadelphia where it would not hurt Allegheny County.

Mr. President, in Allegheny County the Democrats outnumber the Republicans by about one hundred fifty-two thousand. There are five Republican Congressmen under the present redistricting plan which has been in effect since 1945. There are two Democratic districts, there are two Republican districts and there is one district that you could ordinarily, and in average times, call a tossup, but Allegheny County has living in that district a young man who at the present time represents that district in Congress. He is a very effective, persistent, diligent and constant campaigner, and as a result he continues to be re-elected by increasing majorities. Now, Mr. President, that gentleman's registration happens to be Republican, so that in a county where the Democrats outnumber us by one hundred fifty-two thousand, where we have five Congressmen, three of them happen to be Republican.

Now, Mr. President, that does not make Senator Barr happy, and I can understand that. I am certainly not in a position, and do not want to go along willingly, to father a plan that would not only deprive Allegheny County of a Congressman, but would also deprive us of a couple of delegates to the Convention, which sometimes seems to be more important than Congressmen.

#### INTERROGATION

Mr. BARR. Mr. President, I would like to interrogate the gentleman from Allegheny.

The PRESIDING OFFICER. Will the gentleman from Allegheny, Mr. Walker, permit himself to be interrogated?

Mr. WALKER. Mr. President, may I ask, publicly or privately?

Mr. BARR. Mr. President, this has to be publicly.

Mr. WALKER. I will, Mr. President.

Mr. BARR. Is this story true?

Mr. WALKER. Mr. President, the answer is no.

Mr. BARR. Thank you, Mr. President.

#### SENATE CONCURRENT RESOLUTION

#### RECESS

Mr. WOOD. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WOOD, offered the following resolution which was twice read, considered and agreed to:

In the Senate, September 27, 1951.

Resolved, (if the House of Representatives concur), that when the Senate adjourns next week, it reconvene on Monday, December 10, 1951, at three o'clock p. m., Eastern Standard Time; and when the House of Representatives adjourns next week, it reconvene on Monday, December 10, 1951, at four thirty o'clock p. m., Eastern Standard Time.

Ordered, That the Clerk present same to the House of Representatives for concurrence.

#### CALENDAR

#### BILLS OVER IN ORDER TEMPORARILY CALLED UP

Mr. WALKER. Mr. President, I would like to again refer to the Senate Calendar, under the heading of Bills on Second Reading, there are a series of bills that might be classified as highway omnibus bills. It is absolutely necessary that the Highway Department get these bills before any contemplated recess takes place, and I would like to call them up for consideration at this time so they will be in a position to consider them on third reading and final passage at our next Session.

#### HOUSE BILL No. 1247 CALLED UP

Mr. WALKER. Mr. President, I call up from the Second Reading Calendar House Bill No. 1247.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

#### BILL RECOMMITTED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1247, entitled:

An Act to further amend section two of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 720) entitled "An act providing for the taking over by the Commonwealth under certain terms conditions and limitations of certain streets in cities of the second class second class A and third class as State highways and for the improvement construction reconstruction resurfacing and maintenance by the Commonwealth of certain defined widths of said streets imposing duties on such cities and on public utility companies using such streets providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon authorizing cities persons associations or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance providing for the assessment of certain portions of the cost of street improvements on abutting property owners regulating the replacement of certain facilities of public utility companies prohibiting the opening of said streets after improvement without a permit and providing penalty therefor regulating the maintenance of detours authorizing the increase of city indebtedness in certain cases and appropriating money in the Motor License Fund for the purposes of this act" by changing or deleting certain routes and adding certain new routes

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.



## HOUSE BILL No. 1248 CALLED UP

Mr. WALKER. Mr. President, I call up from the Second Reading Calendar House Bill No. 1248.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

## BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1248, entitled:

An Act to further amend the act approved the fifth day of May one thousand nine hundred twenty-seven (P. L. 787) entitled "An act establishing certain public roads as State Highways and providing for their construction and maintenance at the expense of the Commonwealth" by changing certain routes.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for the third reading.

## HOUSE BILL No. 1249 CALLED UP

Mr. WALKER. Mr. President, I call up from the Second Reading Calendar House Bill No. 1249.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

## BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1249, entitled:

An Act to further amend the act approved the eighteenth day of May one thousand nine hundred forty-five (P. L. 809) entitled "An act removing certain roads or sections of road from the State highway system and providing for their future maintenance and construction" by removing additional roads from the State highway system

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

## BILL ON SECOND READING

## HOUSE BILL No. 1250 CALLED UP

Mr. WALKER. Mr. President, I call up from the Second Reading Calendar House Bill No. 1250.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

## BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1250, entitled:

An Act to further amend section two of the act approved the first day of June one thousand nine hundred thirty-three (P. L. 1172) entitled "An act establishing certain streets in boroughs and incorporated towns as State high-

ways and providing for their construction and maintenance at the expense of the Commonwealth" by changing or deleting certain routes and adding certain new routes

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

## HOUSE BILL No. 1251 CALLED UP

Mr. WALKER. Mr. President, I call up from the Second Reading Calendar House Bill No. 1251.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

## BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1251, entitled:

An Act to further amend the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 594) entitled "An act establishing certain township roads as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act" by changing or deleting certain routes and adding certain new routes

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

## HOUSE BILL No. 1252 CALLED UP

Mr. WALKER. Mr. President, I call up from the Second Reading Calendar House Bill No. 1252.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

## BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1252, entitled:

An Act to establish certain roads or sections of road as State Highways:

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

## HOUSE BILL No. 1253 CALLED UP

Mr. WALKER. Mr. President, I call up from the Second Reading Calendar House Bill No. 1253.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

## BILL ON SECOND READING

Agreeably to order,



The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1253, entitled:

An Act to amend the act approved the eighth day of April one thousand nine hundred twenty-five (P. L. 191) entitled "An act establishing certain public roads as State highways and providing for their construction and maintenance at the expense of the Commonwealth" by changing certain routes

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

#### HOUSE BILL No. 1603 CALLED UP

Mr. WALKER. Mr. President, I call up from the Third Reading Calendar House Bill No. 1603, which was passed over in its order temporarily.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

#### BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1603, as follows:

An Act to further amend Section 4 to amend subsection (d) of Section 4.1 to add Sections 4.2 and 4.3 and to amend paragraph (1) of Section 14 of the act approved the twentieth day of May one thousand nine hundred fifteen (P. L. 566) entitled "An act requiring cities of the first class to establish a pension fund for employees of said cities and all county or other public employees if any paid by appropriation of the city councils thereof and out of the treasury of said cities and regulating the administration and the payment of such pensions" by clarifying the amount of contributions by certain pensioners and the method of computing lesser pensions changing date of completing certain payments and the age to which pension increments may be computed fixing minimum pensions and providing benefits for surviving spouse

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 4 of the act approved the twentieth day of May one thousand nine hundred fifteen (P. L. 566) entitled "An act requiring cities of the first class to establish a pension fund for employees of said cities and all county or other public employees if any paid by appropriation of the city councils thereof and out of the treasury of said cities and regulating the administration and the payment of such pensions" as last amended by the act approved the second day of May one thousand nine hundred forty-nine (P. L. 852) is hereby further amended to read as follows

Section 4 During the lifetime of the said person he or she shall be entitled to receive a pension from the fund set aside for the purpose of fifty per centum of the amount which would constitute the average rate of pay at which he or she was employed during the highest salaried five years of his or her employment by the said city or other public employment as aforesaid Said pension shall be paid in monthly payments Provided That if any pension be granted to a person who has not been a contributor to the pension fund as herein provided during a period of twenty years such person shall be required to pay into the board of pensions monthly an amount equal to [two] four per centum of his or her pension until such time as his or her contribution shall have extended during a period of twenty years Should any person so employed after

twenty years of service be dismissed voluntarily retire or be in any manner deprived of his position or employment before attaining the age of sixty years upon continuing a monthly payment to the fund equal to the last amount due and paid monthly while in active service said person shall be entitled to a pension above mentioned notwithstanding he or she has not attained the age of sixty years at the time of his or her separation from the public service but said pensions shall not commence until he or she has attained the age of sixty years Should any employee however become totally and permanently disabled while in the service after twenty years of service and before attaining the age of sixty years he or she shall be entitled to the said pension Proof of total and permanent disability shall consist of the sworn statement of three practicing physicians designated by the board that the employee is in a permanent condition of health which would totally disable him or her from performing the duties of his or her position or office Provided That in cases where the nature of such disability is such as to disable the employee from performing any work whatsoever either within or without the scope of his regular duties or within or without the service of such city or county the board may upon a recommendation of the three practicing physicians herein provided for retire upon pension such applicant after a service of fifteen years Provided further That the benefits of this amendment shall apply to members of the pension fund who have been contributors to the said fund for five years or more the pension paid to any one employee whose monthly payments into the pension fund have been four dollars or less a month shall not exceed one hundred dollars per month The pension paid to any one employee whose monthly payments into the pension fund have been more than four dollars a month for a period of at least two years may exceed one hundred dollars per month but shall not exceed two hundred dollars per month Provided That if an employee upon the date of retirement from service shall have made payments of more than four dollars a month unto the pension fund for a period of less than two years his or her pension shall not exceed one hundred dollars per month but an amount equal to the total amount paid in excess over four dollars a month shall be returned to such employee

The pension to be paid to any former employee who was dismissed voluntarily retired or in any manner deprived of his position and employment after having twenty years of service as an employee of said city and who has continued making payments to the fund equal to the last amount due and paid monthly while in active service and who has not accepted any pension under the provisions of the act to which this is an amendment shall be at the pension rate as provided in section five and his payments to the board of pensions after the first day of September one thousand nine hundred forty-five shall be in an amount equal to the amount which he would have been permitted to make had he continued in the employ of said city after the first day of September one thousand nine hundred forty-five and had continued to be paid the same salary as he received when he was last employed by said city This new amount whether it be more less or the same as the amount which he paid prior to the first day of September one thousand nine hundred forty-five he shall continue to pay until he applies for a pension under the provisions of this act If there be any difference between the amount which he has paid from the first day of September one thousand nine hundred forty-five and the amount which he has elected to pay under the provisions of section five he shall pay such difference into the board of pensions [within six months of the effective date of this amendment] on or before the first day of December one thousand nine hundred fifty-one

Section 2 Subsection (d) of Section 4.1 of said act as added thereto by the act approved the second day of May one thousand nine hundred forty-nine (P. L. 845) is hereby further amended to read as follows

#### Section 4.1

(d) Every such lesser pension shall be proportionate to



the pension which the employe would be entitled to receive after twenty years of service and contribution computed as if he had continued to receive during the remainder of the twenty years the same salary as at the time of the termination of his active service average rate of pay at which he was employed during the highest salaried five years of his active service as his number of months of service is to two hundred forty-months

Section 3 Sections 4.2 and 4.3 are hereby added to said act to read as follows

Section 4.2 In no event shall the pension hereafter payable after twenty (20) years of service be less than seventy-five dollars (\$75.00) a month or after fifteen (15) years and less than twenty (20) years of service be less than sixty dollars (\$60.00) a month to any person now or hereafter entitled to a pension under the provisions of this act

Section 4.3 Any married person retiring under the provisions of this act shall at the time of his or her retirement receive the pension provided by this act during his or her lifetime and a pension after his or her death payable to his or her surviving spouse at the time of retirement equal to fifty per centum of his or her pension. Provided That such person so retiring shall have been married to his or her spouse for not less than five years prior to the date of retirement and the spouse is dependent upon such deceased employe at the time of his or her death

The pension to be paid to such surviving spouse shall begin on the first day of the month in which the death of the deceased spouse occurs on the first day of the month following the surviving spouse's attainment of the age of fifty-five whichever is the later and shall continue to and terminate upon the death of such surviving spouse unless such surviving spouse shall re-marry in which event the payment of his or her survivor's pension shall thereupon be terminated

The word "pension" as used in this section shall be construed to mean the sum of the pension provided by this act plus the amount of service increment if any to which the married person retiring under the provisions of this act shall be entitled

Section 4 Paragraph (1) of Section 14 of said act as added thereto by the act approved the second day of May one thousand nine hundred forty-nine (P. L. 852) is hereby amended to read as follows

Section 14 In addition to the pension which is authorized by this act and notwithstanding the limitations therein placed upon pensions and upon contributions every contributor who shall become entitled to the payment of a pension and who has been employed by the said city or county for at least twenty-one years shall also be entitled to the payment in addition to the said pension of a "service increment" in accordance with and subject to the conditions hereinafter set forth

(1) Service increment shall be the sum obtained by computing the number of whole years in excess of twenty years during which a contributor has been employed by such city or county and paid out of the city treasury and multiplying the said number of years so computed by an amount equal to one-fortieth of the pension which has become payable to such contributor in accordance with the provisions of this act. Provided That no service increment may be paid for employment of more than twenty such excess years nor for any excess years which shall accrue after a contributor has reached the age of [sixty-five] seventy years and no service increment shall be paid in excess of one hundred dollars (\$100.00) per month

Section 5 Nothing contained in this act shall be construed to affect the power of a city of the first class or the powers or duties of any board department or the council thereof to provide and administer pension and retirement systems covering officers and employes of the city as provided by and authorized and directed under the Home Rule Charter of such city

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Bane,	Haluska,	Meade,	Stiefel,
Barr,	Holland,	Neff,	Taylor,
Barrett,	Kephart,	Pechan,	Toole,
Berger,	Kessler,	Peelor,	Wade,
Blass,	Lane,	Probert,	Wagner,
Byrne,	Leader,	Robinson,	Walker,
Chapman,	Letzler,	Rosenfeld,	Watkins,
Crowe,	Mahany,	Ruth,	Watson,
Dent,	Mallery,	Scarlett,	Wolfe,
Diehm,	McCreesh,	Silvert,	Wood,
DiSilvestro,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Stevenson,	Hare,
Freed,	McPherson, Jr.,		Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

### HOUSE MESSAGES

#### HOUSE CONCURS IN SENATE BILL No. 644

The Clerk of the House of Representatives being introduced, returned to the Senate, Senate Bill No. 644, entitled:

An Act to further amend Section 402 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" by further providing for distribution of copies of audits made by the Department of Auditor General

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL No. 675

He also returned to the Senate, Senate Bill No. 675, entitled:

An Act to further amend the act approved the sixth day of May one thousand eight hundred seventy-four (P. L. 125) entitled "An act regulating State tax on certain county offices" as last amended by the act approved the second



day of July one thousand nine hundred thirty-seven (P. L. 2786) by increasing the maximum amount of fees that certain county officers may retain before being required to pay over half the excess to the county treasurer.

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL No. 759

He also returned to the Senate, Senate Bill No. 759, entitled:

An Act to promote the uniform development of Allegheny County; creating the Metropolitan Study Commission of Allegheny County; defining its powers and duties; conferring powers and imposing duties upon the Governor and the governing bodies of political subdivisions.

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL No. 795

He also returned to the Senate, Senate Bill No. 795, entitled:

An Act vesting and confirming in cities of the second class all right, title and interest of the Commonwealth in certain streets, lanes and alleys situate within such cities.

with information that the House has passed the same without amendments.

The PRESIDENT pro tempore (M. Harvey Taylor) in the Chair.

#### BILLS SIGNED

The PRESIDENT pro tempore (M. Harvey Taylor) announced that the Chief Clerk having reported that the following bills had passed both Houses of the General Assembly and the same being correct, the titles were publicly read as follows:

##### Senate Bill No. 636, entitled:

An Act to amend subsection (a) of Section 9 of the act approved the twenty-sixth day of May one thousand nine hundred forty-nine (P. L. 1828) entitled "An act concerning the investment powers and duties of guardians committees trustees and other fiduciaries except personal representatives and prescribing the nature and kind of investments which may be made and retained by such fiduciaries" by authorizing investments in common stocks and similar securities of unincorporated associations meetings certain qualifications and eliminating the requirement that stock and similar securities must be listed on an exchange as to the stock and securities of banks and insurance and investment companies

##### Senate Bill No. 653, entitled:

An Act to further amend the act, approved the twenty-first day of May, one thousand nine hundred forty-three (P. L. 571), entitled "An act relating to assessment for taxation in counties of the fourth, fifth, sixth, seventh, and eighth classes; designating the subjects, property and persons subject to and exempt from taxation for county, borough, town, township, school, except in cities and county institution district purposes; and providing for and regulating the assessment and valuation thereof for such purposes; creating in each such county a board for the assessment and revision of taxes; defining the powers and duties of such boards; providing for the acceptance of this act by cities; regulating the office of ward, borough, town and township assessors; abolishing the

office of assistant triennial assessor in townships of the first class; providing for the appointment of a chief assessor, assistant assessors and other employees; providing for their compensation payable by such counties; prescribing certain duties of and certain fees to be collected by the recorder of deeds; and eliminating the triennial assessment," by providing for a uniform permanent record system in the boards for the assessment and revision of taxes; providing for a committee to prepare such system; and conferring powers and imposing duties upon the boards for the assessment and revision of taxes, the chairman of the Local Government Commission, the Secretary of Internal Affairs and chief assessors.

##### Senate Bill No. 654, entitled:

An Act to further amend the act, approved the seventh day of July, one thousand nine hundred forty-seven (P. L. 1368) entitled "An act amending, revising and consolidating the laws relating to delinquent county, city, except of the first and second class and second class A, borough, town, township, school district except of the first class and school districts within cities of the second class A, and institution district taxes, providing when, how and upon what property, and to what extent liens shall be allowed for such taxes, the return and entering of claims therefor; the collection and adjudication of such claims, sales of real property, including seated and unseated lands, subject to the lien of such tax claims; the disposition of the proceeds thereof, including State taxes and municipal claims recovered and the redemption of property; providing for the discharge and divestiture by certain tax sales of all estates in property and of mortgages and liens on such property, and the proceedings therefor; creating a Tax Claim Bureau in each county, except a county of the first class, to act as agent for taxing districts; defining its powers and duties, including sales of property, the management of property taken in sequestration, and the management, sale and disposition of property heretofore sold to the county commissioners, taxing districts and trustees at tax sales; providing a method for the service of process and notices; imposing duties on taxing districts and their officers and on tax collectors, and certain expenses on counties and for their reimbursement by taxing districts; and repealing existing laws," by providing for the collection and distribution of said taxes by the bureau; further regulating the sale of properties turned over to the bureau by county commissioners and taxing districts, and of properties purchased at tax sales by county commissioners under the provisions of said act; imposing certain costs upon the taxing districts, and further providing for the execution of deeds.

##### Senate Bill No. 718, entitled:

An Act to further amend section thirteen of the act, approved the fourth day of June, one thousand nine hundred and thirty-seven (P. L. 1625), entitled "An act providing for the creation maintenance and operation of a county employees' retirement system in counties of the third class; and imposing certain charges on counties," by extending and further regulating such retirement systems.

##### Senate Bill No. 736, entitled:

An Act providing for the registration of professional bondsmen in cities of the first class; providing for criminal offenses and penalties.

##### Senate Bill No. 739, entitled:

An Act providing for the construction by The General State Authority of an addition of a medical and surgical hospital building to the Philadelphia State Hospital on a site heretofore conveyed to it by the Mercy-Douglass Hospital and authorizing the Department of Property and Supplies to sublease said land and building to the Mercy-Douglass Hospital.



Senate Bill No. 836, entitled:

An Act making an appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first, one thousand nine hundred fifty-one.

House Bill No. 1678, entitled:

An Act to further amend the act, approved the twenty-first day of January, one thousand nine hundred forty-seven (P. L. 3) entitled "An act relating to officers and employes of the General Assembly; fixing the number, qualifications, compensation, mileage and duties of the officers and employes of the Senate and of the House of Representatives; providing for their election or appointment, term of office, or of service, removal, and manner of filling vacancies; and making appropriations to the Senate, House of Representatives and Legislative Reference Bureau," by providing for compensation on a daily basis for certain employes of the General Assembly when a regular biennial session of the General Assembly remains in session beyond the fifteenth day of June; making appropriations.

House Bill No. 1703, entitled:

An Act making an appropriation to the Senate and to the House of Representatives of the General Assembly and to the Legislative Reference Bureau for the payment of mileage, compensation of employes and contingent expenses.

House Bill No. 1720, entitled:

An Act making an appropriation to the Department of Property and Supplies for the payment of rates, rentals and other charges that may become due on leases and other contracts executed by such department with The General State Authority, for use and occupancy by the Commonwealth of various projects, structures, buildings and facilities of the Authority, or for the services rendered by the Authority or its projects.

House Bill No. 1721, entitled:

An Act making an appropriation to the State Treasurer for the purpose of paying salaries and wages of State Officers and employes, and other ordinary and general expenses in the interim between the thirty-first day of May, one thousand nine hundred fifty-one, and such time as the funds provided by the General Appropriation Act become available, and for the payment of bills incurred and remaining unpaid at the close of the fiscal years ending May thirty-first, one thousand nine hundred fifty-one.

Whereupon,

The PRESIDENT pro tempore (M. Harvey Taylor) in the presence of the Senate signed the same.

The PRESIDING OFFICER (Fred P. Hare) in the Chair.

#### HOUSE MESSAGE

#### HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION

The Clerk of the House of Representatives being introduced, informed the Senate that the House has concurred in resolution from the Senate as follows:

#### TIME OF NEXT MEETING

In the Senate September 24, 1951.

Resolved, (if the House of Representatives concur), that when the Senate adjourns this week, it reconvene on Monday, October 1, 1951, at three o'clock p. m., Eastern Standard Time, and when the House of Representatives

adjourns this week, it reconvene on Monday, October 1, 1951, at four thirty o'clock p. m., Eastern Standard Time.

#### RECESS

Mr. WALKER. Mr. President, I move that the Senate do now take a recess until 3 o'clock p. m., Eastern Standard Time.

Mr. DIEHM. Mr. President, I second the motion.

The motion was agreed to.

#### AFTER RECESS

The PRESIDING OFFICER. The time of recess having elapsed the Senate will be in order.

#### HOUSE MESSAGES

#### HOUSE CONCURS IN SENATE BILL No. 833

The Clerk of the House of Representatives being introduced, returned to the Senate, Senate Bill No. 833, entitled:

An Act to further amend the act, approved the fifth day of May, one thousand nine hundred eleven (P. L. 198), entitled "An act to establish a county court for the county of Allegheny and prescribing its powers and duties; regulating the procedure therein, and providing for the expenses thereof," by conferring exclusive jurisdiction on the county court of Allegheny County in cases of appeals from decisions of the collector of mercantile taxes imposed by political subdivisions within the territorial limits of its jurisdiction.

with the information that the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE BILL No. 839

He also returned to the Senate, Senate Bill No. 839, entitled:

An Act authorizing the Department of Property and Supplies to sell and convey a tract of land in Allegheny Township, Blair County, Pennsylvania with the approval of the Governor.

with the information that the House has passed the same without amendments.

#### RECESS

Mr. KESSLER. Mr. President, I move that the Senate do now take a recess until 6 o'clock p. m., Eastern Standard Time.

Mr. DIEHM. Mr. President, I second the motion.

The motion was agreed to.

#### AFTER RECESS

The PRESIDING OFFICER. The time of recess having elapsed the Senate will be in order.

#### PERMISSION TO ADDRESS SENATE

Mr. WALKER asked and obtained unanimous consent to address the Senate.

Mr. WALKER. Mr. President, I feel that perhaps it would be better to make this statement. I am sorry that it could not be made with the full Senate and with a crowded Senate Chamber.

At yesterday's Session, Mr. President, during the course of the night—Mr. President, I am sorry I cannot tell you whether it was before or after midnight, Standard Time,



because we were not keeping track of that—there was a discussion took place at the rail between one of the recesses that we were enjoying, and I was discussing a matter with several House Members, and in a spirit of jest, because we were kidding each other back and forth, I made a remark regarding the House and its Membership that, much to my surprise, has evidently affronted several individual Members of the House.

Mr. President, I want to say for the record, not that it is going to change the opinion of any Member of the House with regard to the effect of the statement, but merely to clear the matter of the record, that the statement was made. I did make the statement quoted in the newspapers. It was made in a spirit of levity and jest, because we were kidding each other back and forth. It was not made with any intention of speaking in a derogatory manner of the House or any individual Member of the House, and if it has hurt the pride or the esteem of any Member of the House, Mr. President, I would like at this time to say I am very sorry. I had no intention whatsoever at any time of speaking officially or unofficially in any manner that would reflect discredit upon any of the two hundred eight Members of the House of Representatives of the General Assembly of the Commonwealth.

Mr. President, the statement was not made, to be frank with you, in an official manner. It was made strictly between two friends and it was overheard. As I said, I cannot deny that I made it, and to the gentlemen who feel that it was an affront, my sincere apologies.

The PRESIDING OFFICER. The remarks of the gentleman will be spread upon the record.

#### COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

#### APPROVED AND SIGNED SENATE CONCURRENT RESOLUTION RECALLING SENATE BILL No. 668, PRINTER'S No. 357

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Concurrent Resolution recalling from the Governor Senate Bill No. 668, Printer's No. 357, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

JOHN S. FINE.

The PRESIDING OFFICER. The bill will be laid on the table.

#### HOUSE MESSAGES

#### HOUSE INSISTS UPON ITS AMENDMENTS NON-CONCURRED BY THE SENATE TO SENATE BILL No. 752 AND APPOINTS COMMITTEE OF CONFERENCE

The Clerk of the House of Representatives being introduced, informed the Senate that the House insists upon its amendments non-concurred in by the Senate to Senate Bill No. 752, entitled:

An Act to further amend the act, approved the twenty-sixth day of June, one thousand nine hundred thirty-one

(P. L. 1379), entitled "An act creating in counties of the third class a board for the assessment and revision of taxes; providing for the appointment of the members of such board by the county commissioners; providing for their salaries, payable by the county; abolishing existing boards; defining the powers and duties of such board; regulating the assessment of persons, property, and occupations for county, borough, town, townships, school, and poor purposes; authorizing the appointment of subordinate assessors, a solicitor, engineers, and clerks; providing for their compensation, payable by such counties; abolishing the office of ward, borough, and township, assessors so far as the making of assessments and valuations for taxation is concerned; and providing for the acceptance of this act by cities," by further regulating the assessment and valuation of property for local taxation purposes; further defining the duties of subordinate assessors and the board; changing the time for the preparation and inspection of the assessment roll, and duplicate assessment roll, notice of appeal, and hearings on appeals; prescribing duties of and fees to be collected by municipal officers who issue building permits; imposing duties on taxables; making improvements on land and grantees of land; and prescribing penalties.

and has appointed Messrs. BOORSE, ROBERTSON and SWOPE as a Committee of Conference to confer with a similar committee of the Senate (already appointed) to consider the differences existing between the two houses in relation to said bill.

#### HOUSE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE SENATE TO SENATE BILL No. 655

He also presented communication from the House of Representatives informing the Senate that the House insists upon its amendments non-concurred in by the Senate to Senate Bill No. 655, entitled:

An Act to amend the title and act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 571) entitled "An act relating to assessment for taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects property and persons subject to and exempt from taxation for county borough town township school except in cities and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of ward borough town and township assessors abolishing the office of assistant triennial assessor in townships of the first class providing for the appointment of a chief assessor assistant assessors and other employes providing for their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the recorder of deeds and eliminating the triennial assessment" by further regulating the assessment and valuation of real property for local taxation purposes further defining the duties of assessors and chief assessors changing the time for the preparation and inspection of the assessment roll and duplicate assessment roll notice of appeal and hearings on appeals prescribing duties of and fees to be collected by municipal officers who issue building permits imposing duties on taxables making improvements on land and grantees of land prescribing penalties and changing procedure on appeals to court.

#### SENATE INSISTS UPON ITS NON-CONCURRENCE IN THE AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 655

#### COMMITTEE OF CONFERENCE TO BE APPOINTED

Mr. WALKER. Mr. President, I move that the Senate



insist upon its non-concurrence in the amendments made by the House to Senate Bill No. 655, and that a Committee of Conference on the part of the Senate be appointed.

Mr. BERGER. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### HOUSE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE SENATE TO SENATE BILL No. 789

He also presented communication from the House of Representatives informing the Senate that the House insists upon its amendments non-concurred in by the Senate to Senate Bill No. 789, entitled:

An Act to further amend clause (b) of Section 507 and clause (c) of Section 2403 of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers: fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by making special provision for the purchase of coal for use in any State hospital or any other State institution.

#### SENATE INSISTS UPON ITS NON-CONCURRENCE IN THE AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 789

#### COMMITTEE OF CONFERENCE TO BE APPOINTED

Mr. WALKER. Mr. President, I move that the Senate insist upon its non-concurrence in the amendments made by the House to Senate Bill No. 789, and that a Committee of Conference on the part of the Senate be appointed.

Mr. WADE. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### HOUSE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 238

He also informed the Senate that the House has adopted the report of Committee of Conference on House Bill No. 238, entitled:

An Act to amend Section 256 of the Act, approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "Fish Law of 1925," by authorizing fish wardens to make arrests without warrants under certain circumstances.

The PRESIDING OFFICER. The Report of the Committee of Conference will appear on the Calendar.

#### HOUSE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1102

He also informed the Senate that the House has adopted the report of Committee of Conference on House Bill No. 1102, entitled:

An Act to provide for liens for the cost of hospital care and treatment of persons willfully or negligently injured the liens to exist on rights of action and on counterclaims and on verdicts and judgments recovered as the result of such injuries and on moneys paid in settlement of such actions and counterclaims and providing rights of action to recover such liens if not paid.

The PRESIDING OFFICER. The Report of the Committee of Conference will appear on the Calendar.

#### HOUSE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1370

He also informed the Senate that the House has adopted the report of Committee of Conference on House Bill No. 1370, entitled:

An Act to further amend Section 2004 of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "Third Class City Law," by limiting to forty hours the work week of police officers in certain cases.

The PRESIDING OFFICER. The Report of the Committee of Conference will appear on the Calendar.

#### SENATE BILL No. 658 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 658, entitled:

An Act authorizing council of cities of the second class to fix the salaries of the mayors and the council members of such cities and to provide for the assessment and retention of fines for absence of councilmen from meetings.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

#### RULE 21 SUSPENDED

Mr. WALKER. Mr. President, I move that Rule 21, which requires amended bills to be noted on the Calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. BERGER. Mr. President, I second the motion.

The motion was agreed to.

#### BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 658, entitled:

An Act authorizing council of cities of the second class to fix the salaries of the mayor and the council members of such cities and to provide for the assessment and retention of fines for absence of councilmen from meetings.

which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows:

Amend the bill, page 2, by inserting after line 19, the following:



Section 4 This act shall be applicable to all of the officers named herein who shall begin a term of office on or after the first Monday of January one thousand nine hundred and fifty-two

On the question,

Will the Senate concur in the same?

#### SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 658

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 658.

Mr. BERGER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Bane,	Haluska,	Meade,	Stiefel,
Barr,	Holland,	Neff,	Taylor,
Barrett,	Kephart,	Pechan,	Toole,
Berger,	Kessler,	Peelor,	Wade,
Blass,	Lane,	Propert,	Wagner,
Byrne,	Leader,	Robinson,	Walker,
Chapman,	Letzler,	Rosenfeld,	Watkins,
Crowe,	Mahany,	Ruth,	Watson,
Dent,	Mallery,	Scarlett,	Wolfe,
Diehm,	McCreesh,	Silvert,	Wood,
DiSilvestro,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Stevenson,	Hare,
Freed,	McPherson, Jr.		Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### SENATE BILL No. 676 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 676, entitled:!

An Act to amend the act approved the twenty-eighth day of June one thousand nine hundred forty-seven (P. L. 1144) entitled "An act relating to the annual salaries of certain county officers of counties of the second class" by increasing the salaries of certain county officers.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

#### RULE 21 SUSPENDED

Mr. WALKER. Mr. President, I move that Rule 21, which requires amended bills to be noted on the Calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. BERGER. Mr. President, I second the motion.

The motion was agreed to.

#### BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 676, entitled:

An Act to amend the act approved the twenty-eighth

day of June one thousand nine hundred forty-seven (P. L. 1144) entitled "An act relating to the annual salaries of certain county officers of counties of the second class" by increasing the salaries of certain county officers.

which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 2, line 3, by inserting after the word "entitled" and before the word "is", the following: "An act relating to the annual salaries of certain county officers of counties of the second class"; Amend Section 1, page 2, line 3, by striking out the quotation marks before the word "is" and after the word "follows"; Amend Section 2, page 4, line 7, by striking out after the word "effective" and before the word "the", the following: "on" and inserting in lieu thereof, the following: "as to all of the pertinent county officers who shall begin a term of office on or after."

On the question,

Will the Senate concur in the same?

#### SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 676

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 676.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Bane,	Haluska,	Meade,	Stiefel,
Barr,	Holland,	Neff,	Taylor,
Barrett,	Kephart,	Pechan,	Toole,
Berger,	Kessler,	Peelor,	Wade,
Blass,	Lane,	Propert,	Wagner,
Byrne,	Leader,	Robinson,	Walker,
Chapman,	Letzler,	Rosenfeld,	Watkins,
Crowe,	Mahany,	Ruth,	Watson,
Dent,	Mallery,	Scarlett,	Wolfe,
Diehm,	McCreesh,	Silvert,	Wood,
DiSilvestro,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Stevenson,	Hare,
Freed,	McPherson, Jr.		Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### SENATE BILL No. 677 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 677, entitled:

An Act to amend the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 973), entitled "An act relating to the annual salaries of certain county officers of counties of the third class" by increasing the salaries of certain county officers.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

#### RULE 21 SUSPENDED

Mr. WALKER. Mr. President, I move that Rule 21,



which requires amended bills to be noted on the Calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. WADE. Mr. President, I second the motion.

The motion was agreed to.

#### BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 677, entitled

An Act to amend the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 973), entitled "An act relating to the annual salaries of certain county officers of counties of the third class" by increasing the salaries of certain county officers.

which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows:

Amend Section 2, page 4, line 5, by striking out after the word "effective" and before the word "the," the following: "on" and inserting in lieu thereof, the following: "And applicable to all of the pertinent county officers who shall begin a term of office on or after."

On the question,

Will the Senate concur in the same?

#### SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 677

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 677.

Mr. WADE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Bane,	Haluska,	Meade,	Stiefel,
Barr,	Holland,	Neff,	Taylor,
Barrett,	Kephart,	Pechan,	Toole,
Berger,	Kessler,	Peelor,	Wade,
Blass,	Lane,	Probert,	Wagner,
Byrne,	Leader,	Robinson,	Walker,
Chapman,	Letzler,	Rosenfeld,	Watkins,
Crowe,	Mahanay,	Ruth,	Watson,
Dent,	Mallery,	Scarlett,	Wolfe,
Diehm,	McCreesh,	Silvert,	Wood,
DiSilvestro,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Stevenson,	Hare,
Freed,	McPherson, Jr.		Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### SENATE BILL No. 678 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 678, entitled:

An Act to further amend the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 947), entitled "An act relating to the annual salaries

of certain county officers of counties of the fourth class" as amended by the act approved the eighteenth day of May one thousand nine hundred forty-nine (P. L. 1411) by increasing the salaries of certain county officers.

With the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

#### RULE 21 SUSPENDED

Mr. WALKER. Mr. President, I move that Rule 21, which requires amended bills to be noted on the Calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. KESSLER. Mr. President, I second the motion.

The motion was agreed to.

#### BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 678, entitled

An Act to further amend the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 947) entitled "An act relating to the annual salaries of certain county officers of counties of the fourth class" as amended by the act approved the eighteenth day of May one thousand nine hundred forty-nine (P. L. 1411) by increasing the salaries of certain county officers.

which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows:

Amend Section 2, page 4, line 9, by striking out after the word "effective" and before the word "the," the following: "on" and inserting in lieu thereof, the following: "And applicable to all of the pertinent county officers who shall begin a term of office on or after."

On the question,

Will the Senate concur in the same?

#### SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 678

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 678.

Mr. KESSLER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Bane,	Haluska,	Meade,	Stiefel,
Barr,	Holland,	Neff,	Taylor,
Barrett,	Kephart,	Pechan,	Toole,
Berger,	Kessler,	Peelor,	Wade,
Blass,	Lane,	Probert,	Wagner,
Byrne,	Leader,	Robinson,	Walker,
Chapman,	Letzler,	Rosenfeld,	Watkins,
Crowe,	Mahanay,	Ruth,	Watson,
Dent,	Mallery,	Scarlett,	Wolfe,
Diehm,	McCreesh,	Silvert,	Wood,
DiSilvestro,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Stevenson,	Hare,
Freed,	McPherson, Jr.		Presiding Officer

#### NAYS—0



A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### SENATE BILL No. 679 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 679, entitled:

An Act to amend the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 972) entitled "An act relating to the annual salaries of certain county officers of counties of the fifth class" by increasing the salaries of certain county officers.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

#### RULE 21 SUSPENDED

Mr. WALKER. Mr. President, I move that Rule 21, which requires amended bills to be noted on the Calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. DIEHM. Mr. President, I second the motion.

The motion was agreed to.

#### BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 679, entitled:

An Act to amend the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 972) entitled "An act relating to the annual salaries of certain county officers of counties of the fifth class" by increasing the salaries of certain county officers.

which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows:

Amend Section 2, page 5, line 15, by striking out after the word "effective" and before the word "the", the following: "on" and inserting in lieu thereof the following: "and applicable to all of the pertinent county officers who shall begin a term of office on or after".

On the question,

Will the Senate concur in the same?

#### SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 679

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 679.

Mr. DIEHM. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Bane,	Haluska,	Meade,	Stiefel,
Barr,	Holland,	Neff,	Taylor,
Barrett,	Kephart,	Pechan,	Toole,
Berger,	Kessler,	Peelor,	Wade,
Blass,	Lane,	Probert,	Wagner,

Byrne,	Leader,	Robinson,	Walker,
Chapman,	Letzler,	Rosenfeld,	Watkins,
Crowe,	Mahany,	Ruth,	Watson,
Dent,	Mallery,	Scarlett,	Wolfe,
Diehm,	McCreesh,	Silvert,	Wood,
DiSilvestro,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Stevenson,	Hare,
Freed,	McPherson, Jr.		President & Officer

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### SENATE BILL No. 680 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 680, entitled:

An Act to amend the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 928) entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the sixth class" by increasing the salaries of certain county officers.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

#### RULE 21 SUSPENDED

Mr. WALKER. Mr. President, I move that Rule 21, which requires amended bills to be noted on the Calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. YOSKO. Mr. President, I second the motion.

The motion was agreed to.

#### BILL ON CONCURRENCE ON HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 680, entitled:

An Act to amend the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 928) entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the sixth class" by increasing the salaries of certain county officers.

which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 2, line 13, by striking out all of said line and inserting in lieu thereof, the following: "five thousand dollars (\$5000)"; Amend Section 2, page 5, line 12, by striking out after the word "effective" and before the word "the", the following: "on" and inserting in lieu thereof, the following: "and applicable to all of the pertinent county officers who shall begin a term of office on or after".

On the question,

Will the Senate concur in the same?

#### SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 680

Mr. WALKER. Mr. President, I move that the Senate



do concur in the amendments made by the House to Senate Bill No. 680.

Mr. YOSKO. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Bane,	Haluska,	Meade,	Stiefel,
Barr,	Holland,	Neff,	Taylor,
Barrett,	Kephart,	Pechan,	Toole,
Berger,	Kessler,	Peelor,	Wagner,
Blass,	Lane,	Proper,	Walker,
Byrne,	Leader,	Robinson,	Watkins,
Chapman,	Letzler,	Rosenfeld,	Watson,
Crowe,	Mahany,	Ruth,	Wolfe,
Dent,	Mallery,	Scarlett,	Wood,
Diehm,	McCreesh,	Silvert,	Yosko,
DiSilvestro,	McGinnis,	Snowden,	Wade,
Fleming,	McMenamin,	Stevenson,	Hare,
Freed,	McPherson, Jr.		Presiding Officer

#### NAYS—0

A majority of all the Senator having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### SENATE BILL No. 681 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 681, entitled:

An Act to amend the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 971) entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the eighth class" by increasing the salaries of certain county officers.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

#### RULE 21 SUSPENDED

Mr. WALKER. Mr. President, I move that Rule 21, which requires amended bills to be noted on the Calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. BERGER. Mr. President, I second the motion.  
The motion was agreed to.

#### BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 681, entitled:

An Act to amend the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 971) entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the eighth class" by increasing the salaries of certain county officers.

which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 2, lines 9 to 11, by striking out

after the word "than" on line 9, the following: "ten thousand (10,000) two thousand four hundred dollars (\$2,400) and in counties having a population of ten thousand (10,000)" and inserting in lieu thereof, the following: "twelve thousand (12,000) two thousand two hundred dollars (\$2,200) and in counties having a population of twelve thousand (12,000)"; amend Section 1, page 2, line 15, by striking out after the left-faced bracket and before the word "each", the following: "two thousand dollars (\$2,000)" and inserting in lieu thereof, the following: "one thousand five hundred dollars (\$1,500)"; amend Section 1, page 2, line 17, by inserting after the word "than" and before the word "ten", a right-faced bracket; amend Section 1, page 2, line 17, by striking out after the left-faced parenthesis and before the word "eight", the right-faced bracket; amend Section 1, page 2, line 18, by inserting before the word "one", the following: "twelve thousand (12,000)"; amend Section 1, page 2, line 19, by inserting after the word "of" and before the word "ten" a right-faced bracket; amend Section 1, page 3, line 1, by inserting after the left-faced parenthesis and before the word "and", the following: "[ ] twelve thousand (12,000)"; amend Section 1, page 3, by inserting between line 3 and 4, the following: "(d) The county auditors shall each receive ten dollars (\$10) for each day necessarily employed in the discharge of their duties"; amend Section 1, page 3, line 4, by inserting before the word "The", the following: "(e)"; amend Section 2, page 3, line 9, by striking out after the word "effective" and before the word "the", the following: "on" and inserting in lieu thereof, the following: "and applicable to all of the pertinent county officers who shall begin a term of office on or after".

On the question,

Will the Senate concur in the same?

#### SENATE NON-CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 681

Mr. WALKER. Mr. President, I move that the Senate do non-concur in the amendments made by the House to Senate Bill No. 681.

Mr. BERGER. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### SENATE BILL No. 682 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 682, entitled:

An Act to amend the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 938) entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the seventh class" by increasing the salaries of certain county officers.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

#### RULE 21 SUSPENDED

Mr. WALKER. Mr. President, I move that Rule 21, which requires amended bills to be noted on the Calendar, be in this case dispensed with, and that the



Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. BARR. Mr. President, I second the motion.  
The motion was agreed to.

#### BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 682, entitled:

An Act to amend the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 938) entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the seventh class" by increasing the salaries of certain county officers.

which was returned from the House of Representatives with amendments.

The Clerk read the amendments as follows:

"Amend Section 2, page 3, line 8, by inserting after the word "effective" and before the word "the," the following: "and applicable to all of the pertinent county officers who shall begin a term of office on or after."

On the question,

Will the Senate concur in the same?

#### SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 682

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 682.

Mr. BARR. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Bane,	Haluaka,	Meade,	Stiefel,
Barr,	Holland,	Neff,	Taylor,
Barrett,	Kephart,	Pechan,	Toole,
Berger,	Kessler,	Peelor,	Wade,
Blass,	Lane,	Propert,	Wagner,
Byrne,	Leader,	Robinson,	Walker,
Chapman,	Letzler,	Rosenfeld,	Watkins,
Crowe,	Mahanay,	Ruth,	Watson,
Dent,	Mallery,	Scarlett,	Wolfe,
Diehm,	McCreesh,	Silvert,	Wood,
DiSilvestro,	McGinnis,	Snowden,	Yosko,
Fleming,	McMenamin,	Stevenson,	Hare,
Freed,	McPherson, Jr.		Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### HOUSE BILL FOR CONCURRENCE

He also presented for concurrence bill of the House, as follows:

House Bill No. 1711, entitled:

An Act providing for a referendum to determine the will of the electorate regarding a constitutional convention providing for the nomination and election of delegates and making an appropriation.

Which was committed to the Committee on Constitutional Changes and Federal Relations.

#### BILL ON FIRST READING

Mr. WALKER. Mr. President, I move that the Senate do now proceed to the first reading of the bill reported from committee for the first time at today's session.

Mr. WADE. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1097, entitled:

An Act to further amend subsection (a) (b) and (c) of Section 1112 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by authorizing the designation of thru highways and stop intersections in second class townships.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

#### ADJOURNMENT

Mr. WALKER. Mr. President, I move that the Senate do now adjourn until Monday, October 1, 1951, at 3 o'clock, p. m., Eastern Standard Time.

Mr. BARR. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 6:46 o'clock, p. m., Eastern Standard Time, until Monday, October 1, 1951, at 3 o'clock, p. m., Eastern Standard Time.



## HOUSE OF REPRESENTATIVES

THURSDAY, September 27, 1951

The House met at 11:00 a. m. EST.

The SPEAKER (Herbert P. Sorg) in the Chair.

## PRAYER

The Chaplain, Reverend William Hugh Fryer, offered the following prayer:

O Lord God, in Whom we live and move and have our being, open our eyes that we may behold Thy Fatherly presence ever about us. Draw our hearts to Thee with the power of Thy love. Teach us to be anxious for nothing, and when we have done what Thou hast given us to do, help us, O God, to leave the issue to Thy wisdom. Take from us all doubt and mistrust. Lift our thoughts up to Thee and make us to know that all things are possible through Jesus Christ, Thy Son, our Lord. Amen.

## JOURNAL APPROVED

The SPEAKER. Are there any corrections to the Journal of Wednesday, September 26, 1951? If not, and without objection, the Journal is approved.

## LEAVE OF ABSENCE

By consent of the House leave of absence was granted as follows:

Mr. Dowling for Mr. SWARTZ for today's session.

## SENATE MESSAGES

## HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 1678.

An Act to further amend the act approved the twenty-first day of January one thousand nine hundred forty-seven (P. L. 3) entitled "An act relating to officers and employes of the General Assembly fixing the number qualifications compensation mileage and duties of the officers and employes of the Senate and of the House of Representatives providing for their election or appointment term of office or of service removal and manner of filling vacancies and making appropriations to the Senate House of Representatives and Legislative Reference Bureau" by providing for compensation on a daily basis for certain employes of the General Assembly when a regular biennial session of the General Assembly remains in session beyond the fifteenth day of June making appropriations

With the information that the Senate has passed the same without amendment.

## RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, September 27, 1951.

Resolved (if the House of Representatives concur), that Senate Bill No. 668, Printer's No. 357, entitled "An act to designate the several judicial districts of the Commonwealth as required by the Constitution and to provide for the election and commissioning of judges learned in the law for the said districts," be recalled from the Governor for the purpose of further consideration.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

## SENATE MESSAGES

## AMENDED HOUSE BILL RECALLED FROM GOVERNOR CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 984.

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further providing for exceptions to compulsory attendance

Said bill having been recalled from the Governor for the purpose of amendment, the vote had on final passage and third reading on said bill was reconsidered in the House and the bill amended, in which amendments the Senate has concurred.

## AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 1703.

An Act making an appropriation to the Senate and to the House of Representatives of the General Assembly and to the Legislative Reference Bureau for the payment of mileage compensation of employes and contingent expenses

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the bill, Section 1, page 2, line 10, by striking out after line 9, the words "six thousand dollars (\$6000)" and inserting in lieu thereof the words "eight thousand dollars (\$8000)"; page 2, line 12, by striking out after the second word "of" the word "twenty" and inserting in lieu thereof the word "ninety"; page 2, line 13, by striking out after the word "dollars" the figures "(\$20,000)" and inserting in lieu thereof the figures "(\$90,000)"; page 4, line 7, by striking out after the word "of" the words "thirty-five thousand dollars (\$35,000)" and inserting in lieu thereof the words "five thousand dollars (\$5,000)"; page 4, line 10, by striking out after the second word "of" the words "two thousand five hundred dollars (\$2500)".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. JOHNSON. I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:



## YEAS—204

Amarando.	Graybill,	Maxwell,	Rovansek,
Andrews,	Greenwood,	Mazza,	Royer,
Banker,	Greer,	McConnell,	Rubin,
Barkdoll,	Guarnieri,	McCormack,	Sarra,
Baumunk,	Gutendorf,	McCullough,	Sax,
Bear,	Guthrie,	McDermitt,	Scanlon,
Beaver,	Hagerty,	McGee,	Schmidt,
Beech,	Hall,	McInroy,	Schuster,
Berkstresser,	Hamilton, R. K.,	McKinney,	Scott,
Blair,	Hamilton, W. H.,	McMillen,	Seyler,
Bloom,	Harney,	McNally,	Shoemaker,
Boles,	Haudenshield,	Metz,	Shotwell,
Bolton,	Headlee,	Mihm,	Smith,
Bomberger,	Helm,	Mikula,	Snider,
Boorse,	Hersch,	Miller, H. G.,	Sollenberger,
Bower,	Hewitt,	Miller, J. C.,	Spencer,
Brelscho,	Hocker,	Mills,	Stank,
Breth,	Hoggard,	Mintess,	Stimmel,
Brown,	Hunter,	Monroe,	Stoner,
Bucchin,	Jenkins,	Moore, C. E.,	Swope,
Byrne,	Johnson,	Moore, H. A.,	Tahl,
Cella,	Jones, G. E.,	Moran,	Taylor,
Clapper,	Jones, J. M.,	Muldowney,	Thompson, E. F.,
Clendening,	Jones, P. F.,	Munley,	Thompson, R. L.,
Cochran,	Jones, T. H. W.,	Murray,	Toll,
Conway,	Jump,	Musto,	Tompkins,
Cooper,	Kamyk,	Najaka,	Toomey,
Corr,	Keller,	Naugle,	VanSant,
Costa,	Kent,	Needham,	Varallo,
Coyle,	Kline,	Olsen,	Varnier,
Dalrymple,	Kohl,	Penglase,	Verona,
Davis,	Kolankiewicz,	Peta,	Wachhaus,
Dennison,	Kornick,	Petrosky,	Wargo,
Dougherty,	Kratz,	Pettigrew,	Waterhouse,
Dowling,	Kubacki,	Pfaff,	Watkins,
Duffy,	Lafore,	Pichney,	Weidner,
Dunn,	Lederer,	Pitzer,	Welsh,
Erb,	Leisey,	Polaski,	Wescott,
Ewing,	Leonard, L.,	Polen,	Whalley,
Fenrich,	Leonard, W. C.,	Price, H. W. Jr.,	Wheeler,
Ferster,	Leven,	Price, R. A.,	White,
Filip,	Light,	Readinger,	Williams,
Filo,	Limper,	Reagan,	Wilt,
Firmstone,	Lofus,	Reese,	Wood,
Flack,	Lopresti,	Reidenbach,	Yeakel,
Frost,	Lovett,	Reilly, J. M.,	Yester,
Gaffney,	Lutty,	Rigby,	Yetzer,
Geer,	Lyons,	Riley, R. L.,	Young,
Gibson,	Madden,	Robertson,	Ziegler,
Gleason,	Madigan,	Rose,	Sorg,
Good,	Markley,	Rosen,	Speaker

## NAYS—0

## NOT VOTING—3

DuBois, Swartz, Westrick,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

## BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

## HOUSE BILL No. 1678.

An Act to further amend the act approved the twenty-first day of January one thousand nine hundred forty-seven (P. L. 3) entitled "An act relating to officers and employees of the General Assembly fixing the number qualifications compensation mileage and duties of the officers and employees of the Senate and of the House of Representatives providing for their election or appointment term of office or of service removal and manner of filling vacancies and making appropriations to the Senate House of Representatives and Legislative Reference Bureau" by providing for compensation on a daily basis for certain employees of the General Assembly

when a regular biennial session of the General Assembly remains in session beyond the fifteenth day of June making appropriations

## HOUSE BILL No. 1703.

An Act making an appropriation to the Senate and to the House of Representatives of the General Assembly and to the Legislative Reference Bureau for the payment of mileage compensation of employees and contingent expenses

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

## SENATE MESSAGES

## SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

## SENATE BILL No. 851.

An Act to amend Section 16 of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1237) entitled "An act affecting marital relations prescribing grounds and regulating proceedings for divorce and the annulment of bigamous marriages and amending revising and consolidating the law relating thereto" by further defining residence of the libellant.

Referred to the Committee on Judiciary.

## SENATE BILL No. 867.

An Act to add section 2315.2 to the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" by authorizing the Department of Welfare to enter into certain contracts for utility services at State institutions and providing for the payment of services furnished and for the Commonwealth's share of expenses and charges incurred.

Referred to the Committee on State Government.

## SENATE BILL No. 868.

An Act to amend section 1 of the act approved the sixth day of April one thousand nine hundred fifty-one (P. L. 68) entitled "An act authorizing the Department of Welfare the Department of Health or any departmental administrative board commission or officer of either department to proceed by injunction or other process in the court of common pleas in any county where an alleged unauthorized activity is committed to prohibit and restrain any unlicensed person association copartnership or corporation from engaging in an activity for which a license is required to be issued by either department and setting out the method of procedure therefor" by clarifying the



provisions thereof to include periods when licenses are revoked and periods after violation of laws rules and regulations governing private institutions.

Referred to the Committee on Welfare.

### AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

#### HOUSE BILL No. 1720.

An Act making an appropriation to the Department of Property and Supplies for the payment of rates rentals and other charges that may become due on leases and other contracts executed by such department with The General State Authority for the use and occupancy by the Commonwealth of various projects structures buildings and facilities of the Authority or for the service rendered by the Authority or its projects

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 2, line 1, by striking out after the word "of" the following "two hundred fifty thousand dollars (\$250,000)" and inserting in lieu thereof "three million five hundred thousand dollars (\$3,500,000)".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. JOHNSON. I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—204

Amarando,	Goodling,	Markley,	Rosen,
Andrews,	Graybill,	Maxwell,	Rovansek.
Banker,	Greenwood,	Mazza,	Royer,
Barkdoll,	Geer,	McConnell,	Rubin,
Baumunk,	Guarnieri,	McCullough,	Sarra,
Bear,	Gutendorf,	McCormack,	Sax,
Beaver,	Guthrie,	McDermitt,	Scanlon,
Beech,	Hagerty,	McGee,	Schmidt,
Berkstresser,	Hall,	McInroy,	Schuster,
Blair,	Hamilton, R. K.,	McKinney,	Scott,
Bloom,	Hamilton, W. H.,	McMillen,	Seyler,
Boles,	Harney,	McNally,	Shoemaker,
Bolton,	Haudenshield,	Meiz,	Shotwell,
Bomberger,	Headlee,	Mihm,	Smith,
Boorse,	Helm,	Mikula,	Snider,
Bower,	Hersch,	Miller, H. G.,	Sollenberger,
Breisch,	Hewitt,	Miller, J. C.,	Spencer,
Breth,	Hocker,	Mills,	Stank,
Brown,	Hoggard,	Mintess,	Stimmel,
Bucchin,	Hunter,	Monroe,	Stoner,
Byrne,	Jenkins,	Moore, C. E.,	Swope,
Cella,	Johnson,	Moore, H. A.,	Tahl,
Clapper,	Jones, G. E.,	Moran,	Taylor,
Clendenning,	Jones, J. M.,	Muldowney,	Thompson, E. F.,
Cochran,	Jones, P. F.,	Munley,	Thompson, R. L.,
Conway,	Jones, T. H. W.,	Murray,	Toll,
Cooper,	Jump,	Musto,	Tompkins,
Corr,	Kamyk,	Najaka,	Toomey,
Costa,	Keller,	Naugle,	VanSant,
Coyle,	Kent,	Needham,	Varallo,
Dalrymple,	Kline,	Olsen,	Varnor,
Davis,	Kohl,	Penglas,	Verona,
Dennison,	Kolankiewicz,	Peta,	Wachhaus,
Dougherty,	Kornick,	Petrosky,	Wargo,
Dowling,	Kratz,	Pettigrew,	Waterhouse,
Duffy,	Kubacki,	Pfaff,	Watkins,
Dunn,	Lafore,	Pichney,	Weidner,

Erb,  
Ewing,  
Fenrich,  
Ferster,  
Filip,  
Fllo,  
Firmstone,  
Flack,  
Frost,  
Gaffney,  
Greer,  
Gibson,  
Gleason,  
Good,

Lederer,  
Leisey,  
Leonard, L.,  
Leonard, W. C.,  
Leven,  
Light,  
Limper,  
Loftus,  
Lopresti,  
Lovett,  
Lutty,  
Lyons,  
Madden,  
Madigan,

Pitzer,  
Polaski,  
Polen,  
Price, H. W. Jr.,  
Price, R. A.,  
Readinger,  
Reagan,  
Reese,  
Reidenbach,  
Reilly, J. M.,  
Rigby,  
Riley, R. L.,  
Robertson,  
Rose,

Welsh,  
Wescott,  
Whalley,  
Wheeler,  
White,  
Williams,  
Wilt,  
Wood,  
Yeakel,  
Yester,  
Yetzer,  
Young,  
Ziegler,  
Sorg,

Speaker

#### NAYS—0

#### NOT VOTING—3

DuBois,

Swartz,

Westrick,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

### SENATE MESSAGE

#### AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

#### HOUSE BILL No. 1721.

An Act making an appropriation to the State Treasurer for the purpose of paying salaries and wages of State Officers and employes and other ordinary and general expenses in the interim between the thirty-first day of May one thousand nine hundred fifty-one and such time as the funds provided by the General Appropriation Act and other appropriation acts become available and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred fifty-one

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the Title, page 1, line 6, by inserting after line 5 the following: "and other appropriation acts".

Amend Section 1, page 2, line 1, by striking out after the word "of" the following: "forty million dollars (\$40,000,000) and inserting in lieu thereof the following: "eighty million dollars (\$80,000,000)".

Amend Section 1, page 2, line 8, by inserting after the word "Act" the following: "and other appropriation acts".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. JOHNSON. I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—204

Amarando,	Goodling,	Markley,	Rovansek.
Andrews,	Graybill,	Maxwell,	Royer,
Banker,	Greenwood,	Mazza,	Rubin,
Barkdoll,	Greer,	McConnell,	Sarra,
Baumunk,	Guarnieri,	McCormack,	Sax,
Bear,	Gutendorf,	McCullough,	Scanlon,



Beaver,	Guthrie,	McDermitt,	Schmidt,
Beech,	Hagerty,	McNally,	Schuster,
Berkstresser,	Hall,	McGee,	Scott,
Blair,	Hamilton, R. K.,	McInroy,	Seyler,
Bloom,	Hamilton, W. H.,	McKinney,	Shoemaker,
Boles,	Harney,	McMillen,	Shotwell,
Bolton,	Haudenshield,	Metz,	Smith,
Bombberger,	Headlee,	Mihm,	Snider,
Boorse,	Helm,	Mikula,	Sollenberger.
Bower,	Hersch,	Miller, H. G.,	Spencer,
Breisch,	Hewitt,	Miller, J. C.,	Stank,
Breth,	Hocker,	Mills,	Stimmel,
Brown,	Hoggard,	Mintess,	Stoner,
Buchlin,	Hunter,	Monroe,	Swope,
Byrne,	Jenkins,	Moore, C. E.,	Tahl,
Cella,	Johnson,	Moore, H. A.,	Taylor,
Clapper,	Jones, G. E.,	Moran,	Thompson, E. F.,
Clendening,	Jones, J. M.,	Muldowney,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Munley,	Toll,
Conway,	Jones, T. H. W.,	Murray,	Tompkins,
Cooper,	Jump,	Musto,	Toomey,
Corr,	Kamyk,	Najaka,	VanSant,
Costa,	Keller,	Naugle,	Varallo,
Coyle,	Kent,	Needham,	Varnier,
Dairympie,	Kline,	Olsen,	Verona,
Davis,	Kohl,	Penglase,	Wachhaus,
Dennison,	Kolankiewicz,	Peta,	Wargo,
Dougherty,	Kornick,	Petrosky,	Waterhouse,
Dowling,	Kratz,	Pettigrew,	Watkins,
Duffy,	Kubacki,	Pfaff,	Weldner,
Dunn,	Lafore,	Pichney,	Welsh,
Erb,	Lederer,	Pitzer,	Wescott,
Ewing,	Lelsey,	Polaski,	Whalley,
Fenrich,	Leonard, L.,	Polen,	Wheeler,
Ferster,	Leonard, W. C.,	Price, H. W. Jr.,	Williams,
Filip,	Leven,	Price, R. A.,	Wilt,
Filo,	Light,	Readinger,	Wood,
Firmstone,	Limper,	Reagan,	Yeakel,
Flack,	Loftus,	Reese,	Yester,
Frost,	Lopresti,	Reidenbach,	Yetzer,
Gaffney,	Lovett,	Reilly, J. M.,	Young,
Geer,	Lutty,	Rigby,	Ziegler,
Gibson,	Lyons,	Riley, R. L.,	Sorg,
Gleason,	Madden,	Robertson,	
Good,	Madigan,	Rose,	Speaker
		Rosen,	

## NAYS—0

## NOT VOTING—3

DuBois, Swartz, Westrick,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

## COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE CONCURRENT RESOLUTION  
RECALLING HOUSE BILL No. 356.

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, September 26, 1951.  
To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 356, Printer's No. 897, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

JOHN S. FINE.

## COMMUNICATION AND BILL LAID ON TABLE

Mr. McMILLEN. Mr. Speaker, I move that the com-

munication from the Governor together with the bill be laid on the table.

The motion was agreed to.

## COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE CONCURRENT RESOLUTION  
RECALLING HOUSE BILL No. 826.

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, September 26, 1951.  
To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 826, Printer's No. 854, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

JOHN S. FINE.

## COMMUNICATION AND BILL LAID ON TABLE

Mr. SMITH. Mr. Speaker, I move that the communication from the Governor together with the bill be laid on the table.

The motion was agreed to.

## COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

## APPROVAL OF HOUSE BILL No. 1484.

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, September 27, 1951.  
To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1484, Printer's No. 743, entitled "An Act to facilitate vehicular traffic across the Commonwealth by providing for the construction operation and maintenance of a turnpike from a connection with the Pennsylvania Turnpike System at such point east of the Susquehanna River as the Pennsylvania Turnpike Commission may decide is most feasible and practicable to a point on or near the boundary line between the Commonwealth of Pennsylvania and the State of New York between the Susquehanna and Delaware Rivers and conferring powers and imposing duties on the Pennsylvania Turnpike Commission authorizing the issuance of turnpike revenue bonds notes or other obligations of the Commonwealth payable solely from revenues of the Commission including tolls or from such funds as may be available to the Commission for that purpose to pay the cost of such turnpike providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act providing for the collection of tolls for the payment of such bonds notes or other obligations and for the cost of maintenance operation and repair of the turnpike making such turnpike bonds notes or other obligations exempt from taxation constituting the same legal investments in certain instances requiring suits against the Commission to be brought in Dauphin County prescribing conditions on which such turnpike shall become free providing for grade separations grade changes relocations restorations and vacation of public roads and State highways affected by the turnpike providing for the purchasing or con-



demnation of land and procedure for determining damages in condemnation granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the Commission and authorizing the issuance of turnpike revenue refunding bonds."

JOHN S. FINE.

### BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

#### HOUSE BILL No. 1720.

An Act making an appropriation to the Department of Property and Supplies for the payment of rates rentals and other charges that may become due on leases and other contracts executed by such department with The General State Authority for the use and occupancy by the Commonwealth of various projects structures buildings and facilities of the Authority or for the service rendered by the Authority or its projects

#### HOUSE BILL No. 1721.

An Act making an appropriation to the State Treasurer for the purpose of paying salaries and wages of State Officers and employes and other ordinary and general expenses in the interim between the thirty-first day of May one thousand nine hundred fifty-one and such time as the funds provided by the General Appropriation Act and other appropriation acts become available and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred fifty-one

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

MR. HALL IN THE CHAIR

### SENATE MESSAGES

#### AMENDED SENATE BILLS RECALLED FROM THE GOVERNOR RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows:

#### SENATE BILL No. 836.

An Act making an appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred fifty-one

Said bill having been recalled from the Governor for the purpose of amendment. The vote had on final passage and third reading on said bill was reconsidered in the Senate and the bill amended, in which amendments the concurrence of the House of Representatives is requested.

The SPEAKER Pro Tempore. The Clerk will read the amendments as follows:

The Clerk read the amendments as follows:

Amend the bill, Section 1, Page 1, line 1, by striking out after the word "of" the words and figures "ten million dollars (\$10,000,000)" and inserting in lieu thereof the words and figures "twenty-five million dollars (25,000,000)".

Amend Section 3, Page 3, line 2, by striking out after line 1 the words and figures "one hundred twenty thousand dollars (120,000)" and inserting in lieu thereof the words and figures "two hundred thousand dollars

(\$200,000)"; page 3, line 4, by striking out after the word "of" the words and figures "sixty-five thousand dollars (\$65,000)" and inserting in lieu thereof the words and figures "one hundred forty thousand dollars (\$140,000)".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. JOHNSON. I request that the house concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken as follows:

#### YEAS—204

Amarando,	Goodling,	Markley,	Revanssek.
Andrews,	Graybill,	Maxwell,	Royer,
Banker,	Greenwood,	Mazza,	Rubin,
Barkdoll,	Greer,	McConnell,	Sarraff,
Baumunk,	Guarnieri,	McCormack,	Sax,
Bear,	Gutendorf,	McCullough,	Scanlon,
Beaver,	Guthrie,	McDermitt,	Schmidt,
Beech,	Hagerty,	McGee,	Schuster,
Berkstresser,	Hall,	McInroy,	Scott,
Blair,	Hamilton, R. K.,	McKinney,	Seyler,
Bloom,	Hamilton, W. H.,	McMillen,	Shoemaker,
Boies,	Harney,	McNally,	Shotwell,
Bolton,	Haudenshield,	Metz,	Smith,
Bomberger,	Headlee,	Mihm,	Snider,
Bomse,	Helm,	Mikula,	Sollenberger,
Bower,	Hersch,	Miller, H. G.,	Spencer,
Breisch,	Hewitt,	Miller, J. C.,	Stank,
Breth,	Hocker,	Mills,	Stimmel,
Brown,	Hoggard,	Mintess,	Stoner,
Buchin,	Hunter,	Monroe,	Swope,
Byrne,	Jenkins,	Moore, C. E.,	Tahl,
Cella,	Johnson,	Moore, H. A.,	Taylor,
Clapper,	Jones, G. E.,	Moran,	Thompson, E. F.,
Clendenning,	Jones, J. M.,	Muldowney,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Munley,	Toll,
Conway,	Jones, T. H. W.,	Murray,	Tompkins,
Cooper,	Jump,	Musto,	Toomey,
Corr,	Kamyk,	Najaka,	VanSant,
Costa,	Keller,	Naugle,	Varallo,
Coyle,	Kent,	Needham,	Varnier,
Dalrymple,	Kline,	Olsen,	Verona,
Davis,	Kohl,	Penglase,	Wachhaus,
Dennison,	Kolankiewicz,	Peta,	Wargo,
Dougherty,	Kornick,	Petrosky,	Waterhouse,
Dowling,	Kratz,	Pettigrew,	Watkins,
Duffy,	Kubacki,	Pfaff,	Weidner,
Dunn,	Lafore,	Pichney,	Welsh,
Erb,	Lederer,	Pitzer,	Wescott,
Ewing,	Lelsey,	Polaski,	Whalley,
Fenrich,	Leonard, L.,	Polen,	Wheeler,
Ferster,	Leonard, W. C.,	Price, H. W. Jr.,	White,
Filip,	Leven,	Price, R. A.,	Williams,
Filo,	Light,	Readinger,	Wilt,
Firmstone,	Limper,	Reagan,	Wood,
Flack,	Loftus,	Reese,	Yeakel,
Frost,	Lopresti,	Reidenbach,	Yester,
Gaffney,	Lovett,	Reilly, J. M.,	Yetzer,
Gibson,	Lutty,	Rigby,	Young,
Geer,	Lyons,	Riley, R. L.,	Ziegler,
Gleason,	Madden,	Robertson,	Sorg,
Good,	Madigan,	Rose,	Speaker
		Rosen,	

#### NAYS—0

#### NOT VOTING—3

DuBois, Swartz, Westrick,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows:



## SENATE BILL No. 739.

An Act providing for the construction by The General State Authority of an addition of a medical and surgical hospital to the Philadelphia State Hospital on lands heretofore or about to be conveyed to it by The Mercy-Douglass Hospital and authorizing the Department of Property and Supplies to sublease said lands and building to the Mercy-Douglass Hospital

Said bill having been recalled from the Governor for the purpose of amendment. The vote had on final passage and third reading on said bill was reconsidered in the Senate and the bill amended, in which amendments the concurrence of the House of Representatives is requested

The SPEAKER Pro Tempore. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the title, Page 1, Line 3, by striking out after the word "on" the words "a site heretofore" and inserting in lieu thereof the words "lands heretofore or about to be"; page 1, line 6, by striking out after the word "said" the word "land" and inserting in lieu thereof the word "lands".

Amend the bill, Section 1, Page 2, line 3, by striking out after the word "on" the words "that certain site heretofore" and inserting in lieu thereof the words "those certain lands heretofore or about to be"; page 2, line 8, by striking out after the word "which" the words "site is" and inserting in lieu thereof the words "lands are"; page 2, line 10, by striking out after the word "all" the words "that certain tract" and inserting in lieu thereof the words "those certain tracts"; page 3, line 1, by striking out after the word "distances" the following: "south forty-nine degrees twenty-seven minutes thirty seconds west ninety-eight feet north forty degrees thirty-two minutes thirty seconds west one hundred and eleven feet south forty-nine degrees twenty-seven minutes thirty seconds west two hundred and four feet south forty degrees thirty-two minutes thirty second east one hundred and eleven feet and south forty-nine degrees twenty-seven minutes thirty seconds west ninety-eight feet" and inserting in lieu thereof the following: "south forty-nine degrees twenty-seven minutes thirty seconds west ninety-eight feet to a point thence north forty degrees thirty-two minutes thirty seconds west one hundred eleven feet to a point thence south forty-nine degrees twenty-seven minutes thirty seconds east fifteen feet to a point thence south forty-nine degrees twenty-seven minutes thirty seconds west one hundred forty-three feet to a point thence north forty degrees thirty-two minutes thirty seconds west fifteen feet to a point thence south forty-nine degrees twenty-seven minutes thirty seconds west thirty and five-tenths feet to a point thence north forty-nine degrees twenty-seven minutes thirty seconds east one hundred eleven feet to a point thence north forty-nine degrees twenty-seven minutes thirty seconds east fifty feet to a point thence south forty-nine degrees twenty-seven minutes thirty seconds west one hundred forty-five feet".

Amend page 4, line 15, by striking out after the word "and" the words "thirty-six" and inserting in lieu thereof the words "eighty-six"; page 4, line 19, by striking out after the word "containing" the figures "1,647" and inserting in lieu thereof the figures "1,862", page 5 by striking out all of lines 1 to 5 inclusive and the first two words on line 6, and inserting in lieu thereof the words "and upon".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. JOHNSON. I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—204

Amarando,	Goodling,	Markley,	Rosen,
Andrews,	Graybill,	Maxwell,	Rovanssek,
Banker,	Greenwood,	Mazza,	Royer,
Barkdoll,	Greer,	McConnell,	Rubin,
Baumunk,	Guarnieri,	McCormack,	Sarraf,
Bear,	Gutendorf,	McCullough,	Sax,
Beaver,	Guthrie,	McDermitt,	Scanlon,
Beech,	Hagerty,	McGee,	Schmidt,
Berkstresser,	Hall,	McInroy,	Schuster,
Blair,	Hamilton, R. K.,	McKinney,	Scott,
Bloom,	Hamilton, W. H.,	McMillen,	Seyler,
Boles,	Harney,	McNally,	Shoemaker,
Bolton,	Haudenshield,	Metz,	Shotwell,
Bomberger,	Headlee,	Mihm,	Schuster,
Boorse,	Helm,	Mikula,	Snyder,
Bower,	Hersch,	Miller, H. G.,	Sollenberger,
Breisch,	Hewitt,	Miller, J. C.,	Spencer,
Breth,	Hocker,	Mills,	Stank,
Brown,	Hoggard,	Mintess,	Stimmel,
Bucchn,	Hunter,	Monroe,	Stoner,
Byrne,	Jenkins,	Moore, C. E.,	Swope,
Cella,	Johnson,	Moore, H. A.,	Tahl,
Clapper,	Jones, G. E.,	Moran,	Taylor,
Clendenning,	Jones, J. M.,	Muldowney,	Thompson, E. F.,
Cochran,	Jones, P. F.,	Munley,	Thompson, R. L.,
Conway,	Jones, T. H. W.,	Murray,	Toll,
Cooper,	Jump,	Musto,	Tompkins,
Corr,	Kamyk,	Najaka,	Toomey,
Costa,	Keller,	Naugle,	VanSant,
Coyle,	Kent,	Needham,	Varallo,
Dalrymple,	Kline,	Olsen,	Vanner,
Davis,	Kohl,	Pengilase,	Verona,
Jennison,	Kolankiewicz,	Peta,	Wachhaus,
Dougherty,	Lafore,	Petrosky,	Wargo,
Duff,	Kornick,	Pettigrew,	Waterhouse,
Dunn,	Kratz,	Pfaff,	Watkins,
Erb,	Kubacki,	Pichney,	Weidner,
Ewing,	Lederer,	Pitzer,	Welsh,
Fenrich,	Leisey,	Polaski,	Wescott,
Ferster,	Leonard, L.,	Polen,	Whalley,
Fillip,	Leonard, W. C.,	Price, H. W. Jr.,	Wheeler,
Filo,	Leven,	Price, R. A.,	White,
Harmstone,	Light,	Readinger,	Williams,
Flack,	Limper,	Reagan,	Wilt,
Frost,	Loftus,	Reese,	Wood,
Gaffney,	Lopresti,	Reidenbach,	Yeakel,
Geer,	Lovett,	Relly, J. M.,	Yester,
Gibson,	Lutty,	Rigby,	Yetzer,
Gleason,	Lyons,	Riley, R. L.,	Young,
Good,	Madden,	Robertson,	Ziegler,
	Madigan,	Rose,	Sorg,

Speaker

## NAYS—0

## NOT VOTING—3

DuBois, Swartz, Westrick,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

## BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 647, entitled:

An Act to further amend Section 429 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers



Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions and prescribing the manner in which the salaries of the members of the Pennsylvania Securities Commission

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 652, entitled:

An Act to further amend the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by providing credit for retirement purposes for out-of-state service in certain cases

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

### BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 187, entitled:

An Act to fix the salaries and compensation of the judges of the Supreme Court the judges of the Superior Court the judges of the courts of common pleas the judges of the orphans' courts the judges of the Municipal Court of Philadelphia and the judges of the County Court of Allegheny County certain associate judges not learned in the law and repealing certain acts inconsistent herewith

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

### BILL RECOMMITTED

Mr. SMITH. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations for the purpose of further study.

The motion was agreed to.

Agreeably to order.

The House proceeded to the second reading and consideration of Senate Bill No. 188, entitled:

An Act to amend Section 1 of the act, approved the twelfth day of July, one thousand nine hundred thirteen (P. L. 711), entitled "An act establishing a court for the county of Philadelphia; prescribing its jurisdiction and

powers; providing for the service of its writs, process, or warrants by the proper officers of the county or city of Philadelphia; regulating the procedure therein, and appeals therefrom, and providing for the expenses thereof," by increasing the number of judges of the Municipal Court of Philadelphia.

The first section was read and agreed to.

The second section was read.

On the question,

Will the House agree to the section?

Mr. TOMPKINS offered the following amendments:

Amend Sec. 2, (Sec. 2), page 3, line 12, by inserting a bracket before the word "and."

Amend Sec. 2, (Sec. 2), page 3, line 17, by inserting a bracket after the word "election."

They were agreed to.

The section was agreed to as amended.

The third section was read and agreed to.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 482, entitled:

An Act to amend Section 771 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for suitable ceremonies affirming and developing allegiance to the Flag of the United States and our American way of life and organization of government

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 666, entitled:

An Act to further amend clause (a) of Section 503 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of



the Commonwealth" by clarifying the provisions relating to the jurisdiction and duty of the Board of Finance and Revenue to hear and determine certain petitions for refund by clarifying the provisions relating to the time for filing of certain petitions for refunds and eliminating obsolete provisions.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

#### BILL POSTPONED

Mr. HELM. Mr. Speaker, I move that this bill be placed on the third reading postponed calendar.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 753, entitled:

An Act providing for an enumeration of persons subject to per capita and occupation taxes in counties wherein are situated school districts of the second third and fourth class placing the expense thereof on taxing districts levying such taxes conferring powers and imposing duties on boards of school directors of such school districts county commissioners and chief county assessors in such counties

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

#### BILL RECOMMENDED

Mr. HELM. Mr. Speaker, I move that this bill be recommended to the Committee on Municipal Corporations for the purpose of further study and amendment.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 769, entitled:

An Act requiring all buildings under construction or alteration which are to be five stories or more in height to be equipped with a temporary hoist or hoisting device or equipment for the use of building construction workmen imposing certain duties upon the Department of Labor and Industry and providing penalties

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

#### BILL POSTPONED

Mr. WILBUR H. HAMILTON. Mr. Speaker, I move that this bill be placed on the third reading postponed calendar.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 816, entitled:

An Act to facilitate vehicular traffic across the Commonwealth by providing for the construction operation and maintenance of a turnpike from a connection with the Pennsylvania Turnpike System at such point west of the Susquehanna River as the Pennsylvania Turnpike Commission may decide is most feasible and practicable to a point on or near the boundary line between the Commonwealth of Pennsylvania and the State of Mary-

land in the general vicinity of Gettysburg and conferring powers and imposing duties on the Pennsylvania Turnpike Commission authorizing the issuance of turnpike revenue bonds notes or other obligations of the Commonwealth payable solely from revenues of the Commission including tolls or from such funds as may be available to the Commission for that purpose to pay the cost of such turnpike providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act providing for the collection of tolls for the payment of such bonds notes or other obligations and for the cost of maintenance operation and repair of the turnpike making such turnpike bonds notes or other obligations exempt from taxation constituting the same legal investments in certain instances requiring suits against the Commission to be brought in Dauphin County prescribing conditions on which such turnpike shall become free providing for grade separations grade changes relocations restorations and vacation of public roads and State highways affected by the turnpike providing for the purchasing or condemnation of land and procedure for determining damages in condemnation granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the Commission and authorizing the issuance of turnpike revenue refunding bonds

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

#### BILL POSTPONED

Mr. GOODLING. Mr. Speaker, I move that this bill be placed on the third reading postponed calendar.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 832, entitled:

An Act to amend rule fifty-five of article XII of the act approved the second day of June one thousand eight hundred ninety-one (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" by permitting the removal of props or timber by blasting or by means of a prop puller

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 845, entitled:

An Act to further amend Rule 12 and to amend Rule 14 of Article XII of the act approved the second day of June one thousand eight hundred ninety-one (P. L. 176) entitle "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" by authorizing the use of roof bolts and other practical devices in working places

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

#### BILLS ON FINAL PASSAGE RECALLED FROM GOVERNOR

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1057, as follows:



An Act to add Section 6.1 to the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1216) entitled "An act to define real estate brokers and real estate salesmen and providing for the licensing regulation and supervision of resident and nonresident real estate brokers and real estate salesmen and their business" by authorizing the issuance of limited real estate brokers' and salesmen's licenses exclusively within the limited field or branch of the real estate business applying to cemetery lots plots and mausoleum spaces or openings and conferring powers and imposing duties upon the Department of Public Instruction and the State Real Estate Commission with respect to examination for and the issuance of such licenses

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1216) entitled "An act to define real estate brokers and real estate salesmen and providing for the licensing regulation and supervision of resident and nonresident real estate brokers and real estate salesmen and their business" is hereby amended by adding after Section 6 a new section to read as follows

Section 6.1 (a) The department is hereby authorized and empowered to issue limited real estate brokers' and salesmen's licenses to any person copartnership association or corporation desiring to engage in or carry on the business or act in the capacity of a real estate broker or a real estate salesman within the Commonwealth exclusively within the limited field or branch of such business which applies to cemetery lots plots and mausoleum spaces or openings and for such purpose the commission shall conduct limited examinations as are in the judgment of the commission necessary to ascertain whether the applicant for such limited licensure has a proper knowledge of that field

(b) Applicants for said limited licensure shall first submit to and pass an examination prepared by the commission such examinations to be conducted at such times in such special field and subject to such conditions as the commission by rules and regulations shall prescribe

(c) Limited licenses issued by the department under the provisions of this section shall clearly state on the face thereof the field to which such limited license is applicable and the holder of any such limited license shall not engage in or carry on the business or act in the capacity of a real estate broker or real estate salesman except in the limited field for which he holds the license

(d) Except as herein otherwise provided all the provisions of this act shall apply to applicants for and persons holding limited licenses issued by the department under the provisions of this section

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—204

Amarando,	Graybill,	Maxwell,	Rovanssek,
Andrews,	Greenwood,	Mazza,	Royer,
Banker,	Greer,	McConnell,	Rubin,
Barkdoll,	Guarnieri,	McCormack,	Sarraff,
Baumunk,	Gutendorf,	McCullough,	Sax,
Bear,	Guthrie,	McDermitt,	Scanlon,
Beaver,	Hagerty,	McGee,	Schmidt,
Beech,	Hall,	McInroy,	Schuster,
Berkstresser,	Hamilton, R. K.,	McKinney,	Scott,
Blair,	Hamilton, W. H.,	McMillen,	Seyler,
Bloom,	Harney,	McNally,	Shoemaker,
Boles,	Haushield,	Metz,	Schotwell,
Bolton,	Headlee,	Mihm,	Smith,
Bomberger,	Helm,	Mikula,	Snider,
Boorse,	Hersch,	Miller, H. G.,	Sollenberger,
Bower,	Hewitt,	Miller, J. C.,	Spencer,
Breisch,	Hocker,	Mills,	Stank,
Breth,	Hoggard,	Minness,	Stimmel,
Brown,	Hunter,	Monroe,	Stoner,
Buchin,	Jenkins,	Moore, C. E.,	Swope,
Byrne,	Johnson,	Moore, H. A.,	Tahl,

Cella,	Jones, G. E.,	Moran,	Taylor,
Clapper,	Jones, J. M.,	Muldowney,	Thompson, E. F.,
Clendening,	Jones, P. F.,	Munley,	Thompson, R. L.,
Cochran,	Jones, T. H. W.,	Murray,	Toll,
Conway,	Jump,	Musto,	Tompkins,
Cooper,	Kamyk,	Najaka,	Toomey,
Corr,	Keller,	Naugle,	VanSant,
Costa,	Kent,	Needham,	Varallo,
Coyle,	Kline,	Olsen,	Varner,
Dalrymple,	Kohl,	Penglase,	Verona,
Davis,	Kolankiewicz,	Peta,	Wachhaus,
Dennison,	Kornick,	Petrosky,	Wargo,
Dougherty,	Kratz,	Pettigrew,	Waterhouse,
Dowling,	Kubacki,	Pfaff,	Watkins,
Duffy,	Lafore,	Pichney,	Weidner,
Dunn,	Lederer,	Pitzer,	
Erb,	Leisey,	Polaski,	Wescott,
Ewing,	Leonard, L.,	Polen,	Whalley,
Fenrich,	Leonard, W. C.,	Price, H. W. Jr.,	Wheeler,
Ferster,	Leven,	Price, R. A.,	White,
Filip,	Light,	Readinger,	Williams,
Filo,	Limper,	Reagan,	Wilt,
Firmstone,	Loftus,	Reese,	Wood,
Flack,	Lopresti,	Reidenbach,	Yeakel,
Frost,	Lovett,	Reilly, J. M.,	Yester,
Gaffney,	Lutty,	Rigby,	Yetzer,
Geer,	Lyons,	Riley, R. L.,	Young,
Gibson,	Madden,	Robertson,	Ziegler,
Gleason,	Madigan,	Rose,	Sorg,
Good,	Markley,	Rosen,	Speaker
Goodling,			

#### NAYS—0

#### NOT VOTING—3

DuBols,	Swartz,	Westrick,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order

The House proceeded to the consideration on final passage of House Bill No. 1293, as follows:

An Act to amend the act approved the first day of June one thousand nine hundred forty-five (P. L. 1340) entitled "An act relating to the financial responsibility of operators and owners of motor vehicles and to make uniform the law with reference thereto requiring owners and operators in certain cases to furnish proof of financial responsibility providing for the suspension of operator's licenses and motor vehicles registration certificates in certain cases regulating insurance policies which may be accepted as proof of financial responsibility imposing duties upon the Secretary of Revenue the State Treasurer and prothonotaries and prescribing penalties" by clarifying and extending the provisions of the act to include certain vehicles of the tractor type authorizing the secretary of revenue to prescribe the contents of accident reports altering certain penalties and providing for the disposition of fines

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The definition of "motor vehicle" in Section 1 of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1340) entitled "An act relating to the financial responsibility of operators and owners of motor vehicles and to make uniform the law with reference thereto requiring owners and operators in certain cases to furnish proof of financial responsibility providing for the suspension of operator's licenses and motor vehicle registration certificates in certain cases regulating insurance policies which may be accepted as proof of financial responsibility imposing duties upon the Secretary of Revenue the State Treasurer and prothonotaries and prescribing penalties" is hereby amended to read as follows

Section 1 Definitions The following words and phrases when used in this act shall for the purposes of this act



have the meaning respectively ascribed to them in this section except in those instances where the context clearly indicates a different meaning

\* \* \* \* \*

"Motor Vehicle" Every self-propelled vehicle which is designed for use upon a highway of which may be used upon a highway including trailers and semi-trailers designed for use with such vehicles and vehicles of the tractor type [I] except traction engines road rollers combines farm tractors (vehicles of the tractor type which are self-propelled designed and used primarily as farm implements for drawing plows mowing machines and other implements of husbandry) exempt from registration tractor cranes [power shovels] and well drillers[I]

Section 2 Section 4 5 and 32 of said act as amended by the act approved the twelfth day of May one thousand nine hundred forty-nine (P. L. 1279) are hereby further amended to read as follows

Section 4 Additional Information Required in Accident Reports Effect of Failure to Report Accidents In addition to the information required by "The Vehicle Code" in the report of a motor vehicle accident such report shall contain such information as may be prescribed by the secretary to enable [the secretary] him to determine whether the requirements for the deposit of security under section five of this act are inapplicable by reason of the existence of insurance or other exceptions specified in this act or to make appraisal of all operative facts

The secretary shall suspend the license or any non-resident's operating privilege of any person who wilfully fails refuses or neglects to make report of a motor vehicle accident as required by the laws of this State until such report has been filed and for such further period as may be determined in accordance with the provisions of section five of this act

Section 5 Security Required Unless Evidence of Insurance When Security Determined Suspension Exceptions (a) If twenty (20) days after the receipt of a report of a motor vehicle accident within this State which has resulted in bodily injury or death or damage to the property of any one person in excess of one hundred dollars (\$100.00) the secretary does not have on file evidence satisfactory to him that the person who would otherwise be required to file security under subsection (b) of this section has (1) been released from liability or (2) has been finally adjudicated not to be liable or (3) has executed a warrant for confession of judgment payable in such installments as the parties have agreed to or (4) has executed a duly acknowledged written agreement providing for the payment of an agreed amount in installments with respect to all claims for injuries or damages resulting from the accident the secretary shall determine the amount of security which in his judgment shall be sufficient to satisfy any judgment or judgments that may be recovered against each operator or owner for damages resulting from such accident

(b) The secretary shall within sixty (60) days after the receipt of such report of a motor vehicle accident suspend the license of each operator and all registrations of each owner of a motor vehicle in any manner involved in such accident and if such operator is a nonresident the privilege of operating a motor vehicle within this State and if such owner is a nonresident the privilege of the use within this State of any motor vehicle owned by him unless such operator or owner or both shall deposit security in the sum so determined by the secretary Notice of such suspension shall be sent by the secretary to such operator and owner not less than ten (10) days prior to the effective date of such suspension and shall state the amount required as security Where erroneous information is given the secretary with respect to the matters set forth in clauses (1) (2) or (3) of subsection (c) of this section he shall take appropriate action as hereinbefore provided within sixty (60) days after receipt by him of correct information with respect to such matters

(c) This section shall not apply under the conditions stated in section six or to any of the following

(1) To such operator or owner if such owner had in effect at the time of such accident an automobile liability

policy with respect to the motor vehicle involved in such accident

(2) To such operator if not the owner of such motor vehicle if there was in effect at the time of such accident an automobile liability policy or bond with respect to his operation of motor vehicles not owned by him

(3) To such operator or owner if the liability of such operator or owner for damages resulting from such accident is in the judgment of the secretary covered by any other form of liability insurance policy or bond or

(4) To any person qualified as a self-insurer under section thirty four

(d) No such policy or bond shall be effective under this section unless issued by an insurance company or surety company authorized to do business in this State except that if such motor vehicle was not registered in this State or was a motor vehicle which was registered elsewhere than in this State at the effective date of the policy or bond or the most recent renewal thereof such policy or bond shall not be effective under this section unless the insurance company or surety company if not authorized to do business in this State shall execute a power of attorney authorizing the secretary to accept service on its behalf of notice or process in any action upon such policy or bond arising out of such accident provided however every such policy or bond is subject if the accident has resulted in bodily injury or death to a limit exclusive of interest and costs of not less than five thousand dollars (\$5000.00) because of bodily injury to or death of one person in any one accident and subject to said limit for one person to a limit of not less than ten thousand dollars (\$10,000.00) because of bodily injury to or death of two or more persons in any one accident and if the accident has resulted in injury to or destruction of property to a limit of not less than one thousand dollars (\$1000.00) because of injury to or destruction of others in any one accident

Section 32 Other Violations Penalties (a) Any person whose license or registration or nonresident's operating privilege has been suspended or revoked under this act and who during such suspension or revocation drives any motor vehicle upon any highway or knowingly permits any motor vehicle owner by such person to be operated by another upon any highway except as permitted under this act shall be guilty of a misdemeanor and upon conviction shall be fined not more than five hundred dollars (\$500) or [imprisonment] imprisoned not exceeding six (6) months or both in the discretion of the court

(b) Any person wilfully failing to return a license or registration as required in section thirty-one shall upon summary conviction before a magistrate be fined [not more than five hundred dollars (\$500) or imprisoned not to exceed] one hundred dollars (\$100) and costs of prosecution and in default of the payment thereof shall undergo imprisonment for thirty (30) days [or both in the discretion of the court]

(c) Any person who gives any information required by the secretary under section four of this act in a report of a motor vehicle accident knowing or having reason to believe that such information is false or who [shall] forges makes a false affidavit in connection with any transaction under this act or who forges without authority [sign] signs any evidence of proof of financial responsibility or who files or offers for filing any such notice or evidence of proof knowing or having reason to believe that it is forged or signed without authority shall be guilty of a misdemeanor and upon conviction shall be fined not more than one thousand dollars (\$1,000.00) or imprisoned not more than (1) year or both in the discretion of the court

(d) Any person who shall violate any provision of this act for which no penalty is otherwise provided shall be guilty of a misdemeanor and upon conviction shall be fined not more than five hundred dollars (\$500) or imprisoned not more than ninety (90) days or both in the discretion of the court

(e) All fines and penalties imposed pursuant to the provisions of this act shall be paid to the Commonwealth

Section 3 Section 35 of said act is hereby repealed

On the question,



Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—204

Amarando,	Graybill,	Maxwell,	Rovansek,
Andrews,	Greenwood,	Mazza,	Royer,
Banker,	Greer,	McConnell,	Rubin,
Barkdoll,	Guarnieri,	McCormack,	Sarraf,
Baumunk,	Gutendorf,	McCullough,	Sax,
Bear,	Guthrie,	McDermitt,	Scanlon,
Beaver,	Hagerty,	McGee,	Schmidt,
Beech,	Hall,	McInroy,	Schuster,
Berkstresser,	Hamilton, R. K.,	McKinney,	Scott,
Blair,	Hamilton, W. H.,	McMillen,	Seyler,
Bloom,	Harney,	McNally,	Shoemaker,
Boles,	Haudenshield,	Metz,	Shotwell,
Bolton,	Headlee,	Mihm,	Smith,
Bomberger,	Helm,	Mikula,	Snider,
Boorse,	Hersch,	Miller, H. G.,	Sollenberger,
Bower,	Hewitt,	Miller, J. C.,	Spencer,
Breisch,	Hocker,	Mills,	Stank,
Breth,	Hoggard,	Mintess,	Stimmel,
Brown,	Hunter,	Monroe,	Stoner,
Bucchin,	Jenkins,	Moore, C. E.,	Swope,
Byrne,	Johnson,	Moore, H. A.,	Tahl,
Cella,	Jones, G. E.,	Moran,	Taylor,
Clapper,	Jones, J. M.,	Muldowney,	Thompson, E. F.,
Clendening,	Jones, P. F.,	Munley,	Thompson, R. L.,
Cochran,	Jones, T. H. W.,	Murray,	Toll,
Conway,	Jump,	Musto,	Tompkins,
Cooper,	Kamyk,	Najaka,	Toomey,
Corr,	Keller,	Naugle,	VanSant,
Costa,	Kent,	Needham,	Varallo,
Coyle,	Kline,	Olsen,	Varner,
Dalrymple,	Kohl,	Penglase,	Verona,
Davis,	Kolankiewicz,	Peta,	Wachhaus,
Dennison,	Kornick,	Petrosky,	Wargo,
Dougherty,	Kratz,	Pettigrew,	Waterhouse,
Dowling,	Kubacki,	Piaff,	Watkins,
Duffy,	Lafore,	Pichney,	Weldner,
Dunn,	Lederer,	Pitzer,	Welsh,
Erb,	Lelsey,	Polaski,	Wescott,
Ewing,	Leonard, L.,	Polen,	Whalley,
Fenrich,	Leonard, W. C.,	Price, H. W. Jr.,	Wheeler,
Ferster,	Leven,	Price, R. A.,	White,
Filip,	Light,	Readinger,	Williams,
Filo,	Limper,	Reagan,	Wilt,
Firmstone,	Loftus,	Reese,	Wood,
Flack,	Lopresti,	Reidenbach,	Yeakel,
Frost,	Lovett,	Reilly, J. M.,	Yester,
Gaffney,	Luffy,	Rigby,	Yetzer,
Geer,	Lyons,	Riley, R. L.,	Young,
Gibson,	Madden,	Robertson,	Ziegler,
Gleason,	Madigan,	Rose,	Sorg,
Good,	Markley,	Rosen,	
Goodling,			Speaker

## NAYS—0

## NOT VOTING—3

DuBois, Swartz, Westrick,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1294, as follows:

An Act to amend the title of and the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1005) entitled "An act relating to and regulating tractors and trailers and their operation providing for their registration and the licensing of certain operators by the Department of Revenue upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this

act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of tractors and trailers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns and townships within the Commonwealth liability for damages caused by the negligent operation of tractors and trailers imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by providing that the operators of tractors shall be licensed under the Vehicle Code and further providing for the equipment of tractors

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1005) entitled "An act relating to and regulating tractors and trailers and their operation providing for their registration and the licensing of certain operators by the Department of Revenue upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of tractors and trailers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns and townships within the Commonwealth liability for damages caused by the negligent operation of tractors and trailers imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" is hereby amended to read as follows

## An Act

Relating to and regulating tractors [and trailers] and their operation providing for their registration [and the licensing of certain operators] by the Department of Revenue upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses gamistrates aldermen justices of the peace the courts and the clerks thereof owners of tractors [and trailers] providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns and townships within the Commonwealth liability for damages caused by the negligent operation of tractors [and trailers] imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds

Section 2 Section 102 of said act as amended in part by the acts approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 815) the sixth day of May one thousand nine hundred forty-three (P. L. 198) and the eighteenth day of May one thousand nine hundred forty-nine (P. L. 1456) is hereby further amended to read as follows

Section 102 Definitions The following words and phrases when used in this act shall for the purpose of this act have the meanings respectively ascribed to them in this section except in those instances where the context clearly indicates a different meaning

"Cleat" Any projection block stud flange or any other protuberance of any material other than rubber which projects beyond the outside surface of the periphery of the wheels of a tractor

"Dealer" Any person firm corporation or association engaged in the business of manufacturing or in the purchase and sale of tractors [or trailers] and who has an established place of business



"Department" The Department of Revenue of this Commonwealth

"Guide Band" And flange affixed to the center line of the outside surface of the periphery of the front or guiding wheels of a tractor

"Highway" Every way or place of whatever nature open to the use of the public as a matter of right for purposes of vehicular travel The term "highway" shall not be deemed to include a roadway or driveway upon grounds owned by private persons colleges universities or other institutions

"Magistrate" A mayor burgess magistrate alderman justice of the peace or other officer having the powers of a committing magistrate

"Operator" Every person who is in actual physical control of a tractor

"Operator's License" The license issued to any person to operate a tractor

"Owner" A person who is the legal owner of a tractor [or trailer] or in the event the tractors [or trailer] is subject to an agreement for the conditional sale or lease thereof or other like agreement with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested by the conditional vendee or lessee shall be deemed the owner for the purpose of this act

"Peace Officer" A sheriff deputy sheriff constable member of the Pennsylvania State Police State Highway Patrolman or other police officer vested with authority of arrest

"Person" Every natural person firm copartnership association or corporation

"Secretary" The Secretary of Revenue of this Commonwealth

"State" A State territory organized or unorganized or district of the United States of America

"Trailer" Every vehicle wagon or truck drawn by a tractor for hauling material or freight of any kind excepting water and fuel tanks road-graders stone-crushers saw-mills concrete mixers and agricultural equipment not self-propelled Provided however That a wagon or truck drawn by a tractors for the transportation of the agricultural products of the owner of such wagon or truck or returning from such transportation shall not be included within such definition and no fee shall be required to operate such vehicle on the public highways

"Tractor" Every vehicle of the tractor type which is self-propelled [originally constructed under a distinctive name make model or type by a generally recognized manufacturer] designed and used for drawing other vehicles and not so constructed as to carry a load thereon either independently or any part of the weight of a vehicle or load so drawn excepting road rollers ditch diggers or vehicles used exclusively upon stationary rails or tracks In the case of motor vehicles as defined in the Vehicle Code which cannot be used as motor vehicles the secretary may determine in each case whether or not such motor vehicle is of the tractor type and in making such determination the secretary shall consider the purpose for which such motor vehicle shall be used

"Farm Tractor" Every vehicle of the tractor type which is self-propelled designed and used primarily as a farm implement for drawing plows mowing machines and other implements of husbandry

"Vehicle" Every device in upon or by which any person or property is or may be transported or drawn or which may draw devices upon a highway excepting devices used exclusively upon stationary rails or tracks

Section 3 Section 201 of said act as last amended by the act approved the twenty-fifth day of April one thousand nine hundred forty-five (P. L. 303) is hereby further amended to read as follows

Section 201 Registration of Tractors [and Trailers] Required Except as hereinafter provided on tractor [or trailer] shall be operated or driven upon any highway of this Commonwealth until the said tractor [or trailer] shall have been registered with the department as hereinafter provided and the registration plate that has been issued for the vehicle for the current year is received and displayed as required by this act

Tractors [and trailers] including farm wagons and agri-

cultural equipment drawn by tractors [with or without a trailer] used exclusively by any person upon the farm or farms he owns or operates or upon highways connecting by a direct route any farms or portions of farms under the ownership or operation of such person to any other farm or to any garage for the purpose of having the same repaired shall be exempt from registration

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of ten (\$10) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

Section 4 Section 202 of said act as amended by the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 815) is hereby further amended to read as follows

Section 202 Application for Registration and Duplicates

(a) Application for registration of a tractor shall be made upon a form prescribed and furnished by the department and shall contain the make manufacturer's number character of the motive power weight and such other information as the department may require

[Application for registration of a trailer shall be made upon a form prescribed and furnished by the department and shall contain the make and the combined weight of the chassis and body if so constructed or the gross weight of the trailer exclusive of the load to be transported and such other information as the department may require]

The application shall be sworn to before a notary public or other officer empowered to administer oaths and shall contain the full name and the actual or bona fide address of the owner or owners The application shall be signed by the owner if a natural person and in the case where the owner is a corporation copartnership or association by an executive officer thereof or some person specifically authorized by said corporation copartnership or association to sign the same

(b) Upon receipt of the application and the fee provided in this act the secretary shall register the tractor [or trailer therein] described and the owner thereof in suitable books or in index cards maintaining suitable records of all registrations issued

(c) The secretary upon registering a tractor [or trailer] shall issue to the owner a registration card which shall bear thereon the registration number assigned to the owner and to the tractor [or trailer] the name and address of the owner also a description of the vehicle and such other statement of facts as may be determined by the secretary The owner upon receiving the registration card shall sign the usual signature or name of such owner with pen and ink in the space provided

(d) In the event of a lost destroyed or illegible registration card application shall be made to the department within forty-eight (48) hours of the discovery of the loss of such registration card for a duplicate registration card upon a form furnished by the department and accompanied by the fee provided in this act Thereupon the department shall issue a duplicate registration card to the owner

(e) No owner or operator of a tractor [or trailer] shall be subject to a fine for the reason that registration card is missing if the owner or operator makes affidavit that the same was lost or stolen within the period of twenty (20) days preceding and that application for new registration card was made within forty-eight (48) hours as required in this section

(f) The registration card issued for a tractor [or trailer] required to be registered shall at all times while the vehicle is being operated upon a highway be in the possession of the operator thereof or carried in the tractor [or trailer]

Penalty Any person violating any of the provisions of subsection (c) (d) or (f) of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of five (5) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than three (3) days

Section 5 Section 204 205 206 and subsection (a) and (d)



of section 207 of said act are hereby amended to read as follows

#### Section 204 Registration of Dealers

(a) Tractors [or trailers] owned or kept by dealers shall be exempt from individual registration if said dealer registers with the department in the "Dealer's Class"

(b) Application for such registration shall be made to the department upon a form furnished by the department. The application shall contain the full name and business address of the applicant and such other information as the department shall require. Upon receipt of the application accompanied by the fee provided in this act for each registration card and registration plate desired the department shall issue to the applicant as many registration cards and registration plates as may have been applied for.

(c) No tractor [or trailer] shall under any circumstances be operated under the dealer's registration unless the registration card for registration plate displayed is carried by the operator and bears the signature of the dealer to whom issued.

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of five (\$5) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than three (3) days.

Section 205 Registration by Nonresidents Nonresidents of this Commonwealth except as otherwise provided in this act will be exempt from the provisions of this act as to the registration of tractors [and trailers] for the same time and to the same extent as like exemptions are granted residents of this Commonwealth under the laws of the foreign country or State of their residence relative to the registration of tractors [and trailers] and shall conspicuously display the registration plates as required thereby and have in their possession the registration card issued for such tractor [or trailer].

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of ten (\$10) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days.

Section 206 Registration Shall be Refused The department shall not accept an application for the registration of a tractor [or trailer] in any of the following events

1 When the applicant therefore is not entitled thereto under the provisions of this act

2 When the applicant has neglected or refused to furnish the department with the information required in the appropriate official form or reasonable additional information required by the department

3 When the fees required therefor by law have not been paid

4 When the vehicle is not constructed or equipped as required by this act

#### Section 207 Registration Suspended

(a) The secretary may suspend any registration with or without a hearing before the secretary or his representative in any of the following cases

1 When tractor [or trailer] is unsafe or unfit for operation or is not equipped as required by this act

2 When the owner shall make or permit to be made any unlawful use of a tractor [or trailer] or registration plate or permit the use thereof by a person not entitled thereto

3 When the owner has been convicted of using a false or fictitious name or giving a false or fictitious address in any application or form required under the provisions of this act or knowingly making a false statement or knowingly concealing a material fact or otherwise committing a fraud in any application

4 Upon certification or request or order of any court duly authorized under the laws of this Commonwealth and empowered by such laws to make such certifications requests or orders

5 When check submitted in payment of any registration is returned to the department because of insufficient funds or is not paid on demand

\* \* \* \* \*

(d) No tractor [or trailer] the registration of which has been suspended shall be operated on the highway during the period of suspension

Section 6 Subsection (a) of section 208 of said act as amended by the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 815) is hereby further amended to read as follows

#### Section 208 Transfer of Registration

(a) Upon transfer of ownership or the destruction of any tractor [or trailer] the registration shall expire

Section 7 Subsections (a) and (c) of section 301 of said act as amended by the act approved the sixth day of May one thousand nine hundred forty-three (P. L. 174) are hereby further amended to read as follows

#### Section 301 Registration Plates to be Furnished by Department

(a) The department shall furnish to every owner whose tractor [or trailer] has been registered and for each registration issued to a dealer one (1) registration plate

\* \* \* \* \*

(c) The registration plate shall be kept reasonably clean and shall not be defaced in any manner and shall be displayed conspicuously on the front or rear of the tractor [and on the rear of the trailer] in such a way that [they] it may be easily read

Section 8 Sections 302 and 303 and subsections (a) and (d) of section 304 of said act are hereby amended to read as follows

Section 302 Use of Dealer's Registration Plates Registration plate issued under dealer's registration may be used on any tractor [or trailer] owned by such dealer and operated by such dealer or the employee of such dealer when such tractor [or trailer] is used (a) in the tractor [or trailer] business of such dealer (b) for testing tractors [or trailers] in the possession of such dealer (c) for demonstrating tractors [or trailers] in the possession of such dealer and such tractors [and trailers] may be operated by a prospective purchaser when licensed as an operator and when accompanied by the dealer or an employee of such dealer

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of ten (\$10) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

#### Section 303 Use of Registration Plates Restricted

(a) No person shall operate a tractor [or trailer] under any other registration plates than that of its own registration

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of twenty-five (\$25) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than ten (10) days

#### Section 304 Lost or Defaced Registration Plates

(a) In the event of the loss of registration plate or if a plate becomes so defaced that the numbers thereon are illegible it shall be the duty of the owner of the tractor [or trailer] for which the same were issued to apply to the department for new registration plate within forty-eight (48) hours of his discovery of the loss or defacement of such plate

\* \* \* \* \*

(d) No owner or operator of a tractor [or trailer] shall be subject to a fine for the reason that registration plate is missing if he makes affidavit that the same was lost or stolen within the period of twenty (20) days preceding and that application for new plate was made within forty-eight (48) hours as required herein

Section 9 Section 305 of said act as amended by the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 815) is hereby further amended to read as follows

#### Section 305 Transfer of Registration Plate

(a) Upon the transfer of ownership or destruction of any tractor [or trailer] the owner shall remove the registration plate therefrom



(b) In the event of the transfer of registration plate to a tractor [or trailer] of the same classification as that originally registered the owner shall be assigned the registration plate previously issued to him unless such registration plate has been lost or destroyed

[(c) If transfer of registration plate is from tractor classification to trailer classification or from trailer classification to tractor classification the owner shall be issued a new registration plate Upon receipt of new registration plate the original registration plate shall be returned to the department immediately for cancellation unless such registration plate has been destroyed or lost]

Penalty Any person violating any of the provisions of subsections (a) or (b) of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of ten (\$10) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

Section 10 Section 306 307 and 308 of said act are hereby amended to read as follows

Section 306 Temporary Use of Registration Plate Pending Transfer of Registration After the transfer of registration plate from a tractor [or trailer] to another tractor [or trailer] owned by the same owner the owner or operator shall not for a period of twenty (20) days be subject to a fine for operation of the latter tractor [or trailer] without the proper transfer registration card provided he shall have made application to the department as required in this act for transfer of the registration and provided he shall upon prosecution make an affidavit or testify under oath to that effect

Section 307 Illegal Transfer of Registration Plate No person shall give or lend tractor [or trailer] or dealer's registration plate to another

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of twenty-five (\$25) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than ten (10) days

Section 308 Return of Dealer's Registration Plate Registration plate or plates and registration card or cards issued in the dealer's class shall be returned to the department for cancellation when the dealer discontinues tractor [or trailer] business

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of fifty (\$50) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than ten (10) days

Section 11 Subsection (b) of section 309 of said act as amended by the act approved the fifth day of August one thousand nine hundred forty-one (P. L. 851) is hereby further amended to read as follows

Section 309 Expiration of Registration Plates

\* \* \* \* \*

(b) No tractor [or trailer] shall be operated on any highway with registration plates which have expired nor without registration plate on claim by the owner or operator that registration plate for the current year has been applied for but not received

Section 11.1 Section 401 of said act is hereby amended to read as follows

Section 401 Operators Must Be Licensed [No person except those expressly exempted thereby shall operate any tractor upon a highway in this Commonwealth unless such person has been licensed to operate a motor vehicle under the Vehicle Code

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of ten (\$10) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days]

Section 12 Sections 402 403 404 405 406 407 408 409 410 411 412 413 414 415 417 418 and 502 of said act and their amendments are hereby repealed

Section 13 Section 503 of said act is hereby amended to read as follows

Section 503 Dealers The fee shall be twenty-five (\$25) dollars for the first annual registration and two (\$2) dollars for each additional annual registration issued to persons registered as dealer in tractors [or trailers]

Section 14 Section 504 of said act is hereby repealed

Section 15 Section 505 of said act as amended by the act approved the fifth day of August one thousand nine hundred forty-one (P. L. 851) is hereby further amended to read as follows

Section 505 Reduction of Registration Fees in Certain Cases The fee for registration of a tractor [or trailer] when registered is issued on or after the beginning of the seventh month of the registration year but prior to the beginning of the tenth month of the registration year shall be one-half ( $\frac{1}{2}$ ) of the fee for annual registration The fee for registration of any tractor [or trailer] when registration is issued on or after the beginning of the tenth month of the registration year shall be one-fourth ( $\frac{1}{4}$ ) of the fee for annual registration herein specified

Section 16 Section 506 of said act as last amended by the act approved the fifth day of August one thousand nine hundred forty-one (P. L. 851) is hereby repealed

Section 17 Section 507 of said act is hereby amended to read as follows

Section 507 Replacement of Registration Plates The fee for replaced tractor [trailer] or dealer's registration plate shall be one (\$1) dollar

Section 18 Section 508 subsections (a) and (b) as relettred of section 512 and section 513 of said act as amended by the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 815) are hereby further amended to read as follows

Section 508 Transferring Registration The fee for transfer of registration shall be two (\$2.00) dollars when tractor [or trailer] is of equal or less classification than that originally registered or upon payment of a fee of two (\$2) dollars and the difference between the fee originally paid and that due if the tractor [or trailer] be properly registerable in a higher classification

Section 512 Exemptions from Fees

(a) No fee shall be charged for the registration of tractors [and trailers] owned and used by (a) the Federal Government (b) any State other than Pennsylvania which issues registrations to this Commonwealth without charge (c) the Commonwealth of Pennsylvania (d) any city borough incorporated town townships county poor or school district of the Commonwealth (e) hospital or any duly authorized volunteer fire force but all such vehicles except those owned and used by the Federal Government shall be registered and shall display registration plates as this act provides for privately owned tractors [and trailers]

(b) No fee shall be required for replacement or substitution of registration card registration plate [or operator's license] when satisfactory proof is furnished the secretary of loss of same in the mails

Section 513 No Other Taxes or Fees to be Imposed No city borough incorporated town townships or county shall require or collect any registration [or operator's license] fee or tax for any tractor [trailer or license from any operator thereof]

Section 19 Section 601 of said act is hereby amended to read as follows

Section 601 Lights

(a) Every tractor upon a highway within this Commonwealth during the period from one (1) hour after sunset to one (1) hour before sunrise and at any other time when there is not sufficient light to render clearly discernible any person on the highway at a distance of two hundred (200) feet ahead shall be equipped with two (2) headlamps and no less at the front of and on opposite sides of the tractor and shall also carry at the rear a lamp which exhibits a red light plainly visible to the rear [except that tractors of the first class may display a white light in front and a white or red light in the rear]

[(b) Every trailer attached to a tractor shall during the time specified in subsection (a) of this section exhibit a white or red light to the rear of said trailer]

(c) Whenever a tractor [or trailer] is parked or stopped upon a highway whether attended or unattended during



the time when lights are required by this act it shall display a white light in front and a [white or] red light in rear visible under normal atmospheric conditions from a distance of five hundred (500) feet to the front and to the rear of such tractor [or trailer]

Penalty Any person violating any of the provisions of subsection (a) of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of two (\$2) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than one (1) day

[Any person violating any of the provisions of subsection (b) of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of ten (\$10) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than three (3) days]

Section 20 Subsections (a) and (f) of section 602 of said act as amended by the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 815) are hereby further amended to read as follows

Section 602 Cleats Guide Bands Grousers Chains and Tires

(a) It shall be unlawful for any person to operate or move or for the owner to cause or knowingly permit to be moved on any highway any tractor [or trailer] which is not so constructed or equipped as required in this act

\* \* \* \* \*

(f) Every tractor [or trailer] equipped with rubber tires moved on any highway shall have rubber on its entire traction surface at least one (1) inch thick above the edge of the flange of the entire periphery It shall be permissible to use tire chains consisting of not less than five (5) cross chains or which do not project more than one (1) inch upon the outside surface of the periphery of the wheel on any tractor when required for safety because of snow ice or other conditions tending to cause a tractor to slide or skid

Section 21 Section 604 of said act is hereby amended to read as follows

Section 604 Red Light Visible from in Front of Tractor [or Trailer] No person shall operate or move any tractor [or trailer] upon a public highway with a red light displayed on the front thereof

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of ten (\$10) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

shall undergo imprisonment for not more than five (5) days

Section 22 Section 607 of said act as amended by the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 815) is hereby further amended to read as follows

Section 607 Size of Vehicles and Load

(a) No tractor except street sweeper road grader and snow removal equipment shall exceed a total maximum width including any load thereon of one hundred and ten (110) inches

[(b) No trailer except fire department equipment shall exceed a total maximum width including load thereon of ninety-six (96) inches except that the limitations as to size of trailers in this act shall not apply to such vehicles loaded with hay or straw in bulk]

(c) No tractor [or trailer] except fire department equipment shall exceed a total maximum length including load thereon of three hundred and ninety-six (396) inches and no combination of vehicles coupled together shall exceed a total maximum length of seventy (70) feet

1 No tractor [of the second class] shall be operated upon any highway drawing or having attached thereto more than one (1) other vehicle

2 The draw-bar or other connection between a tractor or [trailer] other vehicle shall not exceed fifteen (15) in length from tractor to the [trailer] other vehicle Whenever the connection consist of a chain rope bar or cable there shall be displayed upon such connection a flag not less than twelve (12) inches both in length and width

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of ten (\$10) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

Section 23 Section 608 of said act as amended by the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 815) and in part by the act approved the thirty-first day of May one thousand nine hundred forty-seven (P. L. 374) is hereby further amended to read as follows

Section 608 Weight of Tractor [Trailer] and Load

(a) Tractors shall not be operated or moved upon any highway with gross weight in excess of thirty-thousand (30,000) pounds if of the two axle type and forty thousand (40,000) pounds if of the three axle type

(b) The width of tires on the wheels of tractors [or trailers] shall be sufficient so that including the load on the tractor [or trailer] the weight shall not be in excess of eight hundred (800) pounds on any wheel for each nominal inch of width of tire on each wheel

[(c) Trailers shall not be operated or moved upon any highway with gross weight exceeding those specified for the several classes as follows

Two-Wheeled Class	Trailer Weight in Pounds	[Maximum Gross Weight In Pounds
A..Less than 1000 .....		3,000
B..1000 and over but less than 2000 .....		6,000
C..2000 and over but less than 3000 .....		10,000
D..3000 and over but less than 4000 .....		12,000
E..4000 and over but less than 5000 .....		14,000
F..5000 and over but less than 6000 .....		16,000
G..6000 and over .....		18,000

Four-Wheeled (2 Axles) Class	Trailer Weight in Pounds	Maximum Gross Weight in Pounds
A..Less than 1000 .....		3,000
B..1000 and over but less than 2000 .....		6,000
C..2000 and over but less than 3000 .....		10,000
D..3000 and over but less than 4000 .....		16,000
E..4000 and over but less than 5000 .....		20,000
F..5000 and over but less than 6000 .....		24,000
G..6000 and over .....		26,000

Six-Wheeled (3 Axles) Class	Trailer Weight in Pounds	Maximum Gross Weight in Pounds
AZ..Less than 3000 .....		12,000
BZ..3000 and over but less than 4000 .....		15,000
CZ..4000 and over but less than 5000 .....		20,000
DZ..5000 and over but less than 6000 .....		26,000
EZ..6000 and over but less than 7000 .....		30,000
FZ..7000 and over but less than 9000 .....		34,000
GZ..9000 and over .....		36,000]

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of fifty (\$50) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than ten (10) days

Section 24 Section 609 of said act is hereby amended to read as follows

Section 609 Officers May Weigh Tractors [and Trailers] Any peace officer who shall be in uniform and shall exhibit his badge or other sign of authority having reason to believe that the weight of a tractor [or trailer] and it or its load is unlawful is authorized to weigh the same either by means of portable or stationary scales or may require that such vehicle be driven to the nearest stationary scales in the event such scales are within a distance of two (2) miles The peace officer may then require the operator to unload immediately such portion of the load as may be necessary to decrease the gross weight of such vehicle to the maximum gross weight specified in this act except as herein provided for special hauling permits And further provided That no arrests shall be



made in cases where the maximum gross weights provided in this act are not exceeded by more than ten (10) per centum thereof

Penalty Any person refusing to unload excess weight when so ordered shall upon summary conviction before a magistrate be sentenced to pay a fine of ten (10) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

Section 25 Section 610 of said act as last amended by the act approved the thirteenth day of May one thousand nine hundred forty-nine (P. L. 1322) is hereby further amended to read as follows

Section 610 Permits for Excessive Size and Weight The Secretary of Highways of this Commonwealth and local authorities in their respective jurisdiction may at their discretion upon application in writing accompanied by the fee provided in this act and good cause being shown therefor issue special permits in writing authorizing the applicant to operate or move upon any highway under the jurisdiction of and for the maintenance of which the authorities granting the permit are responsible (a) a tractor [or trailer] of a size and weight exceeding the maximum specified in this act every such permit shall be issued for a single trip and shall designate the route to be traversed (b) any heavy piece of quarry equipment or machinery of a size and weight exceeding the maximum specified by this act across any highway from one part of a quarry to another or upon the highways connecting by the most direct route any quarries or portion of quarries under the single ownership or operation of such person this permit to be issued for the license year as provided by this act no such permit shall be issued for the movement of such equipment or machinery for a distance greater than one-half mile (c) any over-size self-propelled combine up to one hundred fifty (150) inches in width every such permit shall be issued for the period between the fifteenth day of June and the fifteen day of November both inclusive for the movement of such equipment during the daylight hours within a radius of ten (10) miles from the owner's home or farm At other times a permit for the movement of such equipment shall be granted as otherwise herein provided Any of the above permits shall be subject to such rules and regulations and any other conditions or restrictions including the obligation on the part of the permittee to restore or replace any section of highway or bridge damaged as a result of such movement whether or not the same was attributable to negligence on the part of the permittee as shall be deemed necessary by the authorities granting such permit Every such permit shall be carried in the vehicle to which it refers shall be open to inspection by any peace officer or person having collision with the tractor [or trailer] and shall be revocable at any time at the discretion of the official who issued the same

Penalty Any person operating or moving a tractor or trailer and its load of a size or weight exceeding the maximum specified in this act without first having obtained a permit or permits so to do shall upon summary conviction before a magistrate be sentenced to pay a fine of fifty (\$50) dollars and in default of the payment thereof shall undergo imprisonment for not more than ten (10) days

Section 26 Section 612 of said act is hereby amended to read as follows

Section 612 Regulating Weight of Tractors [and Trailers] on Bridges Where any bridge causeway or viaduct owned or maintained whether owned in whole or in part by this Commonwealth or local authorities other than interstate bridges as now provided by law shall have a sign properly posted in a conspicuous place at the entrance thereto stating the gross maximum weight permitted thereon it shall be unlawful for any person to drive or cause to be driven upon any such bridge causeway or viaduct any tractor [or trailer] which together with its load shall be of greater gross maximum weight than is mentioned in such sign Provided however That restrictions as to maximum weight mentioned in such signs shall not apply for a period exceeding one (1) year from the date of posting

of such signs unless a further extension of time is authorized by the Secretary of Highways of this Commonwealth

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of ten (\$10) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

Section 27 Subsection (b) of section 703 and section 708 of said act as amended by the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 815) are hereby further amended to read as follows

#### Section 703 Arrests on View or With Warrant

\* \* \* \* \*

(b) If the defendant is unable to give bail as provided in this act for a hearing or for his appearance at court the magistrate shall accept as bail any article of sufficient value or if the defendant is the owner thereof shall hold in custody the tractor [or trailer] found in his possession and the court or magistrate after the trial of the defendant or when bail according to law has been given shall make such order as to the disposition of such tractor [or trailer] or other articles accepted as bail as shall seem just and proper

Section 708 Civil Actions for Damages All civil actions for damages arising from the use and operation of any tractor [or trailer] may at the discretion of the plaintiff be brought before any magistrate alderman or justice of the peace in the county wherein the alleged damages were sustained if the plaintiff has had said damages repaired and shall produce a receipted bill for the same properly sworn to by the party making such repairs or his agent or said action may be brought in the court of common pleas of said county and service of process in either case may be made by the sheriff of the county where the suit is brought deputizing the sheriff of the county wherein the defendant or his registered agent resides or where service may be had upon him under the existing laws of this Commonwealth in like manner as process may now be served in the proper county No action involving more than one hundred (\$100.00) dollars shall be brought before any magistrate alderman or justice of the peace

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—204

Amarando,	Graybill,	Maxwell,	Royer,
Andrews,	Greenwood,	Mazza,	Rovansek,
Banker,	Greer,	McConnell,	Rubin,
Barkdoll,	Guarnieri,	McCormack,	Sarraff,
Baumunk,	Gutendorf,	McCullough,	Sax,
Bear,	Guthrie,	McDermitt,	Scanlon,
Beaver,	Hagerty,	McGee,	Schmidt,
Beech,	Hall,	McInroy,	Schuster,
Berkstresser,	Hamilton, R. K.,	McKinney,	Seyler,
Blair,	Hamilton, W. H.,	McMillen,	Shoemaker,
Bloom,	Harney,	McNally,	Shotwell,
Boles,	Haudenschild,	Metz,	Smith,
Bolton,	Headlee,	Mihm,	Snider,
Bomberger,	Helm,	Mikula,	Sollenberger,
Boorse,	Hersch,	Miller, H. G.,	Spencer,
Bower,	Hewitt,	Miller, J. C.,	Stank,
Breisch,	Hocker,	Mills,	Stimmel,
Breth,	Hoggard,	Mintess,	Stoner,
Brown,	Hunter,	Monroe,	Scott,
Bucchin,	Jenkins,	Moore, C. E.,	Swope,
Byrne,	Johnson,	Moore, H. A.,	Tahl,
Cella,	Jones, G. E.,	Moran,	Taylor,
Clapper,	Jones, J. M.,	Muldowney,	Thompson, E. F.,
Clendenning,	Jones, P. F.,	Munley,	Thompson, R. L.,
Cochran,	Jones, T. H. W.,	Murray,	Toll,
Conway,	Jump,	Musto,	Tompkins,
Cooper,	Kamyk,	Najaka,	Toomey,
Corr,	Keller,	Naugle,	VanSant,
Costa,	Kent,	Needham,	Varallo,
Coyle,	Kline,	Olsen,	Varner,



Dalrymple,	Kohl,	Penglase,	Verona,
Davis,	Kolakiewicz,	Peta,	Wachhaus,
Dennison,	Kornick,	Petrosky,	Wargo,
Dougherty,	Kratz,	Pettigrew,	Waterhouse,
Dowling,	Kubacki,	Pfaff,	Watkins,
Duffy,	Lafore,	Pichney,	Weidner,
Dunn,	Lederer,	Pitzer,	Welsh,
Erb,	Lelsey,	Polaski,	Wescott,
Ewing,	Leonard, L.,	Polen,	Whalley,
Fenrich,	Leonard, W. C.,	Price, H. W. Jr.,	Wheeler,
Ferster,	Leven,	Price, R. A.,	White,
Fillo,	Light,	Readinger,	Williams,
Fillo,	Limper,	Reagan,	Wilt,
Firmstone,	Loftus,	Reese,	Wood,
Flack,	Lopresti,	Reidenbach,	Yeakel,
Frost,	Lovett,	Reilly, J. M.,	Yester,
Gaffney,	Lyons,	Rigby,	Yetzer,
Geer,	Lutty,	Riley, R. L.,	Young,
Gibson,	Madden,	Robertson,	Ziegler,
Gleason,	Madigan,	Rose,	Sorg,
Good,	Markley,	Rosen,	Speaker

NAYS—0

NOT VOTING—3

DuBois, Swartz, Westrick,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1505, as follows:

An Act to amend the act approved the twelfth day of June one thousand nine hundred thirty-one (P. L. 510) entitled "An act providing for the licensure and regulation of certain private nursing homes and private hospitals conferring certain powers and duties upon the Department of Welfare and providing penalties" by further providing for the licensure and regulation of such nursing homes and hospitals.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the twelfth day of June one thousand nine hundred thirty-one (P. L. 510) entitled "An act providing for the licensure and regulation of certain private nursing homes and private hospitals conferring certain powers and duties upon the Department of Welfare and providing penalties" is hereby amended by adding after Section 5 thereof a new section to read as follows

Section 5.1 No person who because of inability to satisfy the character requirements deemed necessary by the department has been refused a license shall thereafter be in any way connected with any private nursing home or any private hospital licensed pursuant to the provisions of this act

Section 2 Section 6 of the act is hereby amended to read as follows

Section 6 Whenever the Department of Welfare shall upon inspection investigation or sworn complaint learn of any violation of rules or regulations adopted by the department or any failure to establish provide or maintain standards and facilities required by the department it shall give written notice thereof to the offending licensee. The department may revoke the license of said licensee if such violations do not cease or such standards and facilities are not established or brought in conformity with those prescribed by the department [three] two months after such written notice

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Amarando,	Graybill,	Maxwell,	Royer,
Andrews,	Greenwood,	Mazza,	Rovansek,
Banker,	Greer,	McConnell,	Rubin,
Barkdoll,	Guarnieri,	McCormack,	Sarrafa,
Baumunk,	Gutendorf,	McCullough,	Sax,
Bear,	Guthrie,	McDermitt,	Scanlon,
Beaver,	Hagerty,	McGee,	Schmidt,
Beech,	Hall,	McInroy,	Schuster,
Berkstresser,	Hamilton, R. K.,	McKinney,	Scott,
Blair,	Hamilton, W. H.,	McMillen,	Seyler,
Bloom,	Harney,	McNally,	Shoemaker,
Boles,	Haudenschild,	Metz,	Shotwell,
Bolton,	Headlee,	Mihm,	Smith,
Bomberger,	Helm,	Mikula,	Snider,
Boorse,	Hersch,	Miller, H. G.,	Sollenberger,
Bower,	Hewitt,	Miller, J. C.,	Spencer,
Breisch,	Hocker,	Mills,	Stank,
Breth,	Hoggard,	Mintess,	Stimmel,
Brown,	Hunter,	Monroe,	Stoner,
Bucchin,	Jenkins,	Moore, C. E.,	Swope,
Byrne,	Johnson,	Moore, H. A.,	Tahl,
Cella,	Jones, G. E.,	Moran,	Taylor,
Clapper,	Jones, J. M.,	Muldowney,	Thompson, E. F.,
Clendenning,	Jones, P. F.,	Munley,	Thompson, R. L.,
Cochran,	Jones, T. H. W.,	Murray,	Toll,
Conway,	Jump,	Musto,	Tompkins,
Cooper,	Kamyk,	Najaka,	Toomey,
Corr,	Keller,	Naugle,	VanSant,
Costa,	Kent,	Needham,	Varallo,
Coyle,	Kline,	Olsen,	Varnier,
Dalrymple,	Kohl,	Penglase,	Verona,
Davis,	Kolakiewicz,	Peta,	Wachhaus,
Dennison,	Kornick,	Petrosky,	Wargo,
Dougherty,	Kratz,	Pettigrew,	Waterhouse,
Dowling,	Kubacki,	Pfaff,	Watkins,
Duffy,	Lafore,	Pichney,	Weidner,
Dunn,	Lederer,	Pitzer,	Welsh,
Erb,	Lelsey,	Polaski,	Wescott,
Ewing,	Leonard, L.,	Polen,	Whalley,
Fenrich,	Leonard, W. C.,	Price, H. W. Jr.,	Wheeler,
Ferster,	Leven,	Price, R. A.,	White,
Fillo,	Light,	Readinger,	Williams,
Fillo,	Limper,	Reagan,	Wilt,
Firmstone,	Loftus,	Reese,	Wood,
Flack,	Lopresti,	Reidenbach,	Yeakel,
Frost,	Lovett,	Reilly, J. M.,	Yester,
Gaffney,	Lutty,	Rigby,	Yetzer,
Geer,	Lyons,	Riley, R. L.,	Young,
Gibson,	Madden,	Robertson,	Ziegler,
Gleason,	Madigan,	Rose,	Sorg,
Good,	Markley,	Rosen,	Speaker
Goodling,			

NAYS—0

NOT VOTING—3

DuBois, Swartz, Westrick,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

## BILLS ON FINAL PASSAGE

## BILLS PASSED OVER

There being no objection,

House Bill No. 1495, Printer's No. 1069, was passed over at the request of the SPEAKER pro tempore.

There being no objection,

Senate Bill No. 230, Printer's No. 617, was passed over at the request of Mr. SOLLENBERGER.

Agreeably to order,

The House proceeded to the consideration on final passage of Senate Bill No. 658, as follows:



An Act authorizing council of cities of the second class to fix the salaries of the mayor and the council members of such cities and to provide for the assessment and retention of fines for absence of councilmen from meetings

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The salary of mayor of cities of the second class of this Commonwealth shall be fixed by the council of said cities in a sum not to exceed twenty thousand dollars (\$20,000) per annum which salary shall not be increased or diminished during the term for which he shall have been elected

Section 2 Councilmen of cities of the second class of this Commonwealth shall receive for their services during their term of service salaries payable in monthly installments not to exceed ten thousand dollars (\$10,000) per annum Councils shall by the ordinance fixing such salaries provide for the assessment and retention therefrom of reasonable fines for absence from regular or special meetings of council or councilmanic committee

Section 3 Section four of Article XIV of the act approved the seventh day of March one thousand nine hundred one (P. L. 20) entitled "An act for the government of cities of the second class" and its amendments is hereby repealed

The act approved the seventh day of April one thousand nine hundred twenty-seven (P. L. 163) entitled "An act authorizing council of cities of the second class to fix the salary of the mayor of said cities and providing the maximum amount thereof" is hereby repealed

Section 4 This act shall be applicable to all of the officers named herein who shall begin a term of office on or after the first Monday of January one thousand nine hundred and fifty-two

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—202

Amarando,	Goodling,	Markley,	Royer,
Andrews,	Graybill,	Maxwell,	Rubin,
Banker,	Greenwood,	Mazza,	Sarrafa,
Barkdoll,	Greer,	McConnell,	Sax,
Baumunk,	Guarnieri,	McCormack,	Scanlon,
Bear,	Gutendorf,	McCullough,	Schmidt,
Beaver,	Guthrie,	McDermitt,	Schuster,
Beech,	Hagerty,	McGee,	Scott,
Berkstresser,	Hall,	McInroy,	Seyler,
Blair,	Hamilton, R. K.,	McKinney,	Shoemaker,
Bloom,	Hamilton, W. H.,	McMillen,	Shotwell,
Botes,	Harney,	McNally,	Smith,
Bolton,	Haudenschild,	Metz,	Snider,
Bomberger,	Headlee,	Mihm,	Sollenberger,
Boorse,	Helm,	Mikula,	Spencer,
Bower,	Hersch,	Miller, H. G.,	Stank,
Breisch,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swope,
Bucchin,	Hunter,	Moore, C. E.,	Tahl,
Byrne,	Jenkins,	Moore, H. A.,	Taylor,
Cella,	Johnson,	Moran,	Thompson, E. F.,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, R. L.,
Clendenen,	Jones, J. M.,	Munley,	Toll,
Cochran,	Jones, P. F.,	Murray,	Tompkins,
Conway,	Jones, T. H. W.,	Musto,	Toomey,
Cooper,	Jump,	Najaka,	VanSant,
Corr,	Kamyk,	Naugle,	Varallo,
Costa,	Keller,	Needham,	Varner,
Coyle,	Kent,	Olsen,	Verona,
Dalrymple,	Kline,	Penglase,	Wachhaus,
Davis,	Kohl,	Peta,	Wargo,
Dennison,	Kolankiewicz,	Petrosky,	Waterhouse,
Dougherty,	Kornick,	Pettigrew,	Watkins,
Dowling,	Kratz,	Pfaff,	Weidner,
Duffy,	Kubacki,	Pichney,	Welsh,
Dunn,	Lafore,	Pitzer,	Wescott,
Erb,	Lederer,	Polaski,	Whalley,
Ewing,	Lelsey,	Polen,	Wheeler,
Fenrich,	Leonard, L.,	Price, H. W. Jr.,	White,

Ferster,  
Filip,  
Filo,  
Firmstone,  
Flack,  
Frost,  
Gaffney,  
Geer,  
Gibson,  
Gleason,  
Good,

Leonard, W. C.,  
Leven,  
Light,  
Limper,  
Loftus,  
Lopresti,  
Lovett,  
Lutty,  
Lyons,  
Madden,  
Madigan,

Price, R. A.,  
Readinger,  
Reagan,  
Reese,  
Reidenbach,  
Reilly, J. M.,  
Riley, R. L.,  
Robertson,  
Rose,  
Rosen,  
Rovanseck,

Williams,  
Wilt,  
Wood,  
Yeakel,  
Yester,  
Yetzer,  
Young,  
Ziegler,  
Sorg,  
Speaker

#### NAYS—2

Miller, J. C., Rigby.

#### NOT VOTING—3

DuBois, Swartz, Westrick,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the consideration on final passage of Senate Bill No. 676, entitled:

An Act to amend the act approved the twenty-eighth day of June one thousand nine hundred forty-seven (P. L. 1144) entitled "An act relating to the annual salaries of certain county officers of counties of the second class" by increasing the salaries of certain county officers.

On the question,

Shall the bill pass finally?

Mr. GOODLING. Mr. Speaker, I had intended to debate these bills at length. I am prepared to do that. I have heard so many bad speeches in this House during the last few weeks that I question whether I could stand to hear even myself make a good one anymore.

I am going to make one statement on these bills. I am referring to the series of bills that we are starting on now. I believe there are seven bills in this series. These bills if enacted into law as we have them on our calendar now, are going to cost the taxpayers of Pennsylvania an additional \$810,000 every year, or on a four year administrative basis \$3,240,000. Personally I think they are bad bills and I propose to vote against them.

Mr. ANDREWS. Mr. Speaker, I suggest that a situation has arisen which would imply that presence of the Majority Leader was needed upon the floor.

The SPEAKER pro tempore. The Chair thanks the gentleman.

Mr. ANDREWS. Mr. Speaker, I would ask that there be a delay in the proceedings until the Majority Leader returns to the floor.

The SPEAKER pro tempore. The Chair accedes to that request, and the House will be at ease until the return of the Majority Leader.

Mr. ANDREWS. Mr. Speaker, I suggest that we pass over these bills until the Majority Leader returns.

#### BILL PASSED OVER

There being no objection,

Senate Bill No. 676, Printer's No. 607, was passed over at the request of Mr. ANDREWS.



## QUESTION OF INFORMATION

Mr. MORAN. Mr. Speaker, I rise to a question of information.

The SPEAKER pro tempore. The gentleman will state it.

Mr. MORAN. Mr. Speaker, we have already passed, as I understand, Senate Bill 658, which is one of the group of bills.

The SPEAKER pro tempore. For the information of the gentleman, the Chair is of the opinion that upon the return of the Majority Leader, if the reconsideration becomes necessary it can be done, so that this series of bills may be considered as a package.

## BILLS PASSED OVER

There being no objection,

Senate Bill No. 677, Printer's No. 608,

Senate Bill No. 678, Printer's No. 609,

Senate Bill No. 679, Printer's No. 610,

Senate Bill No. 680, Printer's No. 611,

Senate Bill No. 681, Printer's No. 612 and

Senate Bill No. 682, Printer's No. 613,

were passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the consideration on final passage of Senate Bill No. 796, as follows:

An Act prohibiting the occupation of living quarters over or the depositing of foreign substances in any which is the source of water used for human consumption prescribing penalties and authorizing the courts of common pleas to enjoin violations

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Any person who occupies any living quarters or permits another to occupy living quarters owned or under his control in a building over a lake or pond which is the source at any time during the year of water commonly used for human consumption without purification treatment or who deposits refuse garbage or any other foreign substances in such waters shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of three hundred dollars (\$300) or to undergo imprisonment for six (6) months or both

Section 2 Upon application of the Department of Health or any person particularly aggrieved the court of common pleas of any county sitting in equity may be injunction enforce the compliance with or restrain the violation of section 1 of this act

Section 3 The provisions of this act shall become effective immediately upon final enactment

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—204

Amarando,	Goodling,	Markley,	Rovansek,
Andrews,	Graybill,	Maxwell,	Royer,
Banker,	Greenwood,	Mazza,	Rubin,
Barkdoll,	Greer,	McConnell,	Sarraf,
Baumunk,	Guarnieri,	McCullough,	Sax,
Bear,	Gutendorf,	McCormack,	Scanlon,
Beaver,	Guthrie,	McDermitt,	Schmidt,
Beech,	Hagerty,	McGee,	Schuster,
Berkstresser,	Hall,	McInroy,	Scott,
Blair,	Hamilton, R. K.,	McKinney,	Seyler,
Boies,	Hamilton, W. H.	McMillen,	Shoemaker,
Bloom,	Harney,	McNally,	Shotwell,

Bolton,	Haudenshield.	Metz,	Smith,
Bomberger,	Headlee,	Mihm,	Snider,
Boorse,	Helm,	Mikula,	Sollenberger,
Bower,	Hersch,	Miller, H. G.,	Spencer,
Breisch,	Hewitt,	Miller, J. C.,	Stank,
Breth,	Hocker,	Mills,	Stimmel,
Brown,	Hoggard,	Mintess,	Stoner,
Bucchin,	Hunter,	Monroe,	Swope,
Byrne,	Jenkins,	Moore, C. E.,	Tahl,
Cella,	Johnson,	Moore, H. A.,	Taylor,
Clapper,	Jones, G. E.,	Moran,	Thompson, E. F.,
Clendenning,	Jones, J. M.,	Muldowney,	Thompson, R. L.,
Jochran,	Jones, P. F.,	Munley,	Toll,
Conway,	Jones, T. H. W.,	Murray,	Tompkins,
Cooper,	Jump,	Musto,	Toomey,
Corr,	Kamyk,	Najaka,	VanSant,
Costa,	Keller,	Naugle,	Varallo,
Coyle,	Kent,	Needham,	Varner,
Dalrymple,	Kline,	Olsen,	Verona,
Davis,	Kohl,	Penglase,	Wachhaus,
Dennison,	Kolankiewicz,	Peta,	Wargo,
Dougherty,	Kornick,	Petrosky,	Waterhouse,
Doelling,	Kratz,	Pettigrew,	Watkins,
Duffy,	Kubacki,	Pfaff,	Weidner,
Dunn,	Lafore,	Pichney,	Welsh,
Edwards,	Lederer,	Pitzer,	Wescott,
Ewing,	Leisey,	Polaski,	Whalley,
Fenrich,	Leonard, L.,	Polen,	Wheeler,
Ferster,	Leonard, W. C.,	Price, H. W. Jr.,	White,
Fillip,	Leven,	Price, R. A.,	Williams,
Filo,	Light,	Readinger,	Wilt,
Firmstone,	Limper,	Reagan,	Wood,
Flack,	Loftus,	Reese,	Yeakel,
Frost,	Lopresti,	Reidenbach,	Yester,
Gaffney,	Lovett,	Reilly, J. M.,	Yetzer,
Geer,	Lyons,	Rigby,	Young,
Gibson,	Lutty,	Riley, R. L.,	Ziegler,
Gleason,	Madden,	Robertson,	Sorg,
Good,	Madigan,	Rose,	Speaker
		Rosen,	

## NAYS—0

## NOT VOTING—3

DuBois, Swartz, Westrick,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

## BILLS ON THIRD READING

## BILL PASSED OVER

There being no objection,

House Bill No. 506, Printer's No. 1012, was passed over at the request of Mr. PETROSKY.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1254, entitled:

An Act repealing all laws providing for the giving of bounties for Indian scalps

On the question,

Will the House agree to the bill on third reading?

## BILL RECOMMITTED

Mr. HELM. Mr. Speaker, I move that this bill be re-committed to the Committee on Judiciary for the purpose of further study.

The motion was agreed to.

Agreeably to order,



The House proceeded to the third reading and consideration of House Bill No. 1397, as follows:

An Act making an appropriation for the payment of expenses incurred by the State Council for Civil Defense

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of eight million dollars (\$8,000,000) or as much thereof as may be necessary is hereby appropriated to the State Council of Civil Defense for the two fiscal years beginning June first one thousand nine hundred fifty-one

(a) A total not to exceed one million two hundred thousand dollars (\$1,200,000) for the purpose of paying salaries wages postage printing and other necessary expenses incurred by said council for its basic civil de-aircraft observation and warning system training of key fense program including administration operation of an civil defense workers and coordination of local civil defense activities throughout the Commonwealth and

(b) A total not to exceed six million eight hundred thousand dollars (\$6,800,000) to be held in reserve for the purpose of employing temporary workers renting or purchasing outright or with Federal grants-in-aid such equipment materials and supplies as may be required to meet actual disaster or the threat of immediate disaster

The appropriation made under this clause (b) shall be used only upon allocation by the State Council of Civil Defense and approval of the Governor

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—204

Amarando,	Goodling,	Markley,	Rosen,
Andrews,	Graybill,	Maxwell,	Rovansek,
Banker,	Greenwood,	Mazza,	Royer,
Barkdoll,	Greer,	McConnell,	Rubin,
Baumunk,	Guarnieri,	McCormack,	Sarraf,
Bear,	Gutendorf,	McCullough,	Sax,
Beaver,	Guthrie,	McDermitt,	Scanlon,
Beech,	Hagerty,	McGee,	Schmidt,
Berkstresser,	Hall,	McInroy,	Schuster,
Blair,	Hamilton, R. K.,	McKinney,	Scott,
Bloom,	Hamilton, W. H.,	McMillen,	Seyler,
Boles,	Harney,	McNally,	Shoemaker,
Bolton,	Haudenschild,	Metz,	Shotwell,
Bomberger,	Headlee,	Mihm,	Smith,
Boorse,	Helm,	Mikula,	Snider,
Bower,	Hersch,	Miller, H. G.,	Sollenberger,
Breisch,	Hewitt,	Miller, J. C.,	Spencer,
Breth,	Hocker,	Mills,	Stank,
Brown,	Hoggard,	Mintess,	Stummel,
Bucchin,	Hunter,	Monroe,	Stoner,
Byrne,	Jenkins,	Moore, C. E.,	Swope,
Cella,	Johnson,	Moore, H. A.,	Tahl,
Clapper,	Jones, G. E.,	Moran,	Taylor,
Clendenning,	Jones, J. M.,	Muldowney,	Thompson, E. F.,
Cochran,	Jones, P. F.,	Munley,	Thompson, R. L.,
Conway,	Jones, T. H. W.,	Murray,	Toll,
Cooper,	Jump,	Musto,	Tompkins,
Corr,	Kamyk,	Najaka,	Toomey,
Costa,	Keller,	Naugle,	VanSant,
Coyle,	Kent,	Needham,	Varallo,
Dalrymple,	Kline,	Olsen,	Varnier,
Davis,	Kohl,	Penglase,	Verona,
Dennison,	Kolankiewicz,	Peta,	Wachhaus,
Dougherty,	Kornick,	Petrosky,	Wargo,
Dowling,	Kratz,	Pettigrew,	Waterhouse,
Duffy,	Kubacki,	Pfaff,	Watkins,
Dunn,	Lafore,	Pichney,	Weidner,
Erb,	Lederer,	Pitzer,	Welsh,
Ewing,	Lelsey,	Polaski,	Wescott,
Fenrich,	Leonard, L.,	Polen,	Whalley,
Ferster,	Leonard, W. C.,	Price, H. W. Jr.,	Wheeler,
Filip,	Leven,	Price, R. A.,	White,
Filo,	Light,	Readinger,	Williams,

Firmstone,  
Flack,  
Frost,  
Gaffney,  
Geer,  
Gibson,  
Gleason,  
Good,

Limper,  
Loftus,  
Lopresti,  
Lovett,  
Lutty,  
Lyons,  
Madden,  
Madigan,

Reagan,  
Reese,  
Reidenbach,  
Reilly, J. M.,  
Rigby,  
Riley, R. L.,  
Robertson,  
Rose,

Wilt,  
Wood,  
Yeakel,  
Yester,  
Yetzer,  
Young,  
Ziegler,  
Sorg,

Speaker

NAYS—0

NOT VOTING—3

DuBois,

Swartz,

Westrick,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House Bill No. 1583 Printer's No. 1002,  
was passed over at the request of Mr. McMILLEN.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1651, as follows:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" by creating the Vocational Technical Institute Board of Pennsylvania as an administrative board in the Department of Public Instruction and defining its powers and duties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 As much as relates to the Department of Public Instruction of Section 202 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner



in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" as last amended by the act approved the ninth day of May one thousand nine hundred forty-nine (P. L. 1003) the act approved the twelfth day of May one thousand nine hundred forty-nine (P. L. 1289) and the act approved the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1717) is hereby further amended to read as follows

Section 202 Departmental Administrative Boards Commissions and Offices The following boards commissions and officers are hereby placed and made departmental administrative boards commissions or offices as the case may be in the respective administrative departments mentioned in the preceding section as follows

\* \* \* \* \*

In the Department of Public Instruction

State Council of Education

State Real Estate Commission

Pennsylvania State Board of Censors

Public School Employees' Retirement Board

Board of Trustees of Thaddeus Stevens Trade School

Board of Trustees of Pennsylvania State Oral School for the Deaf

Board of Trustees of Pennsylvania Soldiers' Orphan School

Board of Trustees of West Chester State Teachers' College

Board of Trustees of Millersville State Teachers' College

Board of Trustees of Kutztown State Teachers' College

Board of Trustees of East Stroudsburg State Teachers' College

Board of Trustees of Mansfield State Teachers' College

Board of Trustees of Bloomsburg State Teachers' College

Board of Trustees of Shippensburg State Teachers' College

Board of Trustees of Lock Haven State Teachers' College

Board of Trustees of Indiana State Teachers' College

Board of Trustees of California State Teachers' College

Board of Trustees of Slippery Rock State Teachers' College

Board of Trustees of Edinboro State Teachers' College

Board of Trustees of Clarion State Teachers' College

Board of Trustees of Cheney Training School for Teachers

State Board of Medical Education and Licensure

State Board of Pharmacy

State Dental Council and Examining Board

State Board of Optometrical Examiners

State Board of Osteopathic Examiners

Osteopathic Surgeons' Examining Board

State Board of Examiners for the Registration of Nurses

State Board of Cosmetology

State Board of Veterinary Medical Examiners

State Board of Chiropractic Examiners

State Board for the Examination of Public Accountants

State Board of Examiners of Architects

State Registration Board for Professional Engineers

Public Service Institute Board

Vocational Technical Institute Board of Pennsylvania

State Board of Private Academic School

State Board of Private Business Schools

State Board of Private Trade Schools

State Board of Private Correspondence Schools

\* \* \* \* \*

All of the foregoing departmental administrative boards and commissions shall be organized or reorganized as provided in this act

Section 2 Article IV of said act is hereby amended

by adding at the end thereof a new section to read as follows

Section 462 Vocational Technical Institute Board of Pennsylvania For the purpose of bringing the benefits of practical and technical instruction to workers engaged in or preparing for industrial pursuits there is hereby created the Vocational Technical Institute Board of Pennsylvania which shall consist of nine (9) members The State Superintendent of Public Instruction and the State Director of Vocational Education by virtue of their offices shall be regular members of the Board The appointive members of the Board shall be appointed by the State Superintendent of Public Instruction from among persons who shall have an active interest in and knowledge of problems of industry Four (4) of these members shall be appointed for a term of two (2) years and three (3) members shall be appointed for a term of four (4) years Thereafter new appointments shall be made for a term of four (4) years Five (5) members of the Board shall constitute a quorum

The Board shall annually elect from the appointive members a chairman and such other officers as may be necessary Members of the Board shall not receive any compensation but shall be entitled to reimbursement for all traveling expenses incurred while attending Board meetings or otherwise serving at the direction of the Board

Section 3 Article XIII of said act is hereby amended by adding at the end thereof a new section to read as follows

Section 1314 Vocational Technical Institute Board of Pennsylvania (a) It shall be the duty of the Vocational Technical Institute Board of Pennsylvania to establish and maintain a program for the instruction of adults in the production and technical skills and knowledge of industrial occupations in order to develop human resources for effective employment to give specific practical instruction to advance workers in their employment to cooperate with industry and labor in meeting through organized instruction the manpower problems of the Commonwealth and to make this program available throughout the Commonwealth where local districts fail to make such provisions

(b) To carry out such a program the board is hereby authorized and empowered to

(1) Establish rules regulations and policies governing the administration and operation of the board

(2) Determine the personnel requirements for the board and recommend appointments to the Superintendent of Public Instruction

(3) Submit an applicable section for inclusion in the State Plan for Vocational Education and maintain the standards so established

(4) Submit such reports as may be required from time to time

(5) Accept and expend funds allocated to the board and administer all gifts donations or grants for the purpose of the board

(6) Direct the preparation duplication and printing of promotional and instructional materials for the board

(7) Determine budgetary requirements of the board and recommend allocations of funds thereto

(8) Build equip rent maintain and operate facilities required to carry out its duties

(9) Enter into agreements with school districts of the furtherance of the performance of its duties

Commonwealth employers agencies or associations for the

(10) Appoint such subcommittees as it may deem necessary in considering special issues under the jurisdiction of the board

services and facilities as may be deemed necessary

(11) Charge such reasonable fees for books materials

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?



Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—203

Amarando,	Goodling,	Markley,	Rovansek,
Andrews,	Graybill,	Maxwell,	Royer,
Banker,	Greenwood,	Mazza,	Rubin,
Barkdoll,	Greer,	McConnell,	Sarra,
Baumunk,	Guarnieri,	McCormack,	Sax,
Bear,	Gutendorf,	McCullough,	Scanlon,
Beaver,	Guthrie,	McDermitt,	Schmidt,
Beech,	Hagerty,	McGee,	Schuster,
Berkstresser,	Hall,	McInroy,	Scott,
Blair,	Hamilton, R. K.,	McKinney,	Seyler,
Bloom,	Hamilton, W. H.,	McMillen,	Shoemaker,
Boles,	Harney,	McNally,	Shotwell,
Bolton,	Haudenschild,	Metz,	Smith,
Bomberger,	Headlee,	Mihm,	Snider,
Boorse,	Helm,	Mikula,	Sollenberger,
Bower,	Hersch,	Miller, H. G.,	Spencer,
Breisch,	Hewitt,	Mills,	Stank,
Breth,	Hocker,	Mintess,	Stimmel,
Brown,	Hoggard,	Monroe,	Stoner,
Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldorney,	Thompson, E. F.,
Clendening,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varner,
Dalrymple,	Kline,	Penglase,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Petfigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
Duffy,	Kubacki,	Pichney,	Weidner,
Dunn,	Lafore,	Pitzer,	Welsh,
Erb,	Lederer,	Polaski,	Wescott,
Ewing,	Lelsey,	Polen,	Whalley,
Fenrich,	Leven,	Price, H. W. Jr.,	Wheeler,
Ferster,	Leonard, L.,	Price, R. A.,	White,
Fillp,	Leonard, W. C.,	Readinger,	Williams,
Filo,	Light,	Reagan,	Wilt,
Firmstone,	Limper,	Reese,	Wood,
Flack,	Loftus,	Reidenbach,	Yeakel,
Frost,	Lopresti,	Reilly, J. M.,	Yester,
Gaffney,	Lovett,	Rigby,	Yetzer,
Geer,	Lutty,	Riley, R. L.,	Young,
Gibson,	Lyons,	Robertson,	Ziegler,
Gleason,	Madden,	Rose,	Sorg,
Good,	Madigan,	Rosen,	Speaker

## NAYS—1

Miller, J. C.,

## NOT VOTING—3

DuBols, Swartz, Westrick,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

## BILL PASSED OVER

There being no objection

House Bill No. 1652 Printer's No. 1022, was passed over at the request of Mr. READINGER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1662, as follows:

An Act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania in order to purchase and cancel all or any part of the obligations of The General State Authority and the State Highway and Bridge Authority or either of them in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 That an amendment to Article nine of the Constitution by adding thereto section twenty-two which reads as follows

"Section 22 In addition to the purposes stated in article nine of the Constitution the Commonwealth may be authorized by law to create debt and to issue bonds in order to purchase and cancel all or any part of the obligation of The General State Authority not in excess of \$175,000,000 and the State Highway and Bridge Authority not in excess of \$40,000,000 or either of them" may be adopted by the people at the election in November one thousand nine hundred fifty-two If the people adopt said amendment the Governor the Auditor General and the State Treasurer in accordance with the provisions thereof and on behalf of the Commonwealth of Pennsylvania are hereby authorized during the fiscal biennium beginning the first day of June one thousand nine hundred fifty-one from time to time to borrow sum or sums of money not exceeding in the aggregate at any one time the sum of \$215,000,000 as may be found necessary to carry out the purposes of such amendment and statutes passed in conformity therewith

Section 2 Bonds Issue Maturity Interest Et Cetera

(a) As evidence of the indebtedness herein authorized bonds of the Commonwealth of Pennsylvania shall be issued from time to time for such total amounts in such form in such denominations and subject to such terms and conditions of issue redemption and maturity rate or rates of interest not to exceed four and one-half per cent ( $4\frac{1}{2}\%$ ) per annum and time of payment of interest as the Governor Auditor General and State Treasurer shall direct

(b) All bonds issued under the authority of this act shall bear facsimile signatures of the Governor Auditor General and State Treasurer and a facsimile of the great seal of the Commonwealth of Pennsylvania and shall be countersigned by two duly authorized officers of the duly authorized loan and transfer agents of the Commonwealth

(c) The principal and interest of such bonds shall be payable in lawful money of the United States All bonds issued under the provisions of this act shall be exempt from taxation for State and local purposes

(d) Such bonds may be issued with or without interest coupons attached In case interest coupons are attached they shall contain facsimile signatures of the State Treasurer and the Auditor General

(e) The Governor the Auditor General and the State Treasurer shall proceed to have the necessary bonds prepared and printed The bonds as soon as they are prepared and printed shall be forthwith deposited with the duly authorized loan and transfer agent of the Commonwealth there to remain until sold in accordance with the provisions of this act

Section 3 Sale of Bonds Whenever bonds are so issued they shall be offered for sale at not less than par and accrued interest and shall be sold by the Governor the Auditor General and State Treasurer to the highest and best bidder or bidders after due public advertisement on such terms and conditions and upon such open competitive bidding as the Governor Auditor General and State Treasurer shall direct The manner and character of such advertisement and the times of advertising shall be prescribed by the Governor the Auditor General and the State Treasurer

Any portion of any bond issue so offered and not sold or subscribed for may be disposed of by private sale by the Governor the Auditor General and the State Treasurer in such manner and at such prices not less than par and accrued interest as the Governor shall direct No commission shall be allowed or paid for the sale of any bonds issued under the authority of this act

Section 4 Disposition and Use of Proceeds The proceeds realized from the sale of bonds under the provisions of this act and such other moneys as the General Assembly shall from time to time appropriate for like purposes shall be paid into two special funds in the State Treasury hereby created to be known as The General tSate Au-



thority Fund and the State Highway and Bridge Authority Fund and shall be used for the payment of the obligations of The General State Authority not in excess of \$175,000,000 and the State Highway and Bridge Authority not in excess of \$40,000,000 or either of them

Section 5 Registration of Bonds The Auditor General shall prepare the necessary registry books to be kept in the office of the duly authorized loan and transfer agent of the Commonwealth for the registration of any bonds at the request of owners thereof according to the terms and conditions of issue directed by the Governor the Auditor General and the State Treasurer under section two paragraph (a) hereof All bonds which are issued without interest coupons attached shall be registered in the registry books kept by the duly authorized loan and transfer agent of the Commonwealth

Section 6 Information to General Assembly It shall be the duty of the Governor to include in every biennial budget submitted to the General Assembly full information relating to the issuance of bonds under the provisions of this act to enable the General Assembly to provide by appropriation the moneys necessary for the sinking fund of the Commonwealth for the payment of the interest on said bonds and the principal thereof at maturity

Section 7 Special Fund Investments Redemption of Bonds All bonds issued under the authority of this act shall be redeemed at maturity and all interest due from time to time on such bonds shall be paid from The General State Authority Sinking Fund and the State Highway and Bridge Authority Sinking Fund For specific purpose of redeeming said bonds at maturity and paying all interest thereon in accordance with the information received from the Governor the General Assembly shall appropriate biennially the moneys necessary for the payment of the interest on said bonds and the principal thereof at maturity All moneys so appropriated shall be paid into The General State Authority Sinking Fund and the State Highway and Bridge Authority Sinking Fund by the State Treasurer and all of such moneys not necessary to pay accruing interest shall be invested by the Board of Finance and Revenue in such securities as are provided by law for the investment of the sinking funds of the Commonwealth

The Board of Finance and Revenue is authorized at any time to use any of the moneys in The General State Authority Sinking Fund and the State Highway and Bridge Authority Sinking Fund not necessary for the payment of the obligations of The General State Authority and the State Highway and Bridge Authority in accordance with the provisions of the constitutional amendment hereinbefore cited and the legislation passed in conformity therewith for the purchase and retirement of all or any part of the bonds issued under the authority of this act In the event that all or any part of said bonds shall be purchased by the Board of Finance and Revenue they shall be cancelled and returned to the State Treasurer as cancelled and paid bonds and thereafter all payments of interest thereon shall cease and the cancelled bonds and coupons shall be destroyed within two (2) years after cancellation in the presence of the Governor the Auditor General and the State Treasurer and a certificate evidencing the destruction satisfactory to the duly authorized loan and transfer agent of the Commonwealth shall be furnished to it All cancelled bonds and coupons shall be so marked as to make the cancelled bonds and coupons non-negotiable

Section 8 Present Biennium Requirements The Board of Finance and Revenue shall determine the amount of money necessary for the payment of interest on the bonds and the principal thereof if any for the two fiscal years beginning the first day of June one thousand nine hundred fifty-one and the times and amounts of such payments and the amount so determined shall be transferred from The General State Authority Fund and the State Highway and Bridge Authority Fund to The General State Authority Sinking Fund and the State Highway and Bridge Authority Sinking Fund and for such purpose as much of the money in The General State Au-

thority Fund and the State Highway and Bridge Authority Fund is hereby appropriated Should the moneys in The General State Authority Fund and the State Highway and Bridge Authority Fund for any reason not be available for the payment of interest on the bonds or the principal thereof if any the funds necessary for such purpose are hereby appropriated from the General Fund and the Motor License Fund as appropriate and whenever any moneys are transferred from The General State Authority Fund and the State Highway and Bridge Authority Fund for the payment of said interest on the principal of said bonds and such moneys are needed for the payment of the obligations of The General State Authority and the State Highway and Bridge Authority as provided by law there is hereby appropriated from the General Fund and the Motor License Fund a sum sufficient to restore to The General State Authority Fund and the State Highway and Bridge Authority Fund the moneys so transferred

Section 9 Quorum Whenever in this act any action is to be taken or decision made by the Governor the Auditor General and the State Treasurer and the three officers shall not be able unanimously to agree the action or decision of the Governor and either the Auditor General or State Treasurer shall be binding and final except that it shall be the mandatory duty of the Governor the Auditor General and the State Treasurer to issue bonds in accordance with the constitutional amendment quoted in the first section of this act in such time that payment of obligations of The General State Authority and the State Highway and Bridge Authority as provided for in said constitutional amendment and legislation passed in conformity therewith may be made upon the establishment of the qualifications of those entitled thereto

Section 10 Expenses of Preparation Issue and Sale of Bonds For the purpose of providing the bonds and for the payment of the cost of advertising the same and for payment of the compensation of the loan and transfer agent for the biennium 1951-1953 and for all other costs and expenses in connection with the issue of and sale and registration of said bonds there is hereby appropriated from the General Fund the sum of six hundred thousand dollars (\$600,000) Payments from said appropriation shall be made by requisition of the Auditor General after approval of vouchers by the Governor Auditor General and State Treasurer The amount that shall be necessarily expended from said appropriation for the purposes stated shall be repaid from The General State Authority Fund and the State Highway and Bridge Authority Fund into the General Fund from the receipts of the sale of said bonds As much of the money in The General State Authority Fund and the State Highway and Bridge Authority Fund as may be necessary is hereby appropriated for this purpose

Section 11 The authority granted herein by the General Assembly for the issuance and sale of bonds in order to purchase and cancel all or any part of the obligations of The General State Authority and the State Highway and Bridge Authority shall not be considered as a grant of authority by the General Assembly to The General State Authority or the State Highway and Bridge Authority to replace or renew the obligations cancelled by the sale of bonds herein authorized

Section 12 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays weret aken and were as follows:

YEAS—204

Amarando,  
Andrews,  
Banker,

Graybill,  
Greenwood,  
Greer,

Maxwell,  
Mazza,  
McConnell,

Rovansek,  
Royer,  
Rubin,



Barkdoll,  
Baumunk,  
Bear,  
Beaver,  
Beech,  
Berkstresser,  
Blair,  
Bloom,  
Boles,  
Bolton,  
Bomberger,  
Boorse,  
Bower,  
Breisch,  
Breth,  
Brown,  
Bucchin,  
Byrne,  
Cella,  
Clapper,  
Clendenning,  
Cochran,  
Conway,  
Cooper,  
Corr,  
Costa,  
Coyle,  
Dalrymple,  
Davis,  
Dennison,  
Dougherty,  
Dowling,  
Duffy,  
Dunn,  
Erb,  
Ewing,  
Fenrich,  
Ferster,  
Filip,  
Filo,  
Firmstone,  
Flack,  
Frost,  
Gaffney,  
Geer,  
Gibson,  
Gleason,  
Good,  
Goodling,

Guarnieri,  
Gutendorf,  
Guthrie,  
Hagerty,  
Hall,  
Hamilton, R. K.,  
Hamilton, W. H.,  
Harney,  
Haudenschild,  
Headlee,  
Helm,  
Hersch,  
Hewitt,  
Hocker,  
Hoggard,  
Hunter,  
Jenkins,  
Johnson,  
Jones, G. E.,  
Jones, J. M.,  
Jones, P. F.,  
Jones, T. H. W.,  
Jump,  
Kamyk,  
Keller,  
Kent,  
Kline,  
Kohl,  
Kolankiewicz,  
Kornick,  
Kratz,  
Kubacki,  
Lafore,  
Lederer,  
Leisey,  
Leonard, L.,  
Leonard, W. C.,  
Leven,  
Light,  
Limper,  
Lofthus,  
Lopresti,  
Lovett,  
Lutty,  
Lyons,  
Madden,  
Madigan,  
Markley,

McCormack,  
McCullough,  
McDermitt,  
McGee,  
McInroy,  
McKinney,  
McMillen,  
McNally,  
Metz,  
Mihm,  
Mikula,  
Miller, H. G.,  
Miller, J. C.,  
Mills,  
Mintess,  
Monroe,  
Moore, C. E.,  
Moore, H. A.,  
Moran,  
Muldowney,  
Munley,  
Murray,  
Musto,  
Najaka,  
Naugle,  
Needham,  
Olsen,  
Penglaase,  
Peta,  
Petrosky,  
Pettigrew,  
Praff,  
Pichney,  
Pitzer,  
Polaski,  
Polen,  
Price, H. W. Jr.,  
Price, R. A.,  
Readinger,  
Reagan,  
Reese,  
Reidenbach,  
Reilly, J. M.,  
Rigby,  
Riley, R. L.,  
Robertson,  
Rose,  
Rosen,

Sarraf,  
Sax,  
Scanlon,  
Schmidt,  
Schuster,  
Scott,  
Seyler,  
Shoemaker,  
Shotwell,  
Smith,  
Snider,  
Sollenberger,  
Spencer,  
Stank,  
Stimmel,  
Stoner,  
Swope,  
Tahl,  
Taylor,  
Thompson, E. F.,  
Thompson, R. L.,  
Toll,  
Tompkins,  
Toomey,  
VanSant,  
Varallo,  
Varnier,  
Verona,  
Wachhaus,  
Wargo,  
Waterhouse,  
Watkins,  
Weidner,  
Welsh,  
Wescott,  
Whalley,  
White,  
Willams,  
Wilt,  
Wood,  
Yester,  
Yetzer,  
Yeakel,  
Young,  
Ziegler,  
Sorg,

Speaker

NAYS—0

NOT VOTING—3

DuBols, Swartz, Westrick,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1711, as follows:

An Act providing for a referendum to determine the will of the electorate regarding a constitutional convention providing for the nomination and election of delegates and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 At the municipal election in the year one thousand nine hundred fifty-one there shall be submitted in the manner provided by the election laws of the Commonwealth a question to determine the will of the electorate of the Commonwealth in regard to a constitutional convention Such question shall be in the following form

Do you favor the preparation of a new constitution by a convention?

Yes

No

The question shall be printed on the official and specimen ballots or on separate official ballots in bound form by the county board of elections in each county and a sufficient number of ballots shall be furnished to the election officers in each election district of every county so that one ballot may be supplied to each voter at such election In districts where voting machines are used such question shall appear on the face of the machine where the machine is properly equipped for such purposes

Section 2 The results of such election shall be tabulated by the proper election officers of each county and the results thereof certified to the Secretary of the Commonwealth

Section 3 Calling Convention If the electorate votes in favor of a constitutional convention a constitutional convention shall be held at Harrisburg Dauphin County Pennsylvania in the Hall of the House of Representatives or any other meeting place agreed upon by a majority of the delegates to the convention beginning on the first Monday in December one thousand nine hundred fifty-two at eleven o'clock a m and shall conclude its sessions not later than the first day of June one thousand nine hundred fifty-three

Section 4 Delegates The convention shall consist of one district delegate elected at the municipal election in the year one thousand nine hundred fifty-two from each senatorial district within the Commonwealth as such districts are constituted at the time of the primary election to be held in one thousand nine hundred fifty-two and fifteen delegates elected from the Commonwealth at large

Section 5 Nomination of Delegates The respective political parties shall nominate ten candidates for delegates at large and one district delegate for each senatorial district at the primary election to be held the twenty-second day of April one thousand nine hundred fifty-two Delegates at large shall file nomination petitions with the Secretary of the Commonwealth and pay a filing fee in the same manner as provided in the Election Code of one thousand nine hundred thirty-seven and its amendments for other State-wide candidates District delegates shall file nomination petitions with the Secretary of the Commonwealth and pay a filing fee in the same manner as provided in the Election Code of one thousand nine hundred thirty-seven and its amendments for State senatorial candidates

Any political body may circulate nomination papers to nominate ten delegates at large and one district delegate from each senatorial district. The number of signatures required on said nomination papers shall be the same as are now required by the Election Code of one thousand nine hundred thirty-seven and its amendments for candidates for State-wide offices and for senators respectively The nomination papers must be filed as provided under the Election Code of one thousand nine hundred thirty-seven and its amendments

Any person who has been nominated at the primary election as a candidate may cause his or her name to be withdrawn from nomination by request in writing signed by him or her and acknowledged before an officer qualified to take acknowledgment of deeds and filed in the Office of the Secretary of the Commonwealth in the same manner as other candidates who were nominated at the primary election

Any vacancy occurring in the nomination for delegate at large or district delegate may be filled by the respective State committees as the rules of such State committee may prescribe for other State-wide and district vacancies

Delegates at large shall be at least twenty-one (21) years of age shall have been citizens and inhabitants of the Commonwealth four years Each elector shall vote for not more than ten candidates for delegates at large at the municipal election of one thousand nine hundred fifty-two The fifteen candidates receiving the highest votes shall be delegates at large

Vacancies occurring in the position of delegates at large shall be filled by the convention from the Commonwealth at large



District delegates shall be at least twenty-one (21) years of age shall have been citizens and inhabitants of the Commonwealth four years and inhabitants of their respective districts one year next before their election. Each elector shall vote for one candidate for district delegate at the municipal election of one thousand nine hundred fifty-two. The candidate receiving the highest number of votes shall be elected district delegate for the district.

Vacancies occurring in the position of district delegate shall be filled by the convention from the senatorial district from which the delegate was elected.

Section 6 Election Procedure The County Board of Elections shall certify the returns of the election and forward to the Secretary of the Commonwealth copies of the returns so certified.

Nominations elections and returns of elections for all delegates shall conform to the provisions of the Election Code of one thousand nine hundred thirty-seven and its amendments.

The Secretary of the Commonwealth shall certify the return of said election to the Governor who shall issue a certificate of election to each delegate so chosen.

Section 7 Organization of Convention The constitutional convention shall be called to order by the Governor and shall immediately organize by electing a president secretary and such other officers as shall be necessary for the transaction of its business. It shall have the power to adopt rules of procedure finally to determine the election and qualifications of delegates and generally to adjourn to such time or times and such place or places as it shall determine.

Section 8 Submission of New Constitution or Amendments The convention shall through the Secretary of the Commonwealth submit to the electors at the November three a new Constitution amendments to the present election in the year one thousand nine hundred fifty-three. The Secretary of the Commonwealth shall enter the proposed Constitution or amendments upon the records of his office and shall publish the same in at least two newspapers of general circulation if there are such in every county of this Commonwealth once during the week immediately preceding the election. He shall also publish them in convenient form and send a copy thereof to each elector requesting one and ten copies thereof through the County Board of Elections to each polling place for the use of voters during the election.

The Constitution or amendments proposed and the question or questions to be voted on shall be certified by the president and secretary of the convention to the Secretary of the Commonwealth not later than the first day of September in the year one thousand nine hundred fifty-three. The Secretary of the Commonwealth shall enter the proposed Constitution or amendments upon the records of his office and shall publish the same in at least two newspapers of general circulation if there are such in every county of this Commonwealth once during the week immediately preceding the election. He shall also publish them in convenient form and send a copy thereof to each elector requesting one and ten copies thereof through the County Board of Elections to each polling place for the use of voters during the election.

Section 9 Adoption or Rejection The constitution or any amendments proposed by the convention shall be submitted to the qualified electors of the Commonwealth for their approval or rejection in the manner provided by the election laws of this Commonwealth. The majority vote of the electors voting thereon shall determine whether the proposed Constitution or any amendment is adopted or rejected. The Constitution or any amendments if adopted shall become effective upon the first day of January one thousand nine hundred fifty-four unless the Constitution or the schedule thereto or the amendments otherwise provide.

The Governor upon receipt of a certificate of the results of the election from the Secretary of the Commonwealth shall if the proposed Constitution or any amendments have been adopted immediately make a proclamation thereof.

Section 10 Employes The convention shall have the power to employ and fix salaries of such secretary officers assistants and other employes as shall be deemed necessary to carry out the provisions of this act.

Section 11 The members of the constitutional convention shall each receive a salary of three thousand dollars

(\$3,000.00) payable in five equal installments and an allowance for expenses of one hundred dollars (\$100.00) per month.

Section 12 All payments from any appropriation made by the General Assembly for the purposes of this act shall be made on the warrants of the Auditor General upon requisition of the president of the convention or of the Secretary of the Commonwealth as the case may be.

Section 13 The members of the General Assembly and public officers under the Commonwealth of Pennsylvania are hereby declared to be eligible for election and to receive compensation as delegates to the convention herein provided for.

Section 14 The sum of six hundred forty-five thousand dollars (\$645,000.00) is hereby appropriated for the purposes of this act.

Section 15 This act shall become effective immediately upon its final enactment.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. DAVIS. Mr. Speaker, I rise to oppose this bill. The times are ill suited for tampering with the Commonwealth's basic law.

In monumental folly the French Republic, not too long ago, set up a new Constitution during unsettled and dangerous days. They abandoned a wisely designed document—a product of the eighteen-seventies even like Pennsylvania's.

Today, France is in a flat spin. They toil in confusion and in trouble. Never forget that they have lost their lode star.

Our State Constitution, placed in jeopardy by this bill, is a skillfully drawn instrument.

Realistically it meets the ways and weaknesses of humans. It is marked by checks and balances which cushion mistaken trends and tastes.

For the long pull of history it continues effectively and consistently to keep us on the beam, Mr. Speaker.

It is liberal enough to admit change when changes are needed.

Still it is rugged enough to stand off the sweep of ideas that are not deeply rooted in the people.

I submit, Mr. Speaker, that we should not gamble at unfavorable odds, with the immeasurable benefits that we enjoy under the present supreme articles of government.

Surely we are doing just that when we entrust the survival of our existing rights to the mercies of a Constitutional Convention called in such forbidding times. Called in times when the Nation was never in greater peril, when Americans are absorbed with the hazards of our position, when our national economy is heading for a possible crack-up under all-out arming for war, and when the fire of politically powerful pressure groups was never more deadly.

Why the clamor for re-writing the Constitution, Mr. Speaker? They say it has become an untidy maze of amendments.

True, to some extent, it has. In similar vein the same may be said of an old shoe, worn comfortable and serviceable through use and adjustment.

So it is with Pennsylvania's Constitution. In truth appearance is inconsequential for the substance is there.



Embedded in a great document brilliantly planned to meet our needs.

Moreover, a Constitution by its very nature is a beacon light for the ages; not just a trifling affair for a few decades. It connotes seasoned, lasting guidance, the essence of human wisdom gathered along the far paths of history. It is not an instrument needing quick and drastic change. We should not be led astray by this reaching for streamlining; this straining for verbal symmetry.

They tell me that it would be harmless enough to hold a State-wide vote on this question next November; that the decision would be only advisory for possible future action.

I say, Mr. Speaker, that it is neither safe nor sensible to toy even lightly with the idea of bartering away one's birth right.

Such proposals should be knocked down at the beginning.

My solicitude for keeping our present Constitution touches not only upon the broad and long range consequences of losing it.

Rooted among our native forested hills, I feel a natural and locally focussed concern.

As I see it, Mr. Speaker, under a new Constitution, the counsels of rural people will cease to be a substantial factor in State Government.

I strongly urge the defeat of this bill.

I strongly urge that rural members think twice before voting.

On the question recurring,  
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—189

Amarando,	Guthrie,	McGee,	Sarraf,
Andrews,	Hagerty,	McInroy,	Sax,
Barkdoll,	Hall,	McKinney,	Scanlon,
Beaver,	Hamilton, R. K.,	McMillen,	Schmidt,
Beech,	Hamilton, W. H.,	McNally,	Schuster,
Blair,	Harney,	Metz,	Scott,
Bloom,	Haudenschild,	Mihm,	Seyler,
Boles,	Helm,	Mikula,	Shoemaker,
Bolton,	Herscht,	Miller, H. G.,	Shotwell,
Bomberger,	Hewitt,	Mills,	Smith,
Bower,	Hocker,	Mintess,	Snider,
Brelsich,	Hoggard,	Monroe,	Spencer,
Breth,	Hunter,	Moore, C. E.,	Stank,
Bucchin,	Jenkins,	Moore, H. A.,	Stimmel,
Byrne,	Johnson,	Moran,	Stoner,
Cella,	Jones, G. E.,	Muldowney,	Swope,
Clapper,	Jones, J. M.,	Munley,	Tahl,
Clendenning,	Jones, P. F.,	Murray,	Taylor,
Cochran,	Jones, T. H. W.,	Musto,	Thompson, E. F.,
Conway,	Jump,	Najaka,	Thompson, R. L.,
Cooper,	Kamyk,	Naugle,	Toll,
Corr,	Keller,	Needham,	Tompkins,
Costa,	Kent,	Olsen,	Toomey,
Coyle,	Kline,	Penglase,	VanSant,
Dalrymple,	Kohl,	Peta,	Varallo,
Dennison,	Kolankiewicz,	Petrosky,	Varner,
Dougherty,	Kornick,	Pettigrew,	Verona,
Dowling,	Kratz,	Pfaff,	Wachhaus,
Duffy,	Kubacki,	Pichney,	Wargo,
Erb,	Lafore,	Pitzer,	Waterhouse,
Ewing,	Lederer,	Polaski,	Watkins,
Fenrich,	Leonard, L.,	Polen,	Weidner,
Ferster,	Leven,	Price, H. W. Jr.,	Welsh,
Fillip,	Limper,	Price, R. A.,	Wescott,
Filo,	Loftus,	Readinger,	Whalley,
Firmstone,	Lopresti,	Reagan,	Wheeler,
Flack,	Lovett,	Reese,	White,
Gaffney,	Lutty,	Reidenbach,	Williams,
Geer,	Lyons,	Reilly, J. M.,	Wilt,
Gibson,	Madden,	Rigby,	Wood,

Gleason,	Madigan,	Riley, R. L.,	Yeakel,
Good,	Markley,	Robertson,	Yesta,
Goodling,	Maxwell,	Rose,	Yetzer,
Graybill,	Mazza,	Rosen,	Young,
Greenwood,	McConnell,	Rovanssek,	Ziegler,
Greer,	McCormack,	Royer,	Sorg,
Guarnieri,	McCullough,	Rubin,	Speaker
Gutendorf,	McDermitt,		

## NAYS—15

Banker,	Boorse,	Frost,	Light,
Baumunk,	Brown,	Headlee,	Miller, J. C.,
Bear,	Davis,	Leisey,	Sollenberger,
Berkstresser,	Dunn,	Leonard, W. C.,	

## NOT VOTING—3

DuBols,	Swartz,	Westrick,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1727, as follows:

An Act to further amend the act approved the twenty-eighth day of May one thousand nine hundred fifteen (P. L. 596) entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities and regulating the administration and the payment of such pensions" by further providing for certain minimum and maximum pensions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (b) of Section 4 of the act approved the twenty-eighth day of May one thousand nine hundred fifteen (P. L. 596) entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities and regulating the administration and the payment of such pensions" as last amended by the act approved the nineteenth day of July one thousand nine hundred fifty-one (Act No 241) is hereby further amended to read as follows

Section 4 \* \* \* \* \*

(b) The pension paid to any employee pensioned prior to the first day of June one thousand nine hundred fifty-one shall not be less than one hundred dollars nor exceed one hundred and [twenty-five dollars] thirty-seven dollars fifty cents per month and shall not be computed on rate of pay in excess of two hundred and fifty dollars per month The pension paid to any employee pensioned after the first day of June one thousand nine hundred fifty-one shall not be less than one hundred dollars or exceed one hundred seventy-five dollars per month and shall not be computed on rate of pay in excess of three hundred fifty dollars per month

Section 2 Said section four of said act as so amended is hereby further amended by adding after subsection (b) thereof a new subsection to read as follows

Section 4 \* \* \* \* \*

(b.1) Any employee who had been a member of the pension fund prior to the first day of June one thousand nine hundred fifty-one and who had retired or was pensioned prior thereto and whose average salary for the last five years of his or her employment by the city was two hundred dollars per month or more but less than two hundred fifty dollars per month shall have his or her pension computed on fifty-five per centum of his or her average salary during the aforesaid five year period of time. Any employee who had been a member of the pension fund prior to the first day of June one thousand nine hundred fifty-one and who had retired or was pensioned prior thereto whose average salary during the last five years of his or her employment with the city was two hundred fifty dollars per month or more shall receive a pen-



sion of not more than one hundred thirty-seven dollars fifty cents per month

And said bill havinnng been read at length the third time, considered and agreed to.

On the question,

Shall the pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—204

Amarando,	Goodling,	Markley,	Rosen,
Andrews,	Graybill,	Maxwell,	Rovansek,
Banker,	Greenwood,	Mazza,	Royer,
Barkdoll,	Greer,	McConnell,	Rubin,
Baumunk,	Guarnieri,	McCormack,	Sarrafa,
Bear,	Gutendorf,	McCullough,	Sax,
Beaver,	Guthrie,	McDermitt,	Scanlon,
Beech,	Hagerty,	McGee,	Stimmidt,
Berkstresser,	Hall,	McInroy,	Schuster,
Blair,	Hamilton, R. K.,	McKinney,	Scott,
Bloom,	Hamilton, W. H.,	McMillen,	Seyler,
Boles,	Harney,	McNally,	Shoemaker,
Bolton,	Haudenschild,	Metz,	Shotwell,
Bomberger,	Headlee,	Mihm,	Smith,
Boorse,	Helm,	Mikula,	Snider,
Bower,	Hersch,	Miller, H. G.,	Sollenberger,
Breisch,	Hewitt,	Miller, J. C.,	Spencer,
Breth,	Hocker,	Mills,	Stimmel,
Brown,	Hoggard,	Mintess,	Stank,
Bucchin,	Hunter,	Monroe,	Stoner,
Byrne,	Jenkins,	Moore, C. E.,	Swope,
Cella,	Johnson,	Moore, H. A.,	Tahl,
Clapper,	Jones, G. E.,	Moran,	Taylor,
Clendenning,	Jones, J. M.,	Muldowney,	Thompson, E. F.,
Cochran,	Jones, P. F.,	Munley,	Thompson, R. L.,
Conway,	Jones, T. H. W.,	Murray,	Toll,
Cooper,	Jump,	Musto,	Tompkins,
Corr,	Lafore,	Najaka,	Toomey,
Costa,	Kamyk,	Naugle,	VanSant,
Coyle,	Keller,	Needham,	Varallo,
Dalrymple,	Kent,	Olsen,	Varner,
Davis,	Kline,	Penglase,	Verona,
Dennison,	Kohl,	Peta,	Wachhaus,
Dougherty,	Kolankiewicz,	Petrosky,	Wargo,
Dowling,	Kornick,	Pettigrew,	Waterhouse,
Duffy,	Kratz,	Pfaff,	Watkins,
Dunn,	Kubacki,	Pichney,	Weidner,
Erb,	Lederer,	Pitzer,	Welsh,
Ewing,	Leisey,	Polaski,	Wescott,
Fenrich,	Leonard, L.,	Polen,	Whalley,
Ferster,	Leonard, W. C.,	Price, H. W. Jr.,	Wheeler,
Filip,	Leven,	Price, R. A.,	White,
Filo,	Light,	Readinger,	Williams,
Firmstone,	Limper,	Reagan,	Wilt,
Flack,	Loftus,	Reese,	Wood,
Frost,	Lopresti,	Reldenbach,	Yeakel,
Gaffney,	Lovett,	Reilly, J. M.,	Yester,
Geer,	Lutty,	Rigby,	Yetzer,
Gibson,	Lyons,	Riley, R. L.,	Young,
Gleason,	Madden,	Robertson,	Ziegler,
Good,	Madigan,	Rose,	Sorg,

Speaker

#### NAYS—0

#### NOT VOTING—0

DuBois, Swartz, Westrick.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

#### BILL PASSED OVER

There being no objection,

House Bill No. 1731, Printer's No. 1051, was passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1737, as follows:

An Act to promote the welfare of the people of this Commonwealth creating The Port of Erie Authority as a body corporate and politic with power to acquire construct maintain and operate projects for the improvement and development of the port district and to collect tolls fares fees rentals and charges for the use thereof defining its powers and duties authorizing the issuance of bonds for said authority defining the port district and granting the right of eminent domain within the port district

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 As used in this act unless a different meaning clearly appears from the context

"Port District" shall mean all the territory within the county of Erie

"Authority" shall mean The Port of Erie Authority and when required by the context the board constituting the governing body thereof in charge of its property and affairs

"Members" shall mean a member of the governing body of The Port of Erie Authority

"Terminal" shall include any marine motor truck railroad and air terminal also any coal grain and lumber terminal and any union freight and other terminals used or to be used in connection with the transportation of passengers and freight and equipment materials and supplies therefor

"Transportation facility" and "facilities for transportation of passengers" shall include railroads operated by steam electricity or other power rapid transit lines motor trucks tunnels bridges airports boats ferries carfloats lighters tugs floating elevators barges scows or harbor craft of any kind and aircraft and equipment materials and supplies therefor

"Terminal facility" shall include wharves piers slips ferries docks drydocks ship repair yards bulkheads dock walls basins carfloats floatbridges dredging equipment radio receiving and sending stations grain or other storage elevators warehouses cold storage tracks yards sheds switches connections overhead appliances bunker coal oil and freshwater stations markets and every kind of terminal storage or supply facility now in use or hereafter designed for use to facilitate passenger transportation and for the handling storage loading or unloading of freight at terminals and equipment materials and supplies therefor

"Transportation of passengers" and "passenger transportation" shall mean the transportation of passengers by railroad or other facilities

"Rapid transit system" shall mean a transit system for the transportation of passengers express mail and baggage by railroad or other facilities and equipment materials and supplies therefor

"Project" shall mean any improvement betterment facility or structure authorized by or undertaken pursuant to this act to be constructed erected acquired owned or controlled or otherwise undertaken by the authority "Project" shall not include undertakings for purposes described in subsections (2) (3) (4) (5) and (6) of section two of this act

"Railroad" shall include railways extensions thereof tunnels subways bridges elevated structures tracks poles wires conduits powerhouses substations lines for the transmission of power barns shops yards sidings turnouts switches station and approaches thereto cars and motive equipment

"Bridge" and "tunnel" shall include such approach highways and interests in real property necessary therefor as may be determined by the authority to be necessary to facilitate the flow of traffic in the vicinity of a bridge or tunnel or to connect a bridge or tunnel with the highway system or other traffic facilities in the Commonwealth Provided That the power and authority herein granted to the authority to construct new or additional



approach highways shall not be exercised unless and until the Department of Highways of the Commonwealth of Pennsylvania shall have filed with the authority its written approval as to approach highways to be located in said Commonwealth.

"Facility" shall include all works buildings structures property appliances and equipment to gether with appurtenances necessary and convient for the proper construction equipment maintenance and operation of a facility or facilities or any one or more of them.

"Personal property" shall include choses in action and all other property now commonly or legally defined as personal property or which may hereafter be so defined.

"Lease" shall include rent or hire.

Words importing the singular number include the plural number and vice versa.

Section 2 There is hereby created a body corporate and politic to be known as The Port of Erie Authority (hereinafter called the "authority") which shall constitute a public corporation instrumentality in the Commonwealth of Pennsylvania for the following public purposes and which shall be deemed to be exercising an essential governmental function in effecting such purposes to wit:

(1) The improvement and development of the Port District for port purposes by or through the acquisition construction maintenance or operation of any and all projects for the improvement and development of the Port District for port purposes or directly related thereto either directly by purchase lease or contract or by lease or agreement with any other public or private body or corporation or in any other manner.

(2) Cooperation with all other bodies interested or concerned with or affected by the promotion development for use of the Port District.

(3) The procurement from the government of the United States of any consents which may be requisite to enable any project within its power to be carried forward.

(4) The promotion of increased passenger and freight commerce and for such purpose the publication of literature and the adoption of any other means as may be deemed appropriate.

(5) To study and make recommendations to the proper authorities for the improvement of terminal lighterage wharfage warehouse and other facilities necessary for the promotion of commerce from and to the port of Erie.

(6) Institution through its counsel or such other counsel as it shall designate or intervention in any litigation involving rates preferences rebates or other matters vital to the interests of the port of Erie.

(7) Any other functions which may be of benefit to the Commonwealth of Pennsylvania in so far as concerns the promotion and development of the port of Erie and the use by commercial vessels of its facilities. Provided That notice of any such institution of or intervention in litigation shall be given promptly to the Attorney General of the Commonwealth of Pennsylvania and provision for such notice shall be made in a resolution authorizing any such intervention or litigation and shall be incorporated in the minutes of the authority.

Section 3 The authority shall consist of eight members who shall be resident voters of the Commonwealth of Pennsylvania and who shall serve without compensation.

Six of the members shall be appointed by the Governor of Pennsylvania for terms of five years. The Auditor General and the State Treasurer of the Commonwealth shall ex-officio be members of the authority each having the privilege of appointing a representative to serve in his place at any meeting which he does not attend personally.

All members shall continue to hold office after the expiration of the terms for which they are appointed or elected until their respective successors are appointed and qualify but no period during which any members shall hold over shall be deemed to be an extension of his term of office for the purpose of computing the date on which his successor's term expires.

Section 4 (a) For the effectuation of its authorized purposes the authority is hereby granted the following powers

(1) To have perpetual succession  
(2) To sue and be used  
(3) To adopt and use an official seal  
(4) To elect a chairman vice-chairman secretary and treasurer and to adopt suitable by-laws for the management of its affairs. The secretary and treasurer need not be members of the authority.

(5) To appoint hire or employ counsel and such other officers and such agents and employes as it may require for the performance of its duties by contract or otherwise and fix and determine their qualifications duties and compensation.

(6) To enter into contracts.

(7) To acquire own hire use operate and dispose of personal property.

(8) To acquire own use lease operate mortgage and dispose of real property and interests in real property and to make improvements thereon.

(9) To grant by franchise lease or otherwise the use of any property for facility owned or controlled by the authority and to make charges therefor.

(10) To borrow money upon its bonds or other obligations either with or without security and to make enter into and perform any and all such covenants and agreements with the holders of such bonds or other obligations as the authority may determine to be necessary or desirable for the security and payment thereof including without limitation of the foregoing covenants and agreements as to the management and operation of any property or facility owned or controlled by it the tolls rents rates or other charges to be established levied made ade collected for any use of any such property or facility or the application use and disposition of the proceeds of any bond; or other obligations of the authority or the proceeds of any such tolls rents rates or other charges or any other revenues or moneys of the authority.

(11) To exercise the right of eminent domain within the Port District.

(12) To determine the exact location system and character of and all other matters in connection with any and all improvements or facilities which it may be authorized to own construct establish effectuate operate or control.

(13) To exercise all other powers not inconsistent with the constitutions of Pennsylvania or of the United States which may be reasonably necessary or incidental to the effectuation of its authorized purposes or to the exercise of any of the foregoing powers except the power to levy taxes or assessments and generally to exercise in connection with its property and affairs and in connection with property within its control any and all powers which might be exercised by a natural person or a private corporation in connection with similar property and affairs.

(14) To acquire purchase construct lease operate maintain and undertake any project including any terminal terminal facility transportation facility or any other facility of commerce and to make charges for the use thereof.

(15) To make expenditures anywhere in the United States and foreign countries to pay commissions and hire or contract with experts and consultants and otherwise to do directly anything which the authority may do directly.

(b) The authority shall also have such additional powers as may hereafter be delegated to or imposed upon it from time to time by act of Legislature.

Section 5 It is the policy and intent of the Legislature of the Commonwealth of Pennsylvania that the powers granted by this act shall be so exercised that the American system of free competitive private enterprise is given full consideration and is maintained and furthered. In making its reports and recommendations to the Legislature of the Commonwealth of Pennsylvania on the need for any facility or project which the authority believes should be undertaken for the promotion and development of the Port District the authority shall include therein its findings which fully set forth that the facility or facilities operated by private enterprise with the Port District and which it is intended shall be supplanted or added to are not adequate.



Section 6 The effectuation of its authorized purposes by the authority is and will be in all respects for the benefit of the people of the Commonwealth of Pennsylvania for the increase of their commerce and prosperity and for the improvement of their health and living conditions and since the authority will be performing essential governmental functions in effectuating said purposes the authority shall not be required to pay any tax or assessments upon any property acquired or used by it for such purposes and the bonds or other securities or obligations issued by the authority there transfer and the income therefrom (including any profits made on the sale thereof) shall at all times be free from taxation within the Commonwealth of Pennsylvania

Section 7 To the end that political subdivisions may not suffer undue loss of tax revenue by reason of the acquisition and ownership of property therein by the authority the authority is hereby authorized and empowered in its discretion to enter into a voluntary agreement or agreements with any political subdivision whereby it will undertake to pay a fair and reasonable sum or sums to compensate the said political subdivision for any loss of tax revenue in connection with any property acquired by the authority other than property acquired for bridge tunnel or passenger transportation purposes Any such payments which the authority is hereby authorized and empowered to make may be made on an annual basis in which case the payment or payments shall not be in excess of the amount of the taxes upon the property when last assessed prior to the time of its acquisition by the authority or such payment or payments may be made in a lump sum or sums or over a stated period of years as shall be agreed upon by and between the authority and such political subdivision Every political subdivision wherein the property shall be acquired by the authority is authorized and empowered to enter into such agreement or agreements with the authority to accept the payment or payments which the authority is herein authorized and empowered to make

Section 8 The authority shall make annual reports to the Governor and Legislature of the Commonwealth of Pennsylvania setting forth in detail its operations and transactions and may make such additional reports from time to time to the Governor and Legislature as it may deem desirable Copies thereof shall be available for public information and use

Section 9 Nothing in this act shall be construed to limit or impair any right or power granted or to be granted to the Pennsylvania Turnpike Commission to finance construct operate and maintain the Pennsylvania Turnpike System throughout the Port District

Section 10 the provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—204

Amarando,	Goodling,	Markley,	Rosen,
Andrews,	Graybill,	Maxwell,	Rovanssek,
Banker,	Greenwood,	Mazza,	Royer,
Barkdoll,	Greer,	McConnell,	Rubin,
Baumunk,	Gutendorf,	McCormack,	Sarraff,
Bear,	Guthrie,	McCullough,	Sax,
Beaver,	Guarnieri,	McDermitt,	Scanlon,
Beech,	Hagerty,	McGee,	Schmidt,
Berkstresser,	Hall,	McInroy,	Schuster,
Blair,	Hamilton, R. K.,	McKinney,	Scott,
Bloom,	Hamilton, W. H.,	McMillen,	Seyler,
Boles,	Harney,	McNally,	Shoemaker,
Bolton,	Haudenschild,	Metz,	Shotwell,
Bomberger,	Headlee,	Mihm,	Smith,
Boorse,	Helm,	Mikula,	Snider,
Bower,	Hersch,	Miller, H. G.,	Sollenberger,
Breisch,	Hewitt,	Miller, J. C.,	Spencer,

Breth,	Hocker,	Mills,	Stank,
Brown,	Hoggard,	Mintess,	Stimmel,
Bucchin,	Hunter,	Monroe,	Stoner,
Byrne,	Jenkins,	Moore, C. E.,	Swope,
Cella,	Johnson,	Moore, H. A.,	Tahl,
Clapper,	Jones, G. E.,	Moran,	Taylor,
Clendenning,	Jones, J. M.,	Muldowney,	Thompson, E. F.,
Cochran,	Jones, P. F.,	Munley,	Thompson, R. L.,
Conway,	Jones, T. H. W.,	Murray,	Toll,
Cooper,	Jump,	Musto,	Tompkins,
Corr,	Lafore,	Najaka,	Toomey,
Costa,	Kamyk,	Naugle,	VanSant,
Coyle,	Keller,	Needham,	Varallo,
Dalrymple,	Kent,	Olsen,	Varner,
Davis,	Kline,	Peta,	Verona,
Dennison,	Kohl,	Penglase,	Wachhaus,
Dougherty,	Kolankiewicz,	Petrosky,	Wargo,
Dowling,	Kornick,	Pettigrew,	Waterhouse,
Duffy,	Kratz,	Pfaff,	Watkins,
Dunn,	Kubacki,	Pichney,	Weldner,
Erb,	Lederer,	Pitzer,	Welsh,
Ewing,	Lelsey,	Polaski,	Wescott,
Fenrich,	Leonard, L.,	Polen,	Whalley,
Ferster,	Leonard, W. C.,	Price, H. W. Jr.,	Wheeler,
Fillip,	Leven,	Price, R. A.,	White,
Filo,	Light,	Readinger,	Williams,
Firmstone,	Limper,	Reese,	Wilt,
Flack,	Loftus,	Reidenbach,	Wood,
Frost,	Lopresti,	Reagan,	Yeakel,
Gaffney,	Lovett,	Reilly, J. M.,	Yester,
Geer,	Lutty,	Rigby,	Yetzer,
Gibson,	Lyons,	Riley, R. L.,	Young,
Gleason,	Madden,	Robertson,	Ziegler,
Good,	Madigan,	Rose,	Sorg,

Speaker

#### NAYS—0

#### NOT VOTING—3

DuBois,	Swartz,	Westrick,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1738, as follows:

An Act making an appropriation to the State Public School Building Authority for payment of the costs and expenses incurred in the work of the Authority

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of seventy-five thousand dollars (\$75,000) or as much thereof as may be necessary is hereby appropriated to the State Public School Building Authority for the payment of costs and expenses incurred in the work of the Authority under the "State Public School Building Authority Act" approved July 5 1941 (P. L. 1217)

Section 2 When approved by the Governor the appropriation in the act providing moneys for the purposes herein indicated for the biennium will be reduced by the amount appropriated by this act

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—203

Amarando,	Goodling,	Markley,	Rovanssek,
Andrews,	Graybill,	Maxwell,	Royer,
Banker,	Greenwood,	Mazza,	Rubin,
Barkdoll,	Greer,	McConnell,	Sarraff,
Baumunk,	Guarnieri,	McCormack,	Sax,



Bear,	Gutendorf,	McCullough,	Scanlon,
Beaver,	Guthrie,	McDermitt,	Schmidt,
Beech,	Hagerty,	McGee,	Schuster,
Berkstresser,	Hall,	McInroy,	Scott,
Blair,	Hamilton, R. K.,	McKinney,	Seyler,
Bloom,	Hamilton, W. H.,	McMillen,	Shoemaker,
Boles,	Harney,	McNally,	Shotwell,
Bolton,	Haudenschild,	Metz,	Smith,
Bomberger,	Headlee,	Mihm,	Snider,
Boorse,	Helm,	Mikula,	Sollenberger,
Bower,	Hersch,	Miller, H. G.,	Spencer,
Breisch,	Hewitt,	Mills,	Stank,
Breth,	Hocker,	Mintess,	Stimmel,
Brown,	Hoggard,	Monroe,	Stoner,
Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendenning,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varner,
Dalrymple,	Kilne,	Penglase,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
Duffy,	Kubacki,	Pichney,	Weldner,
Dunn,	Lafore,	Pitzer,	Welsh,
Erb,	Lederer,	Polaski,	Wescott,
Ewing,	Lelsey,	Polen,	Whalley,
Fenrich,	Leonard, L.,	Price, H. W. Jr.,	Wheeler,
Ferster,	Leonard, W. C.,	Price, R. A.,	White,
Filip,	Leven,	Readinger,	Williams,
Filo,	Light,	Reagan,	Wilt,
Firmstone,	Limper,	Reese,	Wood,
Flack,	Loftus,	Reidenbach,	Yeakel,
Frost,	Lopresti,	Reilly, J. M.,	Yester,
Gaffney,	Lovett,	Rigby,	Yetzer,
Geer,	Lutty,	Riley, R. L.,	Young,
Gibson,	Lyons,	Robertson,	Ziegler,
Gleason,	Madden,	Rose,	Sorg,
Good,	Madigan,	Rosen,	

Speaker

## NAYS—1

Miller, J. C.,

## NOT VOTING—3

DuBois,

Swartz,

Westrick,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1739, as follows:

An Act making an appropriation to the Department of Property and Supplies to conduct a service for photographing correspondence records reports and other papers and for studying and recommending filing systems or the use of space by departments boards and commissions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one hundred thousand dollars (\$100,000) or as much thereof as may be necessary is hereby appropriated to the Department of Property and Supplies for the payment of salaries of employes the purchase of supplies and equipment and the payment of all other expenses involved in conducting a service unit to be available to all departments boards and commissions for photographing correspondence records reports and papers of every description which are to be preserved for studying filing systems and preparing manuals and filing procedures and for recommending to the Governor the proper use of space by the departments boards and

commissions in accordance with Act 526 approved July fifth one thousand nine hundred forty-seven

Section 2 The cost of services performed by the Department of Property and Supplies in such amount as may be approved by the Executive Board shall be billed to and paid by the department board or commission for which the service was rendered Receipts by the Department of Property and Supplies under this section shall be paid into the General Fund and credited to the appropriation made by section one of this act Such receipts are hereby appropriated for the purposes specified in section one

Section 3 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—203

Amarando,	Goodling,	Markley,	Rovansek,
Andrews,	Graybill,	Maxwell,	Royer,
Banker,	Greenwood,	Mazza,	Rubin,
Barkdoll,	Greer,	McConnell,	Sarrafa,
Baumunk,	Guarnieri,	McCormack,	Sax,
Bear,	Gutendorf,	McCullough,	Scanlon,
Beaver,	Guthrie,	McDermitt,	Schmidt,
Beech,	Hagerty,	McGee,	Schuster,
Berkstresser,	Hall,	McInroy,	Scott,
Blair,	Hamilton, R. K.,	McKinney,	Seyler,
Bloom,	Hamilton, W. H.,	McMillen,	Shoemaker,
Boles,	Harney,	McNally,	Shotwell,
Bolton,	Haudenschild,	Metz,	Smith,
Bomberger,	Headlee,	Mihm,	Snider,
Boorse,	Helm,	Mikula,	Sollenberger,
Bower,	Hersch,	Miller, H. G.,	Spencer,
Breisch,	Hewitt,	Mills,	Stank,
Breth,	Hocker,	Mintess,	Stimmel,
Brown,	Hoggard,	Monroe,	Stoner,
Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Murray,	Thompson, E. F.,
Clendenning,	Jones, J. M.,	Muldowney,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Munley,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varner,
Dalrymple,	Kilne,	Penglase,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
Duffy,	Kubacki,	Pichney,	Weldner,
Dunn,	Lafore,	Pitzer,	Welsh,
Erb,	Lederer,	Polaski,	Wescott,
Ewing,	Lelsey,	Polen,	Whalley,
Fenrich,	Leonard, L.,	Price, H. W. Jr.,	Wheeler,
Ferster,	Leonard, W. C.,	Price, R. A.,	White,
Filip,	Leven,	Readinger,	Williams,
Filo,	Light,	Reagan,	Wilt,
Flack,	Limper,	Reese,	Wood,
Firmstone,	Loftus,	Reidenbach,	Yeakel,
Frost,	Lopresti,	Reilly, J. M.,	Yester,
Gaffney,	Lovett,	Rigby,	Yetzer,
Geer,	Lutty,	Riley, R. L.,	Young,
Gibson,	Lyons,	Robertson,	Ziegler,
Gleason,	Madden,	Rose,	Sorg,
Good,	Madigan,	Rosen,	

Speaker

## NAYS—1

Miller, J. C.,

## NOT VOTING—3

DuBois,

Swartz,

Westrick,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.



Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 27, as follows:

An Act relating to the loyalty to the United States and the Commonwealth of Pennsylvania of public officers and employees including teachers and other employees of the Public School System and officers and employees of state-aided institutions of learning requiring statements and oaths or affirmations by applicants for public office or employment and by present appointed officers and employees prohibiting appointment or employment and requiring discharges after hearing in certain cases imposing conditions on the payment of appropriations to state-aided institutions of learning requiring statements under oath or affirmation of candidates for elective public offices and imposing duties on state and local appointing authorities and certain other state officers

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 This act shall be known and may be cited as the "Pennsylvania Loyalty Act"

Section 2 Definitions For the purposes of this act

"Organization" means an organization corporation company partnership association trust foundation fund club society committee political party or any group of persons whether or not incorporated permanently or temporarily associated together for joint action or advancement of views on any subject or subjects

"Subversive Organization" means any organization which engages in or advocates abets advises or teaches or a purpose of which is to engage in or advocate abet advise or teach activities intended to overthrow destroy or alter or to assist in the overthrow destruction or alteration of the constitutional form of the government of the United States or of the Commonwealth of Pennsylvania or of any political subdivision of either of them by force or violence

"Foreign subversive organization" means any organization directed dominated or controlled directly or indirectly by a foreign government which engages in or advocates abets advises or teaches or a purpose of which is to engage in or to advocate abet advise or teach activities intended to overthrow destroy or alter or to assist in the overthrow destruction or alteration of the constitutional form of the government of the United States or of the Commonwealth of Pennsylvania or of any political subdivision of either of them and to establish in place thereof any form of government the direction and control of which is to be vested in or exercised by or under the domination or control of any foreign government organization or individual but does not and shall not be construed to mean an organization the bona fide purpose of which is to promote world peace by alliances or unions with other governments or world federations unions or governments to be effected through constitutional means

"Foreign government" means the government of any country or nation other than the government of the United States of America or of one of the States thereof

"Subversive person" means any person who commits attempts to commit or aids in the commission or advocates abets advises or teaches by any means any person to commit attempt to commit or aid in the commission of any act intended to overthrow destroy alter or to assist in the overthrow destruction or alteration of the constitutional form of government of the United States or of the Commonwealth of Pennsylvania or any political subdivision of either of them by force or violence or who is knowingly a member of a subversive organization or a foreign subversive organization as defined in this act

"Appointing authority" means any person department board commission or other agency of the Commonwealth

or of any political subdivision thereof who appoints or employs officers or employees

Section 3 Ineligibility for employment or appointment to office no subversive person as defined in this act nor any person as to whom on all the evidence there is reasonable doubt concerning his loyalty to the government of the United States or the Commonwealth of Pennsylvania shall be eligible for employment in or appointment to any office or any position of trust or profit in the government of or in the administration of the business of this commonwealth or of any school district county municipality or other political subdivision of this Commonwealth

Section 4 Procedure in appointments statement and oath of applicants every appointing authority shall establish by rules regulations or otherwise procedures designed to ascertain before any person including teachers and other employees of the public school system is appointed or employed that he is not a subversive person and that there is no reasonable doubt on all the evidence as to the loyalty of the person involved to the government of the United States or the Commonwealth of Pennsylvania in the event the applicant is deemed to be a subversive person or in the event reasonable doubt as to loyalty exists he shall not be appointed or employed in securing facts necessary to ascertain the information herein required each applicant shall be required to sign a written statement containing answers to such inquiries as may be material which inquiries shall be prepared by the attorney general the statement shall contain notice that it is subject to criminal penalties for false fictitious or fraudulent answers in addition each applicant shall be required to make a written statement under oath or affirmation which statement shall contain notice that it is subject to the penalties of perjury and shall be in the following form

"I ..... do solemnly swear (or affirm) that I will support obey and defend the constitution of the United States and the constitution of this Commonwealth and that I will discharge the duties of ..... with fidelity

"And I do further swear (or affirm) that I do not advocate nor am I knowingly a member of any organization that advocates the overthrow of the government of the United States or of this Commonwealth by force or violence or other unconstitutional means or seeking by force or violence to deny other persons their rights under the constitution of the United States or of this Commonwealth

"And I do further swear (or affirm) that I will not so advocate nor will I knowingly become a member of such organization during the period that I am an employee of the Commonwealth of Pennsylvania (or political subdivision thereof)"

Section 5 Present employees statement and oath discharge the appointing authority of each person including teachers and other employees of the public school system who on the first day of November one thousand nine hundred fifty-one shall be in the employ of the Commonwealth of Pennsylvania or of any of its political subdivisions other than those holding state or local elective offices of any kind shall require such person to and every such person shall on or before the first day of December one thousand nine hundred fifty-one sign a written statement containing answers to such inquiries as may be material to determine that he is not a subversive person and to determine that there is no reasonable doubt on all the evidence as to his loyalty to the government of the United States and the Commonwealth of Pennsylvania the inquiries shall be prepared by the attorney general the statement shall contain notice that it is subject to criminal penalties for false fictitious or fraudulent answers in addition every such person shall be required on or before the first day of December one thousand nine hundred fifty-one to make a written statement under oath or affirmation which statement shall contain notice that it is subject to the penalties of perjury and shall be in the following form



"I ..... do solemnly swear (or affirm) that I will support obey and defend the constitution of the United States and the constitution of this Commonwealth and that I will discharge the duties of ..... with fidelity

"And I do further swear (or affirm) that I do not advocate nor am I knowingly a member of any organization that advocates the overthrow of the government of the United States or of this Commonwealth by force or violence or other unconstitutional means or seeking by force or violence to deny other persons their rights under the Constitution of the United States or of this Commonwealth

"And I do further swear (or affirm) that I will not so advocate nor will I knowingly become a member of such organization during the period that I am an employee of the Commonwealth of Pennsylvania (or political subdivision thereof)"

Any person failing or refusing to execute either statement required hereby shall be discharged immediately by the proper appointing authority

Section 6 Investigations any appointing authority may at any time upon complaint or on his own motion investigate any person including teachers and other employees of the public school system appointed or employed by him to determine whether he is a subversive person or whether there is reasonable doubt on all the evidence as to his loyalty to the Government of the United States or the Commonwealth of Pennsylvania if upon any investigation it appears that such person is a subversive person or that on all the evidence there is reasonable doubt concerning his loyalty to the Government of the United States or the Commonwealth of Pennsylvania a confidential report of the investigation recommending discharge of such person shall be forwarded to the attorney general if the attorney general concurs in the recommendation the report shall be returned to the proper appointing authority and the person shall immediately be privately and confidentially notified to the recommendation by the appointing authority no person shall be so notified under the provisions of this section unless the concurrence of the attorney general is first obtained by the appointing authority no public announcement release statement or comment concerning the investigation recommendation or notification shall be made by the appointing authority in any way whatsoever unless and until the person so notified is discharged under section seven of this act

Section 7 Hearing before appointing authority any person including teachers and other employees of the public school system who has been so notified under this act shall have a right to an administrative hearing before the proper appointing authority within thirty (30) days after receiving said notification if no hearing is required within thirty (30) days after said notification is received the person shall immediately be discharged by the appointing authority he may appear before such appointing authority personally accompanied by counsel or representative of his own choosing and present evidence on his own behalf through witnesses or by affidavit the person who has been notified shall at the same time be further informed in writing of such hearing at least ten days before the day set for the hearing and shall be informed therein of the nature of the charges against him the charges shall be stated as specifically and completely as in the discretion of the appointing authority security considerations permit and the person who has been so notified shall be informed in the notice (1) of his right to reply to such charges in writing within ten days after the date of service (2) of his right to an administrative hearing on such charges before the appointing authority which hearing may be private and confidential or may be public at the option of the person so notified and (3) of his right to appear before such appointing authority personally to be accompanied by counsel or representative of his own choosing and to present evidence on his own behalf through witnesses or by affidavit if after due hearing it is determined by the appointing

authority that the person who has been so notified is a subversive person as defined in this act or if on all the evidence there is reasonable doubt as to his or her loyalty to the Government of the United States or the Commonwealth of Pennsylvania the person who has been so notified shall be discharged otherwise the recommendation shall be ignored Said determination shall be made within sixty (60) days after the administrative hearing if the appointing authority shall be comprised of three or more members a vote of two-thirds of the members shall be necessary in order to discharge a person

Section 8 Standards (a) the standard for the refusal of employment or the removal from employment on grounds relating to loyalty shall be that on all the evidence there is a reasonable doubt as to the loyalty of the person involved to the Government of the United States or the Commonwealth of Pennsylvania

(b) Activities and associations of an applicant or employee which may be considered in connection with the determination of ineligibility or discharge may include but shall not be limited to one or more of the following

(1) Sabotage espionage or attempts or preparations therefor or knowingly associating with spies or saboteurs

(2) Treason or sedition or advocacy thereof

(3) Advocacy of revolution or force or violence to alter the Constitutional Form of Government of the United States or the Commonwealth of Pennsylvania

(4) Intentional unauthorized disclosure to any person under circumstances which may indicate disloyalty to the United States or the Commonwealth of Pennsylvania of documents or information of a confidential or non-public character obtained by the person making the disclosure as a result of his employment by the Commonwealth of Pennsylvania or any political subdivision

(5) Performing or attempting to perform his duties or otherwise acting so as to serve the interests of a foreign government in preference to the interests of the United States or the Commonwealth of Pennsylvania

(6) Membership in affiliation with or sympathetic association with any subversive organization or foreign subversive organization or any organization designated by the attorney general of the United States as totalitarian fascist communist or subversive or as having adopted a policy of advocating or approving the commission of acts of force or violence to deny other persons their rights under the constitution of the United States and the Constitution of the Commonwealth of Pennsylvania or as seeking to alter the form of government of the United States or the Commonwealth of Pennsylvania by unconstitutional means

Section 9 Appeals to the Civil Service Commission after a final determination of discharge under this act by an appointing authority any person other than teachers and other employees of the public school system in the employ of the Commonwealth or of any political subdivision who believes himself aggrieved by the determination may appeal from the determination by an application in writing to the Civil Service Commission of the Commonwealth within twenty days after receiving written notice of the determination the commission shall set a time and place for hearing the appeal which hearing shall be not more than thirty (30) days after receipt thereof and give due notice of said hearing to the appellant and to the appointing authority whose determination is under review the hearing shall be held by the commission or by a person or persons not exceeding three designated by the commission in writing to hear the appeal in its behalf the commission in its discretion may designate such person or persons to hear the appeal and to report to the commission the report shall be acted upon by the entire commission the persons so designated by the commission may be officers or employees of the civil service of the commonwealth the person or persons holding the hearing may make such inquiry as may be deemed advisable within sixty (60) days after the hearing on appeal the commission shall affirm or reverse the findings and determination under review and in the case of reversal shall



order the reinstatement of the appellant who shall be entitled to back pay from the date of his discharge for the purposes of this section officers and employees of the Department of Public Instruction or of any of its departmental administrative boards or commissions shall not be construed to be employees of the public school system they shall be entitled to appeal to the Civil Service Commission as provided herein

Section 10 Appeals to the Superintendent of Public Instruction after a final determination of discharge under this act by an appointing authority any teacher or other person employed in the public school system of the Commonwealth who believes himself aggrieved by such determination may appeal from the determination by an application in writing to the Superintendent of Public Instruction of the Commonwealth within twenty days after receiving written notice of such determination the superintendent shall set a time and place for the hearing of the appeal which hearing shall be not more than thirty (30) days after receipt thereof and give due notice of said hearing to the appellant and to the appointing authority whose determination is under review the hearing shall be held by the superintendent or by a person or persons not exceeding three designated by the superintendent in writing to hear the appeal in his behalf the superintendent in his discretion may designate such person or persons to hear the appeal and to report to him the persons so designated by the superintendent may be officers or employees of the civil service of the Commonwealth the person or persons holding the hearing may make such inquiry as may be deemed advisable within sixty (60) days after the hearing on appeal the superintendent shall affirm or reverse the findings and determination under review and in the case of reversal shall order the reinstatement of the appellant who shall be entitled to back pay from the date of his discharge

Section 11 Evidence in proceedings taken pursuant to this act evidence shall not be restricted by the rules of evidence and procedure prevailing in the courts all relevant evidence of reasonable probative value may be received

Section 12 State-aided institutions of learning No appropriation of public funds made after the first day of May one thousand nine hundred fifty-one of any character shall be paid by the Commonwealth to any state-aided institution of learning not a part of the public school system unless there shall be filed annually on or before the first day of September with the Governor (with copies furnished to the President of the Senate and to the Speaker of the House of Representatives) on behalf of the institution a written report setting forth what procedures the institution has adopted to determine whether it has reason to believe that any subversive persons are in its employ and what steps if any have been or are being taken to terminate such employment the report also shall unequivocally set forth that the institution has no reason to believe any subversive persons are in its employ if the report shall be approved by the Governor he shall notify the Auditor General and the State Treasurer that the provisions of this section have been complied with the report required hereby to be filed in the year one thousand nine hundred fifty-one may be filed on or before the first day of December one thousand nine hundred fifty-one

Section 13 Candidates for elective offices no person shall become a candidate for election under the provisions of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) known as the "Pennsylvania Election Code" and its amendments to any state district county or local public office whatsoever in this Commonwealth unless he shall file with his nomination petition nomination paper or nomination certificate a statement under oath or affirmation that he is not a subversive person as defined in this act which statement shall contain notice that it is subject to the penalties of perjury no nomination petition nomination paper or nomination certificate shall be received for filing by any county board of elections or by the Secretary of

the Commonwealth unless accompanied by the statement required hereby nor shall the name of any person who has failed or refused to make the statement be printed on any ballot or ballot label to be used at any general municipal primary or special election

Section 14 Effect and applicability of act (a) the provisions of this act shall not affect the right to discharge any person for any cause other than those provided for by this act or without cause under existing law no procedure provided by any existing tenure or civil service law shall be applicable in any proceeding under this act

(b) The provisions of this act shall not apply to exchange teachers who are citizens or subjects of a foreign government and whose appointments to teach in the public school system of the Commonwealth of Pennsylvania have been approved by the Superintendent of Public Instruction

Section 15 Specific repeals the act approved the twenty-eighth day of July one thousand nine hundred forty-one (P. L. 530) entitled "An act prohibiting the employment by the Commonwealth or any county city borough incorporated town township school district vocational school district or institution district thereof or by any authority or any institution supported in whole or in part out of the public funds of persons who hereafter advocate or participate in un-American or subversive doctrines as herein defined providing for dismissals under existing laws and permitting appeals to courts of common pleas and appellate courts in all such cases" is hereby repealed

Section 1122 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" and its amendment is hereby repealed insofar as it authorizes termination of the contract of a professional employee for advocating or participating in un-American or subversive doctrines

Section 16 Severability If any provision of this act or the application thereof to any person or circumstance is held invalid such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application and to this end the provisions of this act are declared to be severable

Section 17 The provisions of this act shall become effective on the first day of November one thousand nine hundred fifty-one

On the question,

Will the House agree to the bill on third reading?

REQUEST TO PASS BILL OVER

The SPEAKER pro tempore. If there is no objection, this bill will be passed over temporarily.

PARLIAMENTARY INQUIRY

Mr. ANDREWS. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. ANDREWS. Mr. Speaker, what limitations are placed upon the phrase "passing over temporarily?"

The SPEAKER pro tempore. For the information of the gentleman from Cambria, Mr. Andrews, the Chair has been advised that there has been a request to place this bill on the postponed calendar. The thought is that perhaps it would be advisable to defer action until the Speaker and the Majority Leader return to the floor of the House.

Mr. ANDREWS. Mr. Speaker, I shall certainly resist the motion to place it on the postponed calendar and I



am willing to delay action upon the matter until the Majority Leader returns, if he returns within a reasonable period.

THE SPEAKER (Herbert P. Sorg) IN THE CHAIR.

The SPEAKER. The Chair thanks the gentleman, Mr. Hall, for presiding.

On the question recurring,

Will the House agree to the bill on third reading?

#### BILL POSTPONED

Mr. TOMPKINS. Mr. Speaker, I move that this bill be placed on the third reading postponed calendar.

On the question,

Will the House agree to the motion?

Mr. ANDREWS. Mr. Speaker, I wonder from what cavern of indecision this motion to postpone emerges.

I listened yesterday to the appeals for dispatch. The people of the state and the nation were waiting for action upon this bill. The cause of humanity demanded that it stay upon the calendar in its present form and that the Members of this General Assembly have the courage and the faith to stand in their places and be calm. And that view prevailed.

I wonder what has happened. Perhaps I should have reverted to the days of chivalry when the embattled knights frequently failed to engage the enemy until the enemy's reinforcements had arrived, on the theory that there was no glory in winning a battle unless all the forces were present. What has happened? In what direction has courage fled?

Far be it from me to repeat the sentences of yesterday. They linger in my mind. I remember the gentleman from Cameron declaring his pride in the opportunity to register his vote in favor of a loyalty oath bill and was really distressed that every citizen did not have the same privilege. I was chided in kindly fashion by the gentleman from Delaware, I believe, because I had counselled the cause which he intimated was running away from the field of battle.

Over night I have taken counsel with myself, took myself by the boot straps, reinforced my courage to come here today all ready to fight, and lo and behold! the enemy says: "Let us wait until tomorrow, or Monday, or the Monday after."

I shall vote against the motion to postpone if I am the only one that casts that vote. I would welcome the opportunity to present first of all the constitutional argument against this bill. Second, to present in detail the defects of the architecture of this bill. Third, to read a roster of those who protest against the enactment of the bill. I assure the gentleman that I could do it within two hours.

Mr. TOMPKINS. Mr. Speaker, what I said yesterday in connection with my desire to vote and express my views on this bill still stands. The fact that the conflict be postponed until a later date has nothing to do with my position on this bill. I am running from no fight; I never have and I never will. I welcome it. But a bill that is so far reaching in its effect, a bill that affects the situation as this one does is entitled to a vote by every Member in this House. We have a number of absentees this morning, and I think it is only fair that they be present

in this House at the time this bill is considered and voted upon, in order that they may register their vote.

For that reason I have asked that this bill be placed upon the third reading postponed calendar.

Mr. ANDREWS. Mr. Speaker, if there are absentees who are absent without excuse the gentleman has his remedy. He can authorize the Sergeant-at-Arms to go get them. When soldiers in the military establishment go AWOL, they round them up; and if there are those who have deserted the standard of the distinguished gentleman from Cameron, I recommend that he follow military practice and send a Provost Marshal out after the erring soldiers.

On the question recurring,

Will the House agree to the motion?

It was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 319, entitled:

An Act to further amend Section 1 of the act approved the seventeenth day of June one thousand nine hundred thirteen (P. L. 507) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes by providing for the method of valuation of taxable shares of stock in any regulated investment company

On the question,

Will the House agree to the bill on third reading?

#### BILL RECOMMITTED

Mr. HELM. Mr. Speaker, I move that this bill be re-committed to the Committee on Counties for the purpose of further study.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 494, entitled:

An Act to amend the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by providing a system for the nomination of candidates to fill certain vacancies in public offices occurring under conditions for which said election code does not prescribe machinery.

On the question,

Will the House agree to the bill on third reading?

#### BILL RECOMMITTED

Mr. HELM. Mr. Speaker, I move that this bill be re-committed to the Committee on Elections and Apportionment for the purpose of further study.

The motion was agreed to.



Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 500, as follows:

An Act to further amend the title of and the act approved the eighteenth day of July one thousand nine hundred thirty-five (P. L. 1286) entitled as amended "An act empowering counties of the second class cities boroughs incorporated towns and townships to charge and collect from owners of and water users in property served thereby annual rentals rates or charges for the use of certain sewers sewerage systems and sewage treatment works including charge for operation inspection maintenance repair depreciation and the amortization of indebtedness and interest thereon empowering counties of the second class cities boroughs incorporated towns and townships to contract with authorities organized by counties of the second class for sewer sewerage and sewage treatment services to grant convey lease transfer encumber mortgage and pledge to such authorities rentals rates and charges charged and collected by them for the use thereof and to assign to such authorities their power to charge and collect the same and validating all such contracts grants conveyances leases transfers assignments encumbrances mortgages and pledges heretofore made" by extending to authorities organized by cities of the third class the provisions affecting authorities organized by counties of the second class.

On the question,

Will the House agree to the bill on third reading?

#### BILL RECOMMITTED

Mr. HELM. Mr. Speaker, I move that this bill be re-committed to the Committee on Cities—Third Class for the purpose of further study.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 502, entitled:

An Act to amend the title and sections 1 and 5 of the act approved the fourteenth day of April one thousand nine hundred forty-nine (P. L. 482) entitled "An act authorizing and requiring cities boroughs townships municipal authorities and public utility companies engaged in the supplying of water to shut off the supply of water for nonpayment of sewer, sewerage, or sewage treatment rentals, rates, or charges imposed by municipal authorities organized by counties of the second class; authorizing and requiring them to supply to such authorities lists of metered water readings and flat-rate water bills and other data; authorizing them to act as billing and collecting agents for such authorities; and conferring certain powers upon the Pennsylvania Public Utility Commission in connection therewith," by requiring certain political subdivisions to shut off water supply for nonpayments to municipal authorities organized by cities of the third class, and exempting public utilities from the obligations imposed in said act

On the question,

Will the House agree to the bill on third reading?

#### BILL RECOMMITTED

Mr. HELM. Mr. Speaker, I move that this bill be re-committed to the Committee on Cities—Third Class for the purpose of further study.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 503, as follows:

An Act to amend the title and Sections 1 and 5 of the act approved the fourteenth day of April one thousand nine hundred forty-nine (P. L. 482) entitled "An act authorizing and requiring cities boroughs townships municipal authorities and public utility companies engaged in the supplying of water to shut off the supply of water for nonpayment of sewer sewerage or sewage treatment rentals rates or charges imposed by municipal authorities and requiring them to supply to such authorities lists of metered water readings and flat-rate water bills and other data authorizing them to act as billing and collecting agents for such authorities and conferring certain powers upon the Pennsylvania Public Utility Commission in connection therewith" by extending to any municipal authority organized by any city of the third class the powers granted therein and exempting public utilities from the obligations imposed therein.

On the question,

Will the House agree to the bill on third reading?

#### BILL RECOMMITTED

Mr. HELM. Mr. Speaker, I move that this bill be re-committed to the Committee on Cities—Third Class for the purpose of further study.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 504, entitled:

An Act to further amend the title and section 2.1 of the act, approved the eighteenth day of July, one thousand nine hundred thirty-five (P. L. 1286), entitled as amended "An act empowering counties of the second class, cities, boroughs, incorporated towns, and townships to charge and collect from owners of and water users in property served thereby, annual rentals, rates or charges for the use of certain sewers, sewerage systems and sewage treatment works, including charges for operation, inspection, maintenance, repair, depreciation, and the amortization of indebtedness and interest thereon; empowering counties of the second class, cities boroughs, incorporated towns and townships to contract with authorities organized by counties of the second class; for sewer, sewerage and sewage treatment services; to grant, convey, lease, transfer, encumber, mortgage and pledge to such authorities, their sewers, sewerage systems and sewerage treatment works; to assign and pledge to such authorities rentals, rates and charges charged and collected by them for the use thereof, and to assign to such authorities their power to charge and collect the same; and validating all such contracts, grants, conveyances, leases, transfers, assignments, encumbrances, mortgages and pledges, heretofore made," by authorizing political subdivisions to contract with authorities organized by cities of the third class for sewer, sewerage and sewage treatment services.

On the question,

Will the House agree to the bill on third reading?

#### BILL RECOMMITTED

Mr. HELM. Mr. Speaker, I move that this bill be re-committed to the Committee on Cities—Third Class for the purpose of further study.

On the question,

Will the House agree to the motion?

The SPEAKER. For what purpose does the gentleman from York, Mr. Seyler, rise?

Mr. SEYLER. Mr. Speaker, I would like to ask the gentleman a question.

The SPEAKER. Will the gentleman from Armstrong, Mr. Helm permit himself to be interrogated?

Mr. HELM. I shall, Mr. Speaker.



Mr. SEYLER. Mr. Speaker, I do not desire to get into the middle of a fracas, but this bill, it seems to me, is a bill that has a great deal of merit. The question I would like to ask the gentleman is, in his opinion if this bill is recommitted to Committee does this mean that this bill will not make a reappearance on the calendar?

Mr. HELM. Mr. Speaker, no, I certainly do not think that it means that.

Mr. SEYLER. Mr. Speaker, that is not his opinion?

Mr. HELM. Mr. Speaker, no.

Mr. SEYLER. Mr. Speaker, I thank the gentleman.

On the question recurring,

Will the House agree to the motion?

It was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration Senate Bill No. 644, as follows:

An Act to further amend Section 402 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" by further providing for distribution of copies of audits made by the Department of Auditor General

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 402 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws im-

posing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" as last amended by the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 592) is hereby further amended to read as follows

Section 402 Audits of Affairs of Departments Boards and Commissions It shall be the duty of the Department of the Auditor General to make all audits which may be necessary in connection with the administration of the financial affairs of the government of this Commonwealth with the exception of those of the Department of the Auditor General It shall be the duty of the Governor to cause audits to be made of the affairs of the Department of the Auditor General

At least one audit shall be made each year of the affairs of every department board except the State Workmen's Insurance Board and commission of the executive branch of the government and all collections made by departments boards or commissions and the accounts of every State institution shall be audited quarterly

Special audits of the affairs of all departments boards except the State Workmen's Insurance Board commissions or officers may be made whenever they may in the judgment of the Auditor General appear necessary and shall be made whenever the Governor shall call upon the Auditor General to make them

Copies of all audits made by the Department of the Auditor General shall be promptly submitted to the Governor and transmitted to the Senate Library for the use and information of the members of the General Assembly

Unless the Department of the Auditor General shall fail or refuse to make annual quarterly or special audits as hereinabove required it shall be unlawful for any other administrative department any independent administrative board or commission or any departmental administrative or advisory board or commission to expend any money appropriated to it by the General Assembly for any audit of its affairs or in the case of departments of any boards or commissions connected with them except for the reimbursement of the General Fund for audits made by the Department of the Auditor General as provided by law or for the payment of the compensation and expenses of such auditors as are regularly employed as part of the administrative staffs of such departments boards or commissions respectively

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—204

Amarando,	Goodling,	Markley,	Rovansek,
Andrews,	Graybill,	Maxwell,	Royer,
Banker,	Greenwood,	Mazza,	Rubin,
Barkdoll,	Greer,	McConnell,	Sarraf,
Baumunk,	Guarnieri,	McCormack,	Sax,
Bear,	Gutendorf,	McCullough,	Scanlon,
Beaver,	Guthrie,	McDermitt,	Schmidt,
Beech,	Hagerty,	McInroy,	Schuster,
Berkstresser,	Hall,	McGee,	Scott,
Hair,	Hamilton, R. K.,	McKinney,	Seyler,
Bloom,	Hamilton, W. H.,	McMillen,	Shoemaker,
Boles,	Harney,	McNally,	Shotwell,
Bolton,	Haudenshield,	Metz,	Smith,
Bomberger,	Headlee,	Mihm,	Snider,
Boorse,	Helm,	Mikula,	Sollenberger,
Bower,	Hersch,	Miller, H. G.,	Spencer,
Brelschi,	Hewitt,	Miller, J. C.,	Stank,
Breth,	Hocker,	Mills,	Stimmel,
Brown,	Hoggard,	Mintess,	Stoner,
Bucchin,	Hunter,	Monroe,	Swope,
Byrne,	Jenkins,	Moore, C. E.,	Tahl,
Cella,	Johnson,	Moore, H. A.,	Taylor,
Clapper,	Jones, G. E.,	Moran,	Thompson, E. F.,
Clendening,	Jones, J. M.,	Muldowney,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Munley,	Toll,



Conway,	Jones, T. H. W.,	Murray,	Tompkins,
Cooper,	Jump,	Musto,	Toomey,
Corr,	Kamyk,	Najaka,	VanSant,
Costa,	Keller,	Naugle,	Varallo,
Coyle,	Kent,	Needham,	Varner,
Dalrymple,	Kline,	Olsen,	Verona,
Davis,	Kohl,	Penglase,	Wachhaus,
Dennison,	Kolankiewicz,	Peta,	Wargo,
Dougherty,	Kornick,	Petrosky,	Waterhouse,
Dowling,	Kratz,	Pettigrew,	Watkins,
Duffy,	Kubacki,	Pfaff,	Weldner,
Dunn,	Lafore,	Pichney,	Welsh,
Erb,	Lederer,	Pitzer,	Wescott,
Ewing,	Lelsey,	Polaski,	Whalley,
Fenrich,	Leonard, L.,	Polen,	Wheeler,
Ferster,	Leonard, W. C.,	Price, H. W. Jr.,	White,
Fillip,	Leven,	Price, R. A.,	Williams,
Filo,	Light,	Readinger,	Wilt,
Firmstone,	Limper,	Reagan,	Wood,
Flack,	Loftus,	Reese,	Yeakel,
Frost,	Lopresti,	Reidenbach,	Yester,
Gaffney,	Lovett,	Reilly, J. M.,	Yetzer,
Geer,	Lutty,	Rigby,	Young,
Gibson,	Lyons,	Riley, R. L.,	Ziegler,
Gleason,	Madden,	Robertson,	Sorg,
Good,	Madigan,	Rose,	Speaker
		Rosen,	

## NAYS—0

## NOT VOTING—3

DuBois, Swartz, Westrick,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 675, as follows:

An Act to further amend the act approved the sixth day of May one thousand eight hundred seventy-four (P. L. 125) entitled "An act regulating State tax on certain county offices" by increasing the maximum amount of fees that certain county officers may retain before being required to pay over half the excess to the county treasurer

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1 of the act approved the sixth day of May one thousand eight hundred seventy-four (P. L. 125) entitled "An act regulating State tax on certain county offices" as last amended by the act approved the second day of July one thousand nine hundred thirty-seven (P. L. 2786) is hereby amended to read as follows

Section 1 That in counties of less than [one hundred and] fifty thousand inhabitants the prothonotaries or clerks of the several courts of common pleas quarter sessions of the peace over and terminer and orphans' courts the register of wills and the recorder of deeds shall keep or cause to be kept a fair and accurate account of all fees received for services performed by them or any person employed by them in their respective offices and shall also on the first Monday of January of each year furnish a copy of said account upon oath or affirmation to the auditor appointed by the court to settle the accounts of county officers and shall also pay to the county treasurer for the use of the respective counties after deducting all necessary clerk hire and office expenses fifty per centum on the amount of any excess over and above the sum of [four thousand] four thousand five hundred dollars which shall be found by the auditor appointed by the court to settle the accounts of county officers to have been received by any officer in any one year Provided That if two or more of said offices shall be held by one person the said auditor shall add together the fees received in the offices

so held and shall charge the same percentage on the aggregate amount of fees received by such person holding more than one of said offices A copy of the report of the said auditor when completed shall be presented by him to the court of common pleas of the respective counties and filed among the records of said courts which said report shall thereafter have all the force and effect of and be subject to the same procedure as applies to the report of the county auditors

Section 2 This amendment shall be applicable to all of the pertinent county officers who shall begin a term of office on or after the first Monday of January one thousand nine hundred fifty-two

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—203

Amarando,	Goodling,	Markley,	Rosen,
Andrews,	Graybill,	Maxwell,	Rovansek,
Banker,	Greenwood,	Mazza,	Royer,
Barkdoll,	Creer,	McConnell,	Rubin,
Baumunk,	Guarnieri,	McCormack,	Sarrafi,
Bear,	Gutendorf,	McCullough,	Sax,
Beaver,	Guthrie,	McDermitt,	Scanlon,
Beech,	Hagerty,	McGee,	Schmidt,
Berkstresser,	Hall,	McInroy,	Schuster,
Blair,	Hamilton, R. K.,	McKinney,	Scott,
Bloom,	Hamilton, W. H.,	McMillen,	Seyler,
Boles,	Harney,	McNally,	Shoemaker,
Bolton,	Haudenschild,	Metz,	Shotwell,
Bomberger,	Headlee,	Mihm,	Smith,
Boorse,	Helm,	Mikula,	Snider,
Bower,	Hersch,	Miller, H. G.,	Sollenberger,
Brelsch,	Hewitt,	Miller, J. C.,	Spencer,
Breth,	Hocker,	Mills,	Stank,
Brown,	Hoggard,	Mintess,	Stimmel,
Bucchin,	Hunter,	Monroe,	Stoner,
Byrne,	Jenkins,	Moore, C. E.,	Swope,
Cella,	Johnson,	Moore, H. A.,	Tahl,
Clapper,	Jones, G. E.,	Moran,	Taylor,
Clendenling,	Jones, J. M.,	Muldowney,	Thompson, E. F.,
Cochran,	Jones, P. F.,	Munley,	Thompson, R. L.,
Conway,	Jones, T. H. W.,	Murray,	Toll,
Cooper,	Jump,	Musto,	Tompkins,
Corr,	Kamyk,	Najaka,	Toomey,
Costa,	Keller,	Naugle,	VanSant,
Coyle,	Kent,	Needham,	Varallo,
Dalrymple,	Kline,	Olsen,	Varner,
Davis,	Kohl,	Penglase,	Verona,
Dennison,	Kolankiewicz,	Peta,	Wachhaus,
Dougherty,	Kornick,	Petrosky,	Wargo,
Dowling,	Kratz,	Pettigrew,	Waterhouse,
Duffy,	Kubacki,	Pfaff,	Watkins,
Dunn,	Lafore,	Pichney,	Welsh,
Erb,	Lederer,	Pitzer,	Wescott,
Ewing,	Lelsey,	Polaski,	Whalley,
Fenrich,	Leonard, L.,	Polen,	Wheeler,
Ferster,	Leonard, W. C.,	Price, H. W. Jr.,	White,
Fillip,	Leven,	Price, R. A.,	Williams,
Filo,	Light,	Readinger,	Wilt,
Firmstone,	Limper,	Reagan,	Wood,
Flack,	Loftus,	Reese,	Yeakel,
Frost,	Lopresti,	Reidenbach,	Yester,
Gaffney,	Lovett,	Reilly, J. M.,	Yetzer,
Geer,	Lutty,	Rigby,	Young,
Gibson,	Lyons,	Riley, R. L.,	Ziegler,
Gleason,	Madden,	Robertson,	Sorg,
Good,	Madigan,	Rose,	Speaker

## NAYS—1

## NOT VOTING—3

Weidner,

DuBois,

Swartz,

Westrick,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.



Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bil No. 729, entitled:

An Act to repeal Sections 2 and 3 of the act, approved the eleventh day of April, one thousand eight hundred sixty-six (P. L. 635), entitled "A further supplement to the act consolidating the city of Philadelphia, for the purpose of introducing a sufficient supply of fresh and pure water, for the use of the citizens of said city," eliminating the right of the City of Philadelphia to enter upon or take certain land in adjoining counties by eminent domain proceedings for water supply purposes and the manner of ascertaining damages for such taking.

On the question,

Will the House agree to the bill on third reading?

#### BILL POSTPONED

Mr. TOLL. Mr. Speaker, I move that this bill be placed on the third reading postponed calendar.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 742, entitled:

An Act providing for supplementing the police forces of cities, boroughs, towns and townships, for the appointment, powers and control of auxiliary police therein, and for the transfer during disasters and emergencies of such auxiliary police, members of the regular police forces, and police equipment thereof.

On the question,

Will the House agree to the bill on third reading?

#### BILL POSTPONED

Mr. SMITH. Mr. Speaker, I move that this bill be placed on the third reading postponed calendar.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 759, as follows:

An Act to promote the uniform development of Allegheny County creating the Metropolitan Study Commission of Allegheny County defining its powers and duties conferring powers and imposing duties upon the Governor and the governing bodies of political subdivisions The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 In order to promote the uniform development of the one hundred twenty-nine municipalities within Allegheny County and to encourage those municipalities to cooperate in meeting the problems attendant to the tremendous growth of Allegheny County in recent years there is hereby created a commission to be known as the Metropolitan Study Commission of Allegheny County

Section 2 The commission shall consist of fourteen members to be appointed by the Governor from nominations made by the following Allegheny Conference on Community Development the Pennsylvania Economy League the Pittsburgh Chamber of Commerce the American Federation of Labor the Congress of Industrial Organizations the Allegheny County Association of Township Commissioners the Allegheny County Association of Township Supervisors the Allegheny County Association of Boroughs one representative from the Third Class Cities

within Allegheny County the City Council of Pittsburgh the County Commissioners of Allegheny County the Allegheny Board of School Directors the Allegheny County Independent School District Superintendents Association and the Pittsburgh Regional Planning Association Each governing body organization or group named shall nominate one person for appointment to the commission

Section 3 The Commission shall meet at the call of the Governor and not later than September 15 1951 and elect from among its members a chairman and a secretary The commission shall thereafter fix the time of its meetings and adopt rules and by-laws to govern its operation Any organization or group failing to make such nomination before the first meeting may make such nomination at a later time

Section 4 (a) The commission hereby created shall make a study of the facts relating to the following subjects

(1) Building ordinances modern building codes and the control of housing developments by political subdivisions

(2) Cooperation among communities and within communities to develop or acquire improvements

(3) Balanced housing to make the county as attractive as possible without imposing obstacles on lower income groups and with a minimum interference with private property owners

(4) Consolidation of small neighboring communities

(5) Consolidation of school districts

(6) Any other subject which the commission deems proper and within the purposes of this act

(b) The commission is hereby authorized and directed to make a report of its findings and recommendations to the Governor the General Assembly the municipalities and other bodies concerned on or before January 1 1953

Section 5 The governing bodies of the various political subdivisions within Allegheny County are hereby authorized and directed to extend their full cooperation to the commission in carry out the provisions of this act

Section 6 The commission shall have power

(1) To accept the services of any organization created for or dedicated to the improvement of local government

(2) To accept gifts

(3) To raise by public subscription sufficient funds to carry out the provisions of this act

(4) To employ such clerks technical or expert personnel and other employees necessary to carry on its work

Section 7 The members of the commission shall receive no compensation for their services but may be reimbursed by the commission for actual expenses necessarily incurred in the performance of their duties

Section 8 The term of this commission shall expire at the end of the 1953 session of the General Assembly

Section 9 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—204

Amarando;	Goodling,	Markley,	Rosen,
Andrews,	Graybill,	Maxwell,	Rovanssek,
Banker,	Greenwood,	Mazza,	Royer,
Barkdoll,	Greer,	McConnell,	Rubin,
Baumunk,	Guarnteri,	McCormack,	Sarraf,
Bear,	Gutendorf,	McCullough,	Sax,
Beaver,	Guthrie,	McDermitt,	Scanlon,
Beech,	Hagerty,	McGee,	Schmidt,
Berkstresser,	Hall,	McInroy,	Schuster,
Blair,	Hamilton, R. K.,	McKinney,	Scott,
Bloom,	Hamilton, W. H.,	McMillen,	Seyler,
Boies,	Harney,	McNally,	Shoemaker,
Bolton,	Haudenshield,	Metz,	Shotwell,
Bomberger,	Headlee,	Mihm,	Smith,
Boorse,	Helm,	Mikula,	Snider,
Bower,	Hersch,	Miller, H. G.,	Sollenberger,



Breisch,	Hewitt,	Miller, J. C.,	Spencer,
Broth,	Hocker,	Mills,	Stank,
Brown,	Hoggard,	Mintess,	Stimmel,
Bucchin,	Hunter,	Monroe,	Stoner,
Byrne,	Jenkins,	Moore, C. E.,	Swope,
Cella,	Johnson,	Moore, H. A.,	Tahl,
Clapper,	Jones, G. E.,	Moran,	Taylor,
Clendenning,	Jones, J. M.,	Muldowney,	Thompson, E. F.,
Cochran,	Jones, P. F.,	Munley,	Thompson, R. L.,
Conway,	Jones, T. H. W.,	Murray,	Toll,
Cooper,	Jump,	Musto,	Tompkins,
Corr,	Kamyk,	Najaka,	Toomey,
Costa,	Keller,	Naugle,	VanSant,
Coyle,	Kent,	Needham,	Varallo,
Dalrymple,	Kline,	Olsen,	Varner,
Davis,	Kohl,	Penglase,	Verona,
Dennison,	Kolankiewicz,	Peta,	Wachhaus
Dougherty,	Kornick,	Petrosky,	Wargo,
Dowling,	Kratz,	Pettigrew,	Waterhouse,
Duffy,	Kubacki,	Pfaff,	Watkins,
Dunn,	Lafore,	Pichney,	Weidner,
Erb,	Lederer,	Pitzer,	Welsh,
Ewing,	Leisey,	Polaski,	Wescott,
Fenrich,	Leonard, L.,	Polen,	Whalley,
Ferster,	Leonard, W. C.,	Price, H. W. Jr.,	Wheeler,
Filip,	Leven,	Price, R. A.,	White,
Filo,	Light,	Readinger,	Williams,
Firmstone,	Limper,	Reagan,	Wilt,
Flack,	Loftus,	Reese,	Wood,
Frost,	Lopresti,	Reidenbach,	Yeakel,
Gaffney,	Lovett,	Reilly, J. M.,	Yester,
Geer,	Lutty,	Rigby,	Yetzer,
Gibson,	Lyons,	Riley, R. L.,	Young,
Gleason,	Madden,	Robertson,	Ziegler,
Good,	Madigan,	Rose,	Sorg,

Speaker

NAYS—0

NOT VOTING—3

DuBois, Swartz, Westrick,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 788, as follows:

An Act to further amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by requiring the establishment of a permanent lot care fund with corporate trustee of a certain amount by cemetery and burial corporations hereafter organized prior to the sale of burial lots and requiring a fixed percentage of the sale price of burial lots to be added to such fund

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 209 of the act approved the fifth day

of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" is hereby amended to read as follows

Section 209 Cemetery and Burial Corporations In the case of the incorporation of a cemetery or burial corporation as a business corporation the articles shall in addition to the information heretofore required by this article contain a provision (1) that a sum equal to at least one-tenth of the gross amount of the funds arising from the sale of lots in the burial ground or cemetery of the corporation shall be set apart for the perpetual care and preservation of the grounds and the repair and renewal of the buildings and property of such corporation that such sum shall be invested by the board of directors in securities which are legal investments for trustees under the laws of this Commonwealth and that the income arising therefrom shall be applied by the board of directors to the foregoing purposes (2) that a permanent lot care fund shall be established prior to the disposal or sale of any burial lots as required by Section 209.1 and (3) that a sum equal to at least one-tenth of the gross sales price of each lot sold be deposited in the permanent lot care fund

Section 2 Article II of said act is hereby amended by adding immediately after Section 209 a new section to read as follows

Section 209.1 Cemetery and Burial Corporations Permanent Lot Care Fund In addition to the requirements of Section 209 the incorporators of any cemetery or burial corporation hereafter organized as a business corporation before disposing of any burial lot or making any sale thereof shall cause to be deposited in a bank and trust company trust company or national banking association having fiduciary powers a sum of not less than twenty-five thousand dollars (\$25,000) as a permanent lot care fund for the maintenance of burial lots and shall designate such banking institution as trustees of such fund Whenever burial lots are from time to time sold by the corporation it shall add to the permanent lot care fund a sum equal to at least one-tenth of the gross sales price of each lot sold The permanent lot care fund so established shall be invested in securities which are legal investments for trustees under the laws of this Commonwealth and the corporate trustee shall pay semi-annually the net income from the fund to the cemetery or burial corporation for the purposes herein set forth

Every such cemetery or burial corporation shall before disposing of any burial lot or making any sale thereof cause to be filed with the Department of State an affidavit signed by at least a majority of the board of directors stating that it has caused to be deposited at least twenty-five thousand dollars (\$25,000) as a permanent lot care fund as hereinbefore provided to which affidavit shall be attached an acceptance by the banking institution designated as trustee thereof acknowledging its acceptance of the trusteeship

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?



Mr. WHITE. Yesterday, Mr. Speaker, I had offered amendments which would authorize the return of the \$25,000 deposit, as required under this bill, to the cemetery association after the perpetual care fund had grown to the extent of \$25,000 due to the ten percent contributions that are to be paid into it from the sales prices.

A plea at that time was made in order for the House to keep this \$25,000 deposit in this bill in that form. That plea was made for the purpose of doing away with fly-by-night cemetery associations.

I wish to call the attention of the Members of this House to the fact that there is no possible way for this provision to prevent fly-by-night cemetery associations from operating in this state in that way. It certainly will be no detriment, or no hindrance to a cemetery association which has no intention of abiding by the laws that are set up under the Commonwealth by merely making them deposit \$25,000 in escrow. If they are not going to abide by it in good faith and abide by the laws of the Commonwealth, I repeat that is no hindrance.

However, I do wish to emphasize it is a great difficulty for a cemetery association or anyone interested in starting a cemetery, who wishes to expand a great deal of money in buying the property and develop in it so that it would be attractive to the customers who may wish to purchase lots in that cemetery and who wish to spend a lot of money on preparing roads, sewage, preparing attractive buildings, to add this burden of an additional \$25,000 deposit in escrow. It would especially be a burden to those cemetery people who wish to start what is known in Pennsylvania and in the country as burial cemeteries, memorial parks, which do not use tombstones.

Cemeteries of this type have an entirely different problem than cemeteries that have tombstones contained in them. They are not met with the problem of trimming around the individual grave, they are not met with the problem of replacing tombstones that have been heaved by the frost. When they take care of their cemetery they take care of it as a whole and not on the basis of individual lots.

This \$25,000, I am told on reliable information, would be a waste, except for the fact that it would guarantee, in the origin of the cemetery a fund for perpetual care. But after contributions are made from the sale that is provided by this law this \$25,000 would just be a wasted amount of money to them.

This bill, fellow Members, is designed to beat down competition. It applies only to profit cemetery associations and not to nonprofit cemetery associations. If we are to protect the public by perpetual care of cemetery lots it ought to apply to every cemetery association that wishes to be created in Pennsylvania.

I cannot believe that all the scoundrels in cemetery associations are made up of burial lot memorial park people. It is just as easy for scoundrels to operate in nonprofit corporations.

This bill is designed to eliminate competition. We have attempted to amend this bill so that it would protect the public and eliminate this noncompetitive factor. We have been unsuccessful. I did have it in my mind to move for recommitment to the committee, but I feel that it is unfair at this time, especially when the cemetery

associations who are backing this bill refuse to compromise, I cannot understand how it would do any good to put it back in committee.

The bill before you as it stands, I say, is a bad bill. It eliminates competition. It is designed to prevent memorial parks from being established in this State in the future.

I ask the support of the House in voting down this bill at this time.

Mr. SCHMIDT. Mr. Speaker, this bill is the result of sad experiences that have occurred in cemetery development. As a result of past experience where promotions have been held whereby people have gone out and made up cemetery plots, sold them and then moved out and left the care and maintenance to the families of persons who have been interred, the association of cemetery operators, including profit and nonprofit corporations, present this bill to you.

This is not something that is new. You know that before you can create an insurance corporation in the Commonwealth of Pennsylvania you must deposit funds to show that you are able to carry out your contract. That is what is being done in this case.

The \$25,000 deposit that is placed for the guarantee of the perpetual maintenance of the cemetery, that cost does not finally come out of the pockets of the promoters. They do not do business that way. That cost will be added to the additional cost of the property.

Those who purchase lots will reimburse those who promote the cemetery so that when they have sold off their lots, the promoters have the original amount which they have deposited back in their pockets.

The gentleman from Lawrence would then have you give back that additional \$25,000 that is in escrow and by that you will be lining the pockets of promoters with an additional sum.

Expenses show that the cost of maintaining cemeteries is far beyond the return that they would receive from an initial deposit of \$25,000. So there is being added to the initial fund a ten percent of the sales price of the lots to increase that fund, so that eventually there will be a larger fund, and an additional income in order to maintain the cemetery.

This as I say does not apply to already existing profit corporations or to nonprofit corporations. The gentleman asked, why don't you apply this same restriction to nonprofit corporations? Nonprofit corporations are usually churches, religious organizations who maintain their own cemeteries and are in perpetuity and will see to it that their cemeteries are properly maintained. The trouble that has been had, has been with these profit corporations that come in, sell off a development, pocket the money and then move out and eventually have a grave yard and not a memorial cemetery.

This bill passed the Senate, is here, we refused to amend the bill, and I ask that you pass this bill at this time.

Mr. WHITE. Mr. Speaker, the gentleman from Allegheny, Mr. Schmidt, has called to your attention a comparison of this situation with insurance situations. The insurance companies in this state are regulated by the Department of Insurance. There is no regulation on the cemeteries in this state. Cemetery associations that pay



ten percent of its gross sales into escrow for perpetual care, is purely under the supervision of the cemeteries alone, the state has nothing to say about it.

Therefore this \$25,000 does not guarantee anything. It is merely a bond, so to speak. It is put into escrow, into the perpetual care fund, and those who attempt to abide by the laws and try to abide by the laws are strapped with a further obstacle on their expenses of starting a cemetery.

I want to make it clear that if a fellow who wishes to start a cemetery and abide in good faith has at the outset a terrific expense of buying grounds and of improving those grounds to sell them to the public. To a fly-by-night man who can sell to anybody on promises, this \$25,000 does not mean a thing. He will arrange that and put it in escrow right away. But to the man who has good faith and an honest effort, this is an additional obstacle and makes it a bad bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—80

Andrews,	Gaffney,	Limper,	Rubin,
Banker,	Gibson,	Loftus,	Sarra,
Berkstresser,	Goodling,	Lyons,	Sax,
Bloom,	Greenwood,	Madigan,	Seyler,
Bomberger,	Guthrie,	McCormack,	Shoemaker,
Boorse,	Hagerty,	McGee,	Smith,
Bower,	Hall,	McKinney,	Snider,
Breth,	Headlee,	McMillen,	Sollenberger,
Brown,	Helm,	Mihm,	Swope,
Bucchin,	Hocker,	Miller, J. C.,	Toll,
Cella,	Johnson,	Mintess,	Tompkins,
Clapper,	Jones, G. E.,	Moore, C. E.,	Varnier,
Clendening,	Jones, J. M.,	Najaka,	Wachhaus,
Costa,	Jump,	Penglase,	Waterhouse,
Dalrymple,	Keller,	Potaski,	Watkins,
Dennison,	Kline,	Reidenbach,	Welsh,
Dowling,	Kohl,	Reilly, J. M.,	Yeakel,
Duffy,	Kornick,	Rigby,	Yetzer,
Firmstone,	Leisey,	Robertson,	Ziegler,
Flack,	Leonard, W. C.,	Royer,	Sorg,

Speaker

#### NAYS—40

Baumunk,	Hunter,	Miller, H. G.,	Stoner,
Bear,	Jenkins,	Moran,	Toomey,
Blair,	Kratz,	Naugle,	VanSant,
Bolton,	Kubacki,	Petrosky,	Weldner,
Davis,	Light,	Polen,	Whalley,
Dunn,	Madden,	Price, R. A.,	White,
Frost,	Markley,	Riley, R. L.,	Williams,
Graybill,	Mazza,	Schmidt,	Wilt,
Hamilton, W. H.,	McConnell,	Spencer,	Yester,
Haudenshield,	McCullough,	Stimmel,	Young,

#### NOT VOTING—87

Amarando,	Good,	McDermitt,	Reese,
Barkdoll,	Greer,	McInroy,	Rose,
Beaver,	Guarnieri,	McNally,	Rosen,
Beech,	Gutendorf,	Metz,	Rovansek,
Boles,	Hamilton, R. K.,	Mikula,	Scanlon,
Breisch,	Harney,	Mills,	Schuster,
Byrne,	Hersch,	Monroe,	Scott,
Cochran,	Hewitt,	Moore, H. A.,	Shotwell,
Conway,	Hoggard,	Muldowney,	Stank,
Cooper,	Jones, P. F.,	Munley,	Swartz,
Corr,	Jones, T. H. W.,	Murray,	Tahl,
Coyle,	Kamyk,	Musto,	Taylor,
Dougherty,	Kent,	Needham,	Thompson, E. F.,
DuBois,	Kolankiewicz,	Olsen,	Thompson, R. L.,
Erb,	Lafore,	Peta,	Varallo,
Ewing,	Lederer,	Pettigrew,	Verona,
Fenrich,	Leonard, L.,	Pfaff,	Wargo,
Ferster,	Leven,	Pichney,	Wescott,
Filip,	Lopresti,	Pitzer,	Westrick,
Flo,	Lovett,	Price, H. W. Jr.,	Wheeler,
Geer,	Lutty,	Readinger,	Wood,
Gleason,	Maxwell,	Reagan,	

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

#### BILL ON THIRD READING POSTPONED

Mr. ANDREWS. Mr. Speaker, I desire to call up from the third reading postponed calendar, Senate Bill No. 27, the Loyalty Oath Bill.

Mr. TOMPKINS. Mr. Speaker, we have just placed this bill on the third reading postponed calendar for reasons which the House has already approved on this legislative day. I, therefore, oppose the bill's being called from the postponed calendar at this time and ask that it remain in its position on the postponed calendar.

Mr. ANDREWS. Mr. Speaker, does the gentleman raise the point of order that it is improper to call the bill from the postponed calendar at this time.

Mr. TOMPKINS. I am not raising the point of order, I am merely asking to vote the motion down.

Mr. ANDREWS. It is not a motion, it is merely the exercise of a privilege.

#### BILL LAID ON TABLE

Mr. TOMPKINS. Mr. Speaker, I move that Sentae Bill 27, be laid on the table.

On the question,

Will the House agree to the motion?

Mr. ANDREWS. Mr. Speaker, does the Chair rule that such a motion at this time is proper?

The SPEAKER. For the information of the gentleman a motion to lay on the table takes precedence over the main question.

Mr. ANDREWS. I regret to announce that I think the Speaker is right.

On the question recurring,

Will the House agree to the motion?

It was agreed to.

#### BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 795, as follows:

An Act vesting and confirming in cities of the second class all right title and interest of the Commonwealth in certain streets lanes and alleys situate within such cities

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The General Assembly hereby finds as a fact that (a) the Commonwealth has laid out certain streets lanes and alleys which are presently or may hereafter become situate within the corporate limits of cities of the second class (b) that by virtue of sundry acts of Assembly providing for the erection of boroughs the incorporation of cities and the annexation by cities cities of the second class have acquired the interests of the Commonwealth in such streets lanes and alleys which are not being maintained by the Commonwealth and (c) that doubts have arisen as to whether or not the Commonwealth has divested itself of all its right title and interest in and to such streets lanes and alleys including its reversionary interests therein It is therefore declared to be the policy of the Commonwealth to promote the interests of the Commonwealth cities of the second class and the public by ratifying and conforming all of the right title and interest of the Commonwealth in and to such streets lanes and alleys which are not being maintained by the Com-



monwealth as being vested absolutely in cities of the second class

Section 2 All right title and interest of the Commonwealth in and to all streets lanes and alleys laid out by the Commonwealth and not maintained by the Commonwealth including its reversionary rights therein which are now or may hereafter be located within the corporate limits of cities of the second class is hereby ratified and confirmed as being vested absolutely in such cities

Section 3 Nothing herein contained shall be construed to affect deprive or impair any right title or interest of any person or corporation asserting title to or any interest in any such street lane or alley or any portion thereof

Section 4 All acts or parts of acts are hereby repealed in so far as they are inconsistent with the provisions of this act

Section 5 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—204

Amarando,	Goodling,	Markley,	Rosen,
Andrews,	Graybill,	Maxwell,	Rovanssek,
Banker,	Greenwood,	Mazza,	Royer,
Barkdoll,	Greer,	McConnell,	Rubin,
Baumunk,	Guarnieri,	McCormack,	Sarraff,
Bear,	Gutendorf,	McCullough,	Sax,
Beaver,	Guthrie,	McDermitt,	Scanlon,
Beech,	Hagerty,	McGee,	Schmidt,
Berkstresser,	Hall,	McInroy,	Schuster,
Blair,	Hamilton, R. K.,	McKinney,	Scott,
Bloom,	Hamilton, W. H.,	McMillen,	Seyler,
Boies,	Harney,	McNally,	Shoemaker,
Bolton,	Haudenschild,	Metz,	Shotwell,
Bomberger,	Headlee,	Mihm,	Smith,
Boorse,	Helm,	Mikula,	Snider,
Bower,	Hersch,	Miller, H. G.,	Sollenberger,
Brelsch,	Hewitt,	Miller, J. C.,	Spencer,
Breth,	Hocker,	Mills,	Stank,
Brown,	Hoggard,	Mintess,	Stimmel,
Bucchin,	Hunter,	Monroe,	Stoner,
Byrne,	Jenkins,	Moore, C. E.,	Swope,
Cella,	Johnson,	Moore, H. A.,	Tahl,
Clapper,	Jones, G. E.,	Moran,	Taylor,
Clendenning,	Jones, J. M.,	Muldowney,	Thompson, E. F.,
Cochran,	Jones, P. F.,	Munley,	Thompson, R. L.,
Conway,	Jones, T. H. W.,	Murray,	Toll,
Cooper,	Jump,	Musto,	Tompkins,
Corr,	Kamyk,	Najaka,	Toomey,
Costa,	Keller,	Naugle,	VanSant,
Coyle,	Kent,	Needham,	Varallo,
Dalrymple,	Kline,	Olsen,	Varner,
Davis,	Kohl,	Penglase,	Verona,
Dennison,	Kolankiewicz,	Peta,	Wachhaus,
Dougherty,	Kornick,	Petrosky,	Wargo,
Dowling,	Kratz,	Pettigrew,	Waterhouse,
Duffy,	Kubacki,	Pfaff,	Watkins,
Dunn,	Lafore,	Pichney,	Weidner,
Erb,	Lederer,	Pitzer,	Welsh,
Ewing,	Lelsey,	Polaski,	Wescott,
Fenrich,	Leonard, L.,	Polen,	Whalley,
Ferster,	Leonard, W. C.,	Price, H. W. Jr.,	Wheeler,
Fillip,	Leven,	Price, R. A.,	White,
Filo,	Light,	Readinger,	Williams,
Firmstone,	Limper,	Reagan,	Wilt,
Flack,	Loftus,	Reese,	Wood,
Frost,	Lopresti,	Reidenbach,	Yeakel,
Gaffney,	Lovett,	Reilly, J. M.,	Yester,
Geer,	Lutty,	Rieby,	Yetzer,
Gibson,	Lyons,	Riley, R. L.,	Young,
Gleason,	Madden,	Robertson,	Ziegler,
Good,	Madigan,	Rose,	Sorg,

Speaker

#### NAYS—0

#### NOT VOTING—3

DuBols,	Swartz,	Westrick,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

#### MOTION TO TAKE BILL FROM TABLE

Mr. ANDREWS. I move that Senate Bill No. 27, Printer's No. 615, be taken from the table.

On the question,

Will the House agree to the motion?

Mr. TOMPKINS. Mr. Speaker, I ask that this motion be voted down.

The motion was not agreed to.

#### PERMISSION TO ADDRESS HOUSE

Mr. PETROSKY asked and obtained unanimous consent to address the House.

Mr. Speaker, in glancing over one of the daily papers I ran across a very interesting article which I believe would be apropos to read at this particular time.

It seems that the state of Pennsylvania now appears upon the international scene. May I read this short notice, it will take but a moment.

#### FRENCH ASSEMBLY QUILTS IN CONFUSION

Paris, September 25 (AP).

The French Parliament early today went on vacation until about Nov. 6—

Of course that is the day of our general election in this state.

Thus avoiding an almost certain cabinet crisis that would have toppled Premier Rene Pleven's Government.

The Paris press unanimously remarked on the total confusion in the National Assembly.

Much the same as our Pennsylvania press remarks upon the total confusion in the Assembly in Pennsylvania.

The parties in the Parliament are so divided that they were unable to vote a formal vacation adjournment.

The same seems to be true in Pennsylvania.

Assembly Speaker Edouard Herriot saved the day for Pleven by telling the deputies: 'since you are unable to agree, I suggest you just leave it up to me when to convoke the next session.'

Mr. Speaker, I feel that since we have been unable to agree upon anything of a substantial nature during the nine months of this session, perhaps a good idea would be in order for the majority party to settle their intra-party fracas; to see how long reaching the arm of the former Governor is, and what effect that arm is having upon the administration of the state and how several people in key positions in the Assembly are able to prolong the stay of two hundred and fifty-seven Members of the General Assembly here in Harrisburg, to the extent that they will be here when the snow flies and exchange Christmas presents this coming Christmas, I suggest that we also quit in confusion.

#### PERMISSION TO ADDRESS HOUSE

Mr. SMITH asked and obtained unanimous consent to address the House.

Mr. Speaker, I will have to be against what the gentle-



man just said. I do not agree with him personally. If there has been any confusion I can assure him that it certainly has not been in this part of the General Assembly.

I would like to clear up just another very erroneous impression that has been going around. We have been in session many months, but that has been due to recesses. I would like to remind him that in 1941 we had eighty-six days of actually being in session. As of today we have eighty-seven days. When you think of that that is only one day over the 1941 session and I do not think we are in a state of confusion.

At the very beginning of this session the House knew what it wanted to do. We did it, and we are waiting on the other Chamber. But we, and I include the minority, have not been, or ever intend to be in a state of confusion. Thank God there are some statesmen still left in Harrisburg.

#### PERMISSION TO ADDRESS HOUSE

Mr. ANDREWS asked and obtained unanimous consent to address the House.

Mr. Speaker, there are several parliamentary darts that one could hurl in the direction of Senate Bill 27, which might fall in the wounds already inflicted, but I have no disposition at this time to further injure a sadly disabled enemy.

However, the advocates of Senate Bill 27 are in the position of the Majority Leader. He needs additional support. From the beginning he could only have obtained additional support on the basis of sound reasoning.

I was pointed to as a disciple of clear confusion, when early in this session I suggested to the Majority Leader, to the administration and to the membership of this House, that the proper course of action was to amend the Administrative Code, finance the Commonwealth of Pennsylvania on a yearly basis and come back in 1952, in January, to continue with the problems of 1952.

Oh no. That was a ridiculous idea. That was unsound. The soundness of the view is evidenced by the fact that according to the claims of the planners we would be in session practically up to the opening day of 1952.

Now, what has been the result, Mr. Speaker, of remaining here in terms of human equation? Already, by reason of their continued service here in this House, Members have lost their jobs. Their employers have found it necessary to replace them. Others are on the eve of losing their jobs.

I have been definitely informed of a situation that is positively scandalous. Some Members of this House have been so sorely pressed for funds that they have gone to persons to sell an option on their final check and the persons to whom they went were so degenerate that they charged \$50. In order to get \$550.00 in cash they have mortgaged a \$600 check.

Personally, Mr. Speaker, I am willing to contribute the amount of my gift from this Assembly into a fund to finance the necessity of any Member at par who must needs mortgage his check.

I think the leadership of this House should look into it. The checks are perfectly good. They will ultimately be cashed at their face value and no Member should be forced by reason of economic necessities in his home to sell a \$600 check for \$550.

It is true that we have only been in session a certain number of days. But it is also true—and I will confess certain delinquencies upon the part of the Minority—that we were faced with crucial issues in this House because the leadership was unprepared to meet them, because there were absentees. We had in the past as we have today delayed action upon crucial bills and there never has been any reason why this House from the beginning could not have proceeded upon a four day a week basis, sent all legislation over to the Senate and from that point on proceeded upon the basis of token sessions. That remedy was always within our hands, but upon your side as well as upon our side there are those who said, "No we will stay in the ditches and fight." About what? In the majority of instances about meaningless measures.

I have suggested, and I think the suggestion is a sound one, that there is no reason why the Membership as a whole should return to this House next Monday or next week.

My specific suggestion has been that the Chairmen of the Committees of this House comprise a portion of our Membership assigned to duty here to be accompanied by the Senior Majority Member on those Committees, and they transact the routine business. When a dispute arises and there is no agreement, the measures concerning which there is disagreement shall be placed upon the postponed calendar just as you placed this bill today, once a week, or once every two weeks as the necessity may arise, the membership of this House come in as a whole to pass upon bills on the postponed calendar, every bill of which is of major importance. Such a program would not entail the continued presence in this House of all of the membership called here to deal with Senatorial nothings.

#### PERMISSION TO ADDRESS HOUSE

Mr. SMITH asked and obtained unanimous consent to address the House.

Mr. Speaker, I have a brief answer to the gentleman from Cambria, Mr. Andrews. I could be very sympathetic, and I personally agree with him as to the Members cashing their checks. I realize all of us on this side of the House are not fortunate in having the assets, monetarywise, that some of the Members of the Senate have.

I realize too that the cost of living has been greatly increased and there has been a drain on the pocketbook of everybody who sits in this House. There is no doubt about that.

Fortunately, the gentleman does know that this happens to be a bicameral Legislature. We have to have a Senate because of our Constitution to pass on our bills.

I still say, and I insist on this, that regardless of the length of the session, there may have been some faults on the part of the Majority, none of us is perfect, but I can say that this House has tried to do its job for the people of this Commonwealth. During this session we have not only passed that one tax program but we have passed two tax programs, something that has been unheard of in the past.

We are giving them every chance in the world to clean up and go home. Everybody wants to do that. But as



the gentleman knows, very well, we are still limited by the Senate's indecision, not only on the tax program but on behalf of the administration's program and we just cannot walk out of here and say to the Senate "good bye." We have an obligation, and even though we have met that obligation, we are still bound hand and foot because of the Senate's inaction on so many very important pieces of legislation.

### PERMISSION TO ADDRESS HOUSE

Mr. McMILLEN asked and obtained unanimous consent to address the House.

Mr. Speaker, before I make any further statements I want it distinctly understood that I am speaking personally and not for the Members of the House as a whole, although I think perhaps I will express the sentiments of many Members of the House in what I say.

I might further state that I speak as a Member of this House who has not missed a session. I have felt my obligation and duty to be here even at a financial loss to me.

It is not true that I have appointments to any of the authorities and a few things like that around the Hill to help bear expenses occasionally. My expenses are borne individually out of my own pocket. I do not have any slush fund, a contingent fund to work from so I think I can speak as an average Member of the House.

I read this morning in the paper, that when the Members of this House took the stand to stay here to finish the job which is ours to do, we were chided or insulted, if you want to call it that, by the Majority Leader of the Senate by calling up "A bunch of brats—spoiled brats."

I take that, Mr. Speaker, as a personal insult, because I think every Member of this House acted as a gentleman with intelligent purpose in his mind. We may have disagreed individually and among ourselves on it, but fundamentally and basically we were here and have been here and have done our job. I want to leave this as a condensed, boiled down statement of my reaction to that statement. I want to read it so that there will be no misunderstanding.

"The present statement further confirms what the people of Pennsylvania and especially the Members of this House have known for a long time; that the Senate Leader is a political opportunist devoid of public interest; is intellectually bankrupt—

Mr. ANDREWS. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman from Cambria rise?

Mr. ANDREWS. Mr. Speaker, I rise to suggest to the gentleman that under the Rules of the House we are required to deal gently with the infirmities of our comrades in legislative arms and are not permitted, on the floor, to speak disparagingly concerning them but are at liberty outside of this Hall to say what we think.

Mr. McMILLEN. Mr. Speaker, my statement will not deal in personalities.

The SPEAKER. The gentleman from Indiana, Mr. McMillen, without objection will proceed.

Mr. McMILLEN. Mr. Speaker,

"The present statement further confirms what the people of Pennsylvania and especially the Members of this House have known for a long time; that the Senate Leader is a political opportunist devoid of

public interest; is intellectually bankrupt, and has by his indiscreet, injudicious, and unstatesmanlike utterance and attitude—

Mr. ANDREWS. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman from Cambria, Mr. Andrews, rise?

Mr. ANDREWS. Mr. Speaker, I glory in what the gentleman says, but I simply point out that it is contrary to the Rules—and I hope he continues.

The SPEAKER. Without objection the gentleman from Indiana, Mr. McMillen, will continue.

Mr. McMILLEN. Mr. Speaker, it is rather difficult to finish without beginning and going through this statement without interruption, so with your permission I wish to do that.

"The present statement further confirms what the people of Pennsylvania and especially the Members of this House have known for a long time; that the Senate Leader is a political opportunist devoid of public interest; is intellectually bankrupt, and has by his indiscreet, injudicious, and unstatesmanlike utterance and attitude again shown that he has neither the capacity or qualities for leadership and cannot rise above his own personal ambition and design to be a follower."

### PERMISSION TO ADDRESS HOUSE

Mr. TOMPKINS asked and obtained unanimous consent to address the House.

Mr. Speaker, and "Spoiled Brats," I would rather be known as a "Brat" in the House of Representatives of the Commonwealth of Pennsylvania with my work completed for the good of the people, than as a prevaricator with my work unsolved, undone, stalking in another legislative forum for selfish personal gain.

### PERMISSION TO ADDRESS HOUSE

Mr. WATKINS asked and obtained unanimous consent to address the House.

Mr. Speaker, because of the inaction in the Senate and on behalf of that branch of our Legislature, and because of the conditions, I hereby designate that this House be called a "home" as they would have us call it, instead of a House.

### PARLIAMENTARY INQUIRY

Mr. ANDREWS. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. ANDREWS. Mr. Speaker, have we not now flagged our lagging spirits to the point where we are in a fighting mood to take up Senate Bill 27?

### BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 833, as follows:

An Act to further amend the act approved the fifth day of May one thousand nine hundred eleven (P. L. 198) entitled "An act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" by conferring exclusive jurisdiction on the county court of Allegheny County in cases of appeals from decisions of the collector of mercantile taxes imposed by political subdivisions within the territorial limits of its jurisdiction



The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (1) of Section 6 of the act approved the fifth day of May one thousand nine hundred eleven (P. L. 198) entitled "An act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" as added by the act approved the sixth day of July one thousand nine hundred fifty-one (Act No 205) is hereby amend to read as follows

Section 6 The court hereby created shall have jurisdiction

\* \* \* \* \*

(1) In all cases of appeal from decisions of the receiver of school taxes or school treasurer in the administration and enforcement of the act of Assembly imposing a mercantile license tax for school purposes in school districts of the first class A and in all cases of appeal from decisions of collectors of mercantile taxes authorized by any act of Assembly and imposed by any political subdivision within the territorial limits of the jurisdiction of the court

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—204

Amarando,	Goodling,	Markley,	Rosen,
Andrews,	Graybill,	Maxwell,	Rovansek,
Banker,	Greenwood,	Mazza,	Royer,
Barkdoll,	Greer,	McConnell,	Rubin,
Baumunk,	Guarnieri,	McCormack,	Sarrafa,
Bear,	Gutendorf,	McCullough,	Sax,
Beaver,	Guthrie,	McDermitt,	Scanlon,
Beech,	Hagerty,	McGee,	Schmidt,
Berkstresser,	Hall,	McInroy,	Schuster,
Blair,	Hamilton, R. K.,	McKinney,	Scott,
Bloom,	Hamilton, W. H.,	McMillen,	Seyler,
Boles,	Harney,	McNally,	Shoemaker,
Bolton,	Haudenschild,	Metz,	Shotwell,
Bomberger,	Headlee,	Mihm,	Smith,
Boorse,	Heim,	Mikula,	Snider,
Bower,	Hersch,	Miller, H. G.,	Sollenberger,
Breisch,	Hewitt,	Miller, J. C.,	Spencer,
Breth,	Hocker,	Mills,	Stank,
Brown,	Hoggard,	Mintess,	Stimmel,
Bucchin,	Hunter,	Monroe,	Stoner,
Byrne,	Jenkins,	Moore, C. E.,	Swope,
Cella,	Johnson,	Moore, H. A.,	Tahl,
Clapper,	Jones, G. E.,	Moran,	Taylor,
Clendening,	Jones, J. M.,	Muldowney,	Thompson, E. F.,
Cochran,	Jones, P. F.,	Munley,	Thompson, R. L.,
Conway,	Jones, T. H. W.,	Murray,	Toll,
Cooper,	Jump,	Musto,	Tompkins,
Corr,	Kamyk,	Najaka,	Toomey,
Costa,	Keller,	Naugle,	VanSant,
Coyle,	Kent,	Needham,	Varallo,
Dalrymple,	Kline,	Olsen,	Varner,
Davis,	Kohl,	Penglase,	Verona,
Dennison,	Kolankiewicz,	Peta,	Wachhaus,
Dougherty,	Kornick,	Petrosky,	Wargo,
Dowling,	Kratz,	Pettigrew,	Waterhouse,
Duffy,	Kubacki,	Pfaff,	Watkins,
Dunh,	Lafore,	Pichney,	Weidner,
Erb,	Lederer,	Pitzer,	Welsh,
Ewing,	Leisey,	Polaski,	Wescott,
Fenrich,	Leonard, L.,	Polen,	Whalley,
Ferster,	Leonard, W. C.,	Price, H. W. Jr.,	Wheeler,
Filip,	Leven,	Price, R. A.,	White,
Filo,	Light,	Readinger,	Williams,
Firmstone,	Limper,	Reagan,	Wilt,
Flack,	Loftus,	Reese,	Wood,
Frost,	Lopresti,	Reidenbach,	Yeakel,
Gaffney,	Lovett,	Reilly, J. M.,	Yester,
Geer,	Lutty,	Rigby,	Yetzer,
Gibson,	Lyons,	Riley, R. L.,	Young,
Gleason,	Madden,	Robertson,	Ziegler,

Good, Madigan, Rose, Sorg,  
Speaker

NAYS—0

NOT VOTING—3

DuBois, Swartz, Westrick,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 839, as follows:

An Act authorizing the Department of Property and Supplies to sell and convey a tract of land in Allegheny Township Blair County Pennsylvania with the approval of the Governor

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Secretary of Property and Supplies with the approval of the Governor is hereby authorized on behalf of the Commonwealth of Pennsylvania to sell at public sale to the highest bidder the following described tract of land situate in Allegheny Township Blair County Pennsylvania

Beginning at a red oak at corner lands of Carl Sorgei thence along the lands of Levi Hoover south fifteen (15) degrees and tirty-five (35) minutes west a distance of six hundred and ninety-six (696) feet to a white oak thence by lands of S S Breckbill north sixty-three (63) degrees a distance of seven hundred and seventy-five (775) feet to a stone monument in the right-of-way of the Pennsylvania Railroad thence along said right-of-way by a line curving to the right having a radius of six hundred and sixty-nine and two-tends (669.2) feet ad istance of three hundred (300) feet to a stone monument thence still along the right-of-way of the Pennsylvania Railroad by a line curving to the right having a radius of five hundred sixty-six and eight-tenths (566.8) feet a distance of two hundred eighty-three (283) feet to a stone monument thence still along said right-of-way north forty-nine (49) degrees and thirty (30) minutes east a distance of two hundred sixteen and eight-tenths (216.8) feet to a stone monument corner of lands of Carl Sorgei thence by lands of Carl Sorgei south fifty-seven (57) degrees and fifteen (15) minutes east a distance of five hundred ninety-four (594) feet to the place of beginning containing twelve and four-tenths (12.4) acres more or less having thereon erected a concrete intake and two small dams and a storage shed

Also all the right title and interest of the Commonwealth of Pennsylvania herein named in and to all of the pipe lines water mains stand pipes reservoirs and other fixtures and structures used with or appurtenant to and in connection with the maintenance and operation of a water works and distribution system together also with all rights easements grants licenses and privileges for the placing maintenance and removal of said water mains pipe lines stands pipes and other fixtures and structures as aforesaid together also with the rights to all water and water rights held enjoyed and possessed by the Commonwealth of Pennsylvania located in Allegheny Township Blair County Pennsylvania (sometimes referred to as the Carson Valley Water Supply) from the source of supply within the meets and bounds above given and extending to the property line of the Hollidaysburg State Hospital

Section 2 The deed of conveyance shall be approved by the Department of Justice and shall be executed by the Secretary of Property and Supplies in the name of the Commonwealth of Pennsylvania



Section 3 The money received by the Commonwealth as consideration for the sale and conveyance of said land shall be credited to the General Fund of the State Treasury

Section 4 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—204

Amarando.	Goodling.	Markley.	Rosen.
Andrews.	Graybill.	Maxwell.	Rovansek.
Banker.	Greenwood.	Mazza.	Royer.
Barkdoll.	Greer.	McConnell.	Rubin.
Baumunk.	Guarnieri.	McCormack.	Sarra.
Beaer.	Gutendorf.	McCullough.	Sax.
Beaver.	Guthrie.	McDermitt.	Scanlon.
Beech.	Hagerty.	McGee.	Schmidt.
Berkstresser.	Hall.	McInroy.	Schuster.
Blair.	Hamilton, R. K.	McKinney.	Scott.
Bloom.	Hamilton, W. H.	McMillen.	Seyler.
Boles.	Harney.	McNally.	Shoemaker.
Bolton.	Haudenschild.	Metz.	Schmitt.
Bomberger.	Headlee.	Mihm.	Smith.
Boorse.	Helm.	Mikula.	Snider.
Bower.	Hersch.	Miller, H. G.	Sollenberger.
Brelsich.	Hewitt.	Miller, J. C.	Spencer.
Breth.	Hocker.	Mills.	Stank.
Brown.	Hoggard.	Mintess.	Stimmel.
Bucchin.	Hunter.	Monroe.	Stoner.
Byrne.	Jenkins.	Moore, C. E.	Swope.
Cella.	Johnson.	Moore, H. A.	Tahl.
Clapper.	Jones, G. E.	Moran.	Taylor.
Clendening.	Jones, J. M.	Muldowney.	Thompson, E. F.
Cochran.	Jones, P. F.	Munley.	Thompson, R. L.
Conway.	Jones, T. H. W.	Murray.	Toll.
Cooper.	Jump.	Musto.	Tompkins.
Corr.	Kamyk.	Najaka.	Toomey.
Costa.	Keller.	Naugle.	VanSant.
Coyle.	Kent.	Needham.	Varallo.
Dalrymple.	Kline.	Olsen.	Varner.
Davis.	Kohl.	Penglase.	Verona.
Dennison.	Kolankiewicz.	Peta.	Wachhaus.
Dougherty.	Kornick.	Petrosky.	Wargo.
Dowling.	Kratz.	Pettigrew.	Waterhouse.
Duffy.	Kubacki.	Pfaff.	Watkins.
Dunn.	Lafore.	Pichney.	Weldner.
Erb.	Lederer.	Pitzer.	Welsh.
Ewing.	Leisey.	Polaski.	Wescott.
Fenrich.	Leonard, L.	Polen.	Whalley.
Ferster.	Leonard, W. C.	Price, H. W. Jr.	Wheeler.
Filip.	Leven.	Price, R. A.	White.
Filo.	Light.	Readinger.	Williams.
Firmstone.	Limper.	Reagan.	Wilt.
Flack.	Lofthus.	Reese.	Wood.
Frost.	Lopresti.	Reidenbach.	Yeakel.
Gaffney.	Lovett.	Reilly, J. M.	Yester.
Geer.	Luty.	Rigby.	Yetzer.
Gibson.	Lyons.	Riley, R. L.	Young.
Gleason.	Madden.	Robertson.	Ziegler.
Good.	Madigan.	Rose.	Sorg.

Speaker

## NAYS—0

## NOT VOTING—3

DuBois, Swartz, Westrick,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Mr. READINGER. Mr. Speaker, earlier this afternoon I asked that House Bill 1652 be passed over temporarily. I now withdraw that request and call up the bill.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1652, as follows:

An Act to further amend Section 13 of the act approved the seventh day of June one thousand nine hundred one (P. L. 493) entitled as amended "An act providing for the examination licensure and registration of persons firms or corporations engaged or engaging in the business or work of plumbing or house drainage and prescribing certain rules regulations and requirements for the construction of plumbing house drainage and cesspools in cities of the second class second class A and third class and imposing fines penalties and forfeiture for violation thereof" by permitting the use of certain concrete pipe as sewer pipe under certain conditions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 13 of the act approved the seventh day of June one thousand nine hundred one (P. L. 493) entitled as amended "An act providing for the examination licensure and registration of persons firms or corporations engaged or engaging in the business or work of plumbing or house drainage and prescribing ceretain rules regulations and requirements for the construction of plumbing house drainage and cesspools in cities of the second class second class A and third class and imposing fines penalties and forfeiture for violation thereof" as amended by the act approved the thirty-first day of March one thousand nine hundred thirty-seven (P. L. 168) is hereby amended to read as follows

Section 13 Where the ground is of sufficient solidity for a proper foundation cylindrical terra-cotta pipe of the best quality free from flaws splits or cracks perfectly burned and well glazed over the entire inner and outer surfaces or concrete pipe meeting the specifications of the American Society for Testing Materials C-14-41 for concrete sewer pipe may be used if laid on a smooth bottom with a special groove cut in the bottom of the trench for each hub in order to give the pipe a solid bearing on its entire length and the soil well rammed on each side of the pipe. The spigot and hub ends shall be connected. The space between the hub and the pipe must be thoroughly filled with cement mortar made of equal parts of the best American natural cement and bar sand thoroughly mixed dry and enough water afterwards added to give the proper consistency. The mortar must be mixed in small quantities and used as soon as made. The joints must be carefully wiped out and pointed and all mortar that may be left inside removed and the pipe left clean and smooth throughout for which purpose a swab may be used. It must not be laid closer than five feet to any exterior wall of a building or less than three and one-half feet below the surface of the ground or when the sewer passes near a well nor will it be allowed in bad or made ground or inside a building with or without a cellar

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. BRETH. Mr. Speaker, this bill 1652 seeks to legalize the use of concrete pipe in connection with the building of lines from a house to the main sewer. It has been proven definitely in the past, and I have been assured by chemists that concrete pipe is still not acid resistant. There is no guarantee when concrete pipe is sold that it is acid resistant. I am assured that the residual and cumulative effect of concrete pipe would tend to deteriorate, and there would be no element of security to the property owners or the builders as to how long this pipe might last.

Vitrified clay pipe, as every one knows, is impervious and is a life-time proposition. That is my first point in opposition to this bill.



My second point in opposition to the bill is the fact that the concrete pipe to be authorized under this bill is made outside the state of Pennsylvania. It is made in West Virginia and Ohio by non-union labor. The present industry within this state is mostly unionized and contributes to a lot of communities and areas in this state and to the industrial prosperity of this state.

It seems to me that as Members of the House we are being asked to buy a pig in a poke—in fact a non-union pig in a poke and it will affect one of the industries within the state which is typically Pennsylvanian. Therefore, I think at this time it would not be the right thing to do to pass this bill, in order to permit out of state manufacturers who are employing non-union labor to affect a unionized industry within the state.

Furthermore, the cement industry within the state would benefit not at all from the use of cement in the making of this pipe because out of state industry furnishes the cement in the production of it.

Furthermore, the history of this bill is that it was introduced on August 6, just a week before we recessed for a month. It was brought up in committee and reported out last Thursday. That does not give any public health officials or the Health Department in the state of Pennsylvania a chance to study the consequences which this bill would present.

Therefore, I think it is a little hasty at this late date. If such a bill was contemplated and introduced, it should have been introduced last January, February, March, April, May or even June in order to give the public and the public health officials of the state a chance to study and to determine the effect of it.

That is all, Mr. Speaker, and I ask the Members to vote against this bill in their best interests and the best interests of the industry within the state of Pennsylvania.

Mr. KRATZ. Mr. Speaker, truly this has been a weird session. Factual data, or so-called factual data, has been spread all over the place. I want to take this opportunity to refute the statements of the last speaker by factual data, not hearsay.

The statement was made that most of the concrete pipe is made outside of the state of Pennsylvania and that it did not benefit the cement industry in any manner. Regarding the location of the plants that make the major portion of concrete pipe used throughout the United States, we have three plants in Pittsburgh; we have one plant in Altoona; we have one plant in Harrisburg; we have one plant in Pottstown; one plant in Norristown; one plant in Williamsport; one plant in Stroudsburg; one plant in Bristol; one plant in Pottsville; one plant in New Holland; and one plant in Erie, a total of thirteen plants in the state of Pennsylvania, employing 9,000 people. To the best of my knowledge, the people employed in those plants are union men.

Now as to the cement used in these pipes. We produced in Pennsylvania 2,000,000 tons of cement in the year 1950, and we used 34 carloads of cement per day in the plants which I have named, and that cement was made in Pennsylvania and was not brought in from West Virginia. West Virginia hardly makes enough cement to make the cement pipe made in Pennsylvania. It takes 100 pounds of coal to make a barrel of cement. I think all the coal

miners in Pennsylvania are union men and are benefitting very much by this cement industry.

Let us consider whether or not this cement pipe is a proper material to use. A great many of the trunk line sewers and the collecting sewers in our cities today are made of cement pipe. Some of them have been there 25 and 30 years, which is more satisfactory life than we have with some other kinds of pipe. Cement is an acid-resisting material up to certain concentrations of acid, which however, are not obtained in taking sewage from any private house, and which are not obtained even in manufacturing plants for general usage because the dilution is so high that you do not get that percentage. When you do get high concentrations of acid, you will not use vitrified clay pipe, you will not use cement; you will use some of the acid resisting irons. They, however, are specialties, and we are not considering them because they are used all over Pennsylvania in their proper place.

I simply make that statement as a guidance to the men here in the House who are not particularly learned in the mechanical arts, or the engineering arts and the use of sewage pipe.

I wanted to present some maps showing the location of the cement plants—apparently I have mislaid that. But I would say this cement plants are uniformly located all over the state of Pennsylvania. We have one in Montgomery County; up in Northampton County we have plants galore; we have them in the western end of the state in the northern end and along the Maryland border we have cement plants. Therefore, the moneys that are made by the use of this pipe are not confined to any one section of Pennsylvania, such as we have heard so much about for another type of pipe. The one type of pipe that seems to be so lauded, I believe there are two or three plants in the western end of the state, and we have one in Montgomery County, believe it or not; and they drag all the clay into the plant from out in West Virginia.

I would say this in closing, that we had a discussion on another type sometime ago. It seems to me that we are acting very small when we as a legislative body try to deny to the people of Pennsylvania the choice of materials most suitable to the job they have,

I hope the data I have given you will find response in a vote for this bill.

Mr. BRETH. Mr. Speaker, I did not say that Pennsylvania did not have any concrete plants or concrete pipe making plants. Of course, we have; it is a big industry.

I merely told the Members of this House what the Vice President of the State Federation of Labor told me. Fred Hughes, Vice President of the State Federation of Labor, told me that the pipe which was coming into the state for this purpose must have been drainage pipe. Other kind of concrete pipes—they are all right, they are fine in their place. But this bill authorizes small pipe from the main channels into the building. And furthermore, there is no guarantee against acid resistance with the concrete pipe.

The point about this is that a new process has been developed to make concrete pipe. According to a representative of the cement industry in this state, that pipe was first made in a way that it can undersell vitrified pipe. And that is the story behind it.



There are all sorts of technical reasons why we should do this about that and why we should do the other thing about some other thing; but the time is not now for this House, at this late date, not to give the people and the public health officials of the state a chance to determine for themselves whether they want to legalize the use of concrete pipe in these small connections.

We can do here what will influence small property owners ten years from now. In other words, there is no argument that the vitrified clay pipe coming into the house is O. K. It has lasted for years and years on end, but there is an argument that if concrete pipe were installed, how long would it last? Who would have to pay the bill if it did not last? The small property owner—and I think the small property owner has burdens enough. I think it is time for this House not to take such hasty action as is being asked of them at this late time.

Furthermore I would appreciate each Member saying how he stands on this bill—yes or no, because I would like to hear up in my seat in the corner.

Mr. KRATZ. Mr. Speaker, I want to make one or two observations. It is common knowledge in the engineering profession that when you dig down into a ditch and dig up a clay pipe that has laid there for 10 to 15 years, you generally find it all cracked. It is then making what is known as a French drain—they are very good in their place; but you cannot dig them up and replace them.

There is another observation that I feel I must make which is of a political nature. The last speaker has told us that concrete pipe will reduce the cost; it is sold cheaper. Well, in God's name, we certainly need something to reduce the cost, and it has never been the prerogative of the Republican party to subsidize anyone to keep up the most of things and make our people pay higher for them. That seems to be the common practice today—if you do not have the money to buy, the government will give it to you.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—75

Andrews,	Firmstone,	Madigan,	Spencer,
Banker,	Flack,	Markley,	Stimmel,
Baumunk,	Frost,	McCormack,	Swope,
Bear,	Gaffney,	McCullough,	Toll,
Berkstresser,	Goodling,	McKinney,	Toomey,
Blair,	Graybill,	Miller, J. C.,	VanSant,
Bolton,	Greenwood,	Mintess,	Varnier,
Boorse,	Haudenshield,	Moran,	Wachhaus,
Brown,	Hocker,	Najaka,	Waterhouse,
Bucchin,	Hunter,	Penglase,	Weidner,
Cella,	Jenkins,	Polen,	Welsh,
Clapper,	Jones, J. M.,	Reagan,	Whalley,
Clendening,	Kamyk,	Reidenbach,	White,
Costa,	Kline,	Rigby,	Williams,
Dalrymple,	Kohl,	Riley, R. L.,	Yeakel,
Dowling,	Leisey,	Robertson,	Yester,
Duffy,	Leonard, W. C.,	Royer,	Yetzer,
Dunn,	Light,	Rubin,	Young,
	Loftus,	Sax,	Ziegler,

#### NAYS—38

Bloom,	Headlee,	McConnell,	Seyler,
Bomberger,	Helm,	McGee,	Shotwell,
Bower,	Johnson,	McMillen,	Smith,
Breth,	Jones, G. E.,	Mihm,	Snider,
Davis,	Jump,	Miller, H. G.,	Sollenberger,
Dennison,	Kornick,	Murray,	Stoner,
Gibson,	Kratz,	Petrosky,	Tompkins,

Guthrie,	Kubacki,	Polaski,	Wescott,
Hall,	Lyons,	Reilly, J. M.,	Sorg
Hamilton, W. H.,	Madden,		Speaker.

#### NOT VOTING—94

Amarando,	Greer,	Mazza,	Reese,
Barkdoll,	Guarnieri,	McDermitt,	Rose,
Beaver,	Gutendorf,	McInrov,	Rosner,
Beech,	Hagerty,	McNally,	Rovansek,
Boles,	Hamilton, R. K.,	Metz,	Sarraf,
Breisch,	Harney,	Mikula,	Scanlon,
Byrne,	Hersch,	Mills,	Schmidt,
Cochran,	Hewitt,	Monroe,	Schuster,
Conway,	Hoggard,	Moore, C. E.,	Scott,
Cooper,	Jones, P. F.,	Moore, H. A.,	Shoemaker,
Corr,	Jones, T. H. W.,	Muldowney,	Stank,
Coyle,	Keller,	Munley,	Swartz,
Dougherty,	Kent,	Musto,	Tahl,
DuBois,	Kolankiewicz,	Naugle,	Taylor,
Erb,	Lafore,	Needham,	Thompson, E. F.,
Ewing,	Lederer,	Olsen,	Thompson, R. L.,
Fenrich,	Leonard, L.,	Peta,	Varallo,
Fenster,	Leven,	Pettigrew,	Verona,
Fillip,	Limper,	Pfaff,	Wargo,
Filo,	Lopresti,	Pichney,	Watkins,
Geer,	Lovett,	Pitzer,	Westrick,
Gleason,	Lutty,	Price, H. W. Jr.,	Wheeler,
Good,	Maxwell,	Price, R. A.,	Wilt,
		Readinger,	Wood,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

#### BILLS ON FINAL PASSAGE

The SPEAKER. Without objection, the Chair will return to page 9 of today's calendar, Bills on Final Passage.

Agreeably to order,

The House proceeded to the consideration on final passage of Senate Bill No. 676, as follows:

An Act to amend the act approved the twenty-eighth day of June one thousand nine hundred forty-seven (P. L. 1144) entitled "An act relating to the annual salaries of certain county officers of counties of the second class" by increasing the salaries of certain county officers

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1 of the act approved the twenty-eighth day of June one thousand nine hundred forty-seven (P. L. 1144) entitled "An act relating to the annual salaries of certain county officers of counties of the second class" is hereby amended to read as follows

Section 1 The annual salaries of the following county officers of counties of the second class shall be as follows

The sheriff [eleven thousand dollars (\$11,000)] twelve thousand five hundred dollars (\$12,500)

The prothonotary [eleven thousand dollars (\$11,000)] twelve thousand five hundred dollars (\$12,500)

The recorder of deeds [eleven thousand dollars (\$11,000)] twelve thousand five hundred dollars (\$12,500)

The register of wills and clerk of the orphans' court five thousand five hundred dollars (\$5050)

The clerk of the court [eleven thousand dollars (\$11,000)] twelve thousand five hundred dollars (\$12,500)

The treasurer [eleven thousand dollars (\$11,000)] twelve thousand five hundred dollars (\$12,500)

The controller [eleven thousand dollars (\$11,000)] twelve thousand five hundred dollars (\$12,500)

The coroner [eleven thousand dollars (\$11,000)] twelve thousand five hundred dollars (\$12,500)

The district attorney [eleven thousand dollars (\$11,000)] fourteen thousand dollars (\$14,000)

First assistant district attorney eight thousand two hundred fifty dollars (\$8250)

First assistant district attorney eight thousand two hundred fifty dollars (\$8250)



Second assistant district attorney seven thousand one hundred fifty dollars (\$7150)

Two assistant district attorneys six thousand six hundred dollars (\$6600) each

Four assistant district attorneys six thousand fifty dollars (\$6050) each

Two assistant district attorneys five thousand five hundred dollars (\$5500) each

Two assistant district attorneys four thousand nine hundred fifty dollars (\$4950) each

Four assistant district attorneys four thousand four hundred dollars (\$4400) each

The chairman of the county commissioners [sixteen thousand five hundred dollars (\$16,500)] eighteen thousand five hundred dollars (\$18,500) the other county commissioners [thirteen thousand two hundred dollars (\$13,200)] fifteen thousand five hundred dollars (\$15,500) each

Two elective jury commissioners six thousand dollars (\$6,000) each

Section 2 This act shall become effective as to all of the pertinent county officers who shall begin a term of office on or after the first Monday of January one thousand nine hundred fifty-two

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—195

Amarando,	Good,	Madigan,	Rovansek,
Andrews,	Greenwood,	Markley,	Royer,
Banker,	Greer,	Maxwell,	Rubin,
Barkdoll,	Guarnieri,	Mazza,	Sarrafi,
Bear,	Gutendorf,	McConnell,	Sax,
Beaver,	Guthrie,	McCormack,	Scanlon,
Beech,	Hagerty,	McCullough,	Schmidt,
Berkstresser,	Hall,	McDermitt,	Schuster,
Blair,	Hall,	McGee,	Scott,
Bloom,	Hamilton, R. K.,	McInroy,	Seyler,
Boies,	Hamilton, W. H.,	McKinney,	Shoemaker,
Bolton,	Harney,	McMillen,	Shotwell,
Bomberger,	Haudenschild,	McNally,	Smith,
Boorse,	Headlee,	Metz,	Snider,
Bower,	Helm,	Mihm,	Sollenberger,
Breisch,	Hersch,	Mikula,	Spencer,
Breth,	Hewitt,	Miller, H. G.,	Stank,
Brown,	Hocker,	Mills,	Stimmel,
Bucchin,	Hoggard,	Mintess,	Stoner,
Byrne,	Hunter,	Monroe,	Swope,
Cella,	Jenkins,	Moore, C. E.,	Tahl,
Clapper,	Johnson,	Moore, H. A.,	Taylor,
Clendening,	Jones, G. E.,	Moran,	Thompson, E. F.,
Cochran,	Jones, J. M.,	Muldowney,	Thompson, R. L.,
Conway,	Jones, P. F.,	Munley,	Toil,
Cooper,	Jones, T. H. W.,	Murray,	Tompkins,
Corr,	Jump,	Musto,	Toomey,
Costa,	Kamyk,	Najaka,	VanSant,
Coyle,	Keller,	Naugle,	Varallo,
Dalrymple,	Kent,	Needham,	Varner,
Davis,	Kline,	Olsen,	Verona,
Dennison,	Kohl,	Penglase,	Wachhaus,
Dougherty,	Kolankiewicz,	Peta,	Wargo,
Dowling,	Kornick,	Petrosky,	Waterhouse,
Duffy,	Kratz,	Pettigrew,	Watkins,
Dunn,	Kubacki,	Pfaff,	Welsh,
Erb,	Lafore,	Pichney,	Wescott,
Ewing,	Lederer,	Pitzer,	Whalley,
Fenrich,	Leisey,	Polaski,	Wheeler,
Ferster,	Leonard, L.,	Polen,	White,
Filip,	Leonard, W. C.,	Price, H. W. Jr.,	Williams,
Filo,	Leven,	Price, R. A.,	Wilt,
Firmstone,	Light,	Readinger,	Wood,
Flack,	Limper,	Reese,	Yeakel,
Frost,	Loftus,	Reidenbach,	Yester,
Gaffney,	Lopresti,	Reilly, J. M.,	Yetzer,
Geer,	Lovett,	Robertson,	Young,
Gibson,	Lutty,	Rose,	Ziegler,
Gleason,	Madden,	Rosen,	Sorg,

Speaker

#### NAYS—9

Baumunk,	Lyons,	Reagan,	Riley, R. L.,
Goodling,	Miller, J. C.,	Rigby,	Weidner,
Graybill,			

#### NOT VOTING—3

DuBols,

Swartz,

Westrick,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the consideration on final passage of Senate Bill No. 677, as follows:

An Act to amend the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 973) entitled "An act relating to the annual salaries of certain county officers of counties of the third class" by increasing the salaries of certain county officers

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1 of the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 973) entitled "An act relating to the annual salaries of certain county officers of counties of the third class" is hereby amended to read as follows

Section 1 The annual salaries of the following county officers of counties of the third class shall be as follows

The sheriff [six thousand six hundred (\$6,600)] seven thousand six hundred dollars (\$7,600)

The coroner [three thousand three hundred dollars (\$3,300)] five thousand dollars (\$5,000)

The prothonotary [six thousand six hundred dollars (\$6,600)] seven thousand six hundred dollars (\$7,060)

The clerk of the courts [five thousand five hundred dollars (\$5,500)] seven thousand six hundred dollars (\$7,600)]

The register of wills and ex-officio clerk to the orphans' court [four thousand four hundred dollars (\$4,400)] five thousand three hundred dollars (\$5,300)

The recorder of deeds [five thousand five hundred dollars (\$5,500)] seven thousand six hundred dollars (\$7,600)

The county treasurer [five thousand five hundred dollars (\$5,500)] six thousand four hundred dollars (\$6,400)

The county controller [six thousand six hundred dollars (\$6,600)] eight thousand five hundred dollars (\$8,500)

The county surveyor where such office exists one hundred ten dollars (\$110)

The county commissioners [six thousand six hundred dollars (\$6,600)] nine thousand two hundred fifty dollars (\$9,250) each

[The chief county detective three thousand three hundred dollars (\$3,300)]

The five assistant county detectives two thousand eight hundred sixty dollars (\$2,860) each]

The jury commissioners [nine hundred ninety dollars (\$990)] one thousand two hundred dollars (\$1,200) each

The district attorney [eight thousand two hundred fifty dollars (\$8,250)] nine thousand two hundred fifty dollars (\$9,250)

[The first assistant district attorney four thousand four hundred dollars (\$4,400)]

[The three assistant district attorneys three thousand eight hundred fifty dollars (\$3,850) each

The two assistant district attorneys three thousand three hundred dollars (\$3,300) each]

Section 2 This act shall become effective and applicable to all of the pertinent county officers who shall begin a term of office on or after the first Monday of January one thousand nine hundred fifty-two.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?



Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—195

Amarando,	Good,	Markley,	Royer,
Andrews,	Greenwood,	Maxwell,	Rudin,
Banker,	Greer,	Mazza,	Sarrafa,
Barkdoll,	Guarnieri,	McConnell,	Sax,
Bear,	Gutendorf,	McCormack,	Scanlon,
Beaver,	Guthrie,	McCullough,	Schmidt,
Beech,	Hagerty,	McDermitt,	Schuster,
Berkstresser,	Hall,	McGee,	Scott,
Blair,	Hamilton, R. K.,	McInroy,	Seyler,
Bloom,	Hamilton, W. H.,	McKinney,	Shoemaker,
Boles,	Harney,	McMillen,	Shotwell,
Bolton,	Haudenschild,	McNally,	Smith,
Bomberger,	Headlee,	Metz,	Snider,
Boorse,	Helm,	Mihm,	Sollenberger,
Bower,	Hersch,	Mikula,	Spencer,
Breisch,	Hewitt,	Miller, H. G.,	Stank,
Breth,	Hocker,	Mills,	Stimmel,
Brown,	Hoggard,	Mintess,	Stoner,
Buechin,	Hunter,	Monroe,	Swope,
Byrne,	Jenkins,	Moore, C. E.,	Tahl,
Cella,	Johnson,	Moore, H. A.,	Taylor,
Clapper,	Jones, G. E.,	Moran,	Thompson, E. F.,
Clendening,	Jones, J. M.,	Muldowney,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Munley,	Toll,
Conway,	Jones, T. H. W.,	Murray,	Tompkins,
Cooper,	Jump,	Musto,	Toomey,
Corr,	Kamyk,	Najaka,	VanSant,
Costa,	Keller,	Naugle,	Varallo,
Coyle,	Kent,	Needham,	Varnier,
Dalrymple,	Kline,	Olsen,	Verona,
Davis,	Kohl,	Penglase,	Wachhaus,
Dennison,	Kolankiewicz,	Peta,	Wargo,
Dougherty,	Kornick,	Petrosky,	Waterhouse,
Dowling,	Kratz,	Pettigrew,	Watkins,
Duffy,	Kubacki,	Pfaff,	Welsh,
Dunn,	Lafore,	Pichney,	Wescott,
Erb,	Laisey,	Pitzer,	Whalley,
Ewing,	Lederer,	Polaski,	Wheeler,
Fenrich,	Leonard, L.,	Polen,	White,
Ferster,	Leonard, W. C.,	Price, H. W. Jr.,	Williams,
Filip,	Leven,	Price, R. A.,	Wilt,
Filo,	Light,	Readinger,	Wood,
Firmstone,	Limper,	Reese,	Yeakel,
Flack,	Loftus,	Reidenbach,	Yester,
Frost,	Lopresti,	Reilly, J. M.,	Yetzer,
Gaffney,	Lovett,	Robertson,	Young,
Geer,	Lutty,	Rose,	Ziegler,
Gibson,	Madden,	Rosen,	Sorg,
Gleason,	Madigan,	Rovansek,	Speaker

## NAYS—9

Baumunk,	Lyons,	Reagan,	Riley, R. L.,
Goodling,	Miller, J. C.,	Rigby,	Weidner.
Graybill,			

## NOT VOTING—3

DuBois,	Swartz,	Westrick,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the consideration on final passage of Senate Bill No. 678, as follows:

An Act to further amend the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 947) entitled "An act relating to the annual salaries of certain county officers of counties of the fourth class" by increasing the salaries of certain county officers

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1 of the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 947) entitled "An act relating to the annual salaries of certain county officers of counties of the fourth class" as amended by the act approved the eighteenth day of May one thousand nine hundred forty-nine (P. L. 1411) is hereby amended to read as follows

Section 1 The annual salaries of the following county officers of counties of the fourth class shall be as follows

The district attorney [six thousand six hundred dollars (\$6600)] eight thousand dollars (\$8000)

[First assistant district attorney three thousand eight hundred fifty dollars (\$3850)]

Three assistant district attorneys each three thousand three hundred dollars (\$3300)]

The sheriff [six thousand six hundred dollars (\$6600)] seven thousand three hundred dollars (\$7300)

The prothonotary [six thousand six hundred dollars (\$6600)] seven thousand three hundred dollars (\$7300)

The clerk of courts [four thousand four hundred dollars (\$4400)] seven thousand three hundred dollars (\$7300)

The Clerk of the Orphans' Court (other than the Register of Wills acting as ex officio clerk of Orphans' Court) five thousand six hundred dollars (\$5600)

The register of wills and ex-officio clerk of the orphans' court [four thousand four hundred dollars (\$4400)] five thousand three hundred dollars (\$5300)

The recorder of deeds [four thousand four hundred dollars (\$4400)] seven thousand three hundred dollars (\$7300)

The county treasurer [five thousand five hundred dollars (\$5500)] six thousand two hundred dollars (\$6200)

The county commissioners [five thousand five hundred dollars (\$5500)] eight thousand dollars (\$8000) each

The county auditors where there is a controller each one hundred ten dollars (\$110)

The coroner [three thousand dollars (\$3000)] four thousand five hundred dollars (\$4500)

The jury commissioners [five hundred fifty dollars (\$550)] seven hundred fifty dollars (\$750) each

The county controller where such office exists or may be created [five thousand five hundred dollars (\$5500)] seven thousand three hundred dollars (\$7300)

[The chief county detective three thousand three hundred dollars (\$3300)]

The assistant chife county detective two thousand seven hundred fifty dollars (\$2750)

The two special county detectives each two thousand two hundred dollars (\$2200)]

Section 2 This act shall become effective and applicable to all of the pertinent county officers who shall begin a term of office on or after the grst Monday of January one thousand nine hundred fifty-two

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—193

Amarando,	Good,	Madigan,	Royer,
Andrews,	Greenwood,	Markley,	Rubin,
Banker,	Greer,	Maxwell,	Sarrafa,
Barkdoll,	Guarnieri,	McConnell,	Sax,
Bear,	Gutendorf,	McCormack,	Scanlon,
Beaver,	Guthrie,	McCullough,	Schmidt,
Beech,	Hagerty,	McDermitt,	Schuster,
Berkstresser,	Hall,	McGee,	Scott,
Blair,	Hamilton, R. K.,	McInroy,	Seyler,
Bloom,	Hamilton, W. H.,	McKinney,	Shoemaker,
Boles,	Harney,	McMillen,	Shotwell,
Bolton,	Haudenschild,	McNally,	Smith,
Bomberger,	Headlee,	Metz,	Snider,
Boorse,	Helm,	Mihm,	Sollenberger,
Bower,	Hersch,	Mikula,	Spencer,
Breisch,	Hewitt,	Mills,	Stank,
Breth,	Hocker,	Miller, H. G.,	Stimmel,
Brown,	Hoggard,	Mintess,	Stoner,
Buechin,	Hunter,	Monroe,	Swope,
Byrne,	Jenkins,	Moore, C. E.,	Tahl,



Cella,	Johnson,	Moore, H. A.,	Taylor,
Clapper,	Jones, G. E.,	Moran,	Thompson, E. F.,
Clendenen,	Jones, J. M.,	Muldowney,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Munley,	Toll,
Conway,	Jones, T. H. W.,	Murray,	Tompkins,
Cooper,	Jump,	Musto,	Toomey,
Corr,	Kamyk,	Najaka,	VanSant,
Costa,	Keller,	Naugle,	Varallo,
Coyle,	Kent,	Needham,	Varner,
Dalrymple,	Kline,	Olsen,	Verona,
Davis,	Kohl,	Penglase,	Wachhaus,
Dennison,	Kolankiewicz,	Peta,	Wargo,
Dougherty,	Kornick,	Petrosky,	Waterhouse,
Duffy,	Kratz,	Pettigrew,	Watkins,
Dunn,	Kubacki,	Pfaff,	Welsh,
Erb,	Lafore,	Pichney,	Wescott,
Ewing,	Lederer,	Pitzer,	Whalley,
Fenrich,	Lelsey,	Polaski,	Wheeler,
Ferster,	Leonard, L.,	Polen,	White,
Filip,	Leonard, W. C.,	Price, H. W. Jr.,	Williams,
Filo,	Leven,	Price, R. A.,	Wilt,
Firmstone,	Light,	Readinger,	Wood,
Flack,	Limper,	Reese,	Yeakel,
Frost,	Loftus,	Reidenbach,	Yester,
Gaffney,	Lopresti,	Reilly, J. M.,	Yetzer,
Geer,	Lovett,	Robertson,	Young,
Gibson,	Lutty,	Rose,	Ziegler,
Gleason,	Madden,	Rosen,	Sorg,
		Rovansek,	Speaker

## NAYS—11

Baumunk,	Graybill,	Miller, J. C.,	Riley, R. L.,
Dowling,	Lyons,	Reagan,	Weidner,
Goodling,	Mazza,	Rigby,	

## NOT VOTING—3

DuBois,	Swartz,	Westrick,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the consideration on final passage of Senate Bill No. 679, as follows:

An Act to amend the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 972) entitled "An act relating to the annual salaries of certain county officers of counties of the fifth class" by increasing the salaries of certain county officers

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1 of the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 972) entitled "An act relating to the annual salaries of certain county officers of counties of the fifth class" is hereby amended to read as follows

Section 1 The annual salaries of the following county officers of counties of the fifth class shall be as follows

The sheriff [four thousand four hundred dollars (\$4,400.00)] six thousand dollars (\$6,000.00)

The county comptroller where such office exists [four thousand four hundred dollars (\$4,400.00)] six thousand dollars (\$6,000.00)

The coroner [one thousand six hundred fifty dollars (\$1,650.00)] two thousand five hundred dollars (\$2,500.00)

The prothonotary [four thousand four hundred dollars (\$4,400.00)] six thousand dollars (\$6,000.00)

The clerk of quarter sessions and oyer and terminer [three thousand three hundred dollars (\$3,300.00)] six thousand dollars (\$6,000.00)

The clerk of the orphans' court [three thousand three hundred dollars (\$3,300.00)] six thousand dollars (\$6,000.00)

The register of wills [five thousand five hundred dollars (\$5,000.00)] six thousand dollars (\$6,000.00)

The recorder of deeds [four thousand four hundred dollars (\$4,400.00)] six thousand dollars (\$6,000.00)

Provided that where any of the officers above mentioned holds two or more of the said offices he shall receive six thousand dollars (\$6,000.00)

The county commissioners [four thousand four hundred dollars (\$4,400.00)] six thousand five hundred dollars (\$6,500.00) each

The county treasurer [five thousand five hundred dollars (\$5,000.00)] six thousand dollars (\$6,000.00)

The county auditors where such office exists two hundred seventy-five dollars (\$275.00) each

The jury commissioners [two hundred seventy-five dollars (\$275.00)] three hundred fifteen dollars (\$315.00) each

[Where the office of prothonotary clerk of the court of general quarter sessions clerk of the court of oyer and terminer are held by the same person such officer shall receive a salary of four thousand four hundred dollars (\$4,400.00) only]

Where the office of prothonotary clerk of the court of general quarter sessions clerk of the court of oyer and terminer and clerk of the orphans' court are held by the same person such officer shall receive a salary of four thousand four hundred dollars (\$4,400.00) only

Where the office of clerk of the court of general quarter sessions clerk of the court of oyer and terminer and clerk of the orphans' court are held by the same person such officer shall receive a salary of four thousand four hundred (\$4,400.00) only

Where the office of the register of wills and the recorder of deeds are held by the same person such officer shall receive a salary of four thousand four hundred dollars (\$4,400.00) only

Where the office of the register of wills recorder of deeds and clerk of the orphans' court are held by the same person such officer shall receive a salary of five thousand dollars (\$5,000.00) only

Where the office of prothonotary and recorder of deeds are held by the same person such officer shall receive a salary of four thousand four hundred dollars (\$4,400.00) only

Where the office of register of wills clerk of the court of general quarter sessions clerk of the court of oyer and terminer and clerk of the orphans' court are held by the same person such officer shall receive a salary of four thousand four hundred dollars (\$4,400.00) only

Provided That the salaries provided by this section shall in no case exceed the fees collected during the term for which any such officer shall serve

District attorney [five thousand five hundred dollars (\$5,500.00)] six thousand dollars (\$6,000.00)

[First assistant district attorney two thousand seven hundred fifty dollars (\$2,750.00)]

Second assistant district attorney two thousand two hundred dollars (\$2,200.00)]

Section 2 This act shall become effective and applicable to all of the pertinent county officers who shall begin a term of office on or after the first Monday of January one thousand nine hundred fifty-two

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—195

Amarando,	Good,	Markley,	Royer,
Andrews,	Greenwood,	Maxwell,	Rubin,
Banker,	Greer,	Mazza,	Sarraf,
Barkdoll,	Guarnieri,	McConnell,	Sax,
Bear,	Gutendorf,	McCormack,	Scanlon,
Beaver,	Guthrie,	McCullough,	Schmidt,
Beech,	Hagerty,	McDermitt,	Schuster,
Berkstresser,	Hall,	McGee,	Scott,
Blair,	Hamilton, R. K.,	McInroy,	Seyler,
Bloom,	Hamilton, W. H.,	McKinney,	Shoemaker,
Boles,	Harney,	McMillen,	Shotwell,



Bolton,	Haudenshield,	McNally,	Smith,
Bomberger,	Headlee,	Metz,	Snider,
Boorse,	Helm,	Mihm,	Sollenberger,
Bower,	Hersch,	Mikula,	Spencer,
Breisch,	Hewitt,	Miller, H. G.,	Stank,
Breth,	Hocker,	Mills,	Stimmel,
Brown,	Hoggard,	Mintess,	Stoner,
Buccin,	Hunter,	Monroe,	Swope,
Byrne,	Jenkins,	Moore, C. E.,	Tahl,
Cella,	Johnson,	Moore, H. A.,	Taylor,
Clapper,	Jones, G. E.,	Moran,	Thompson, E. F.,
Clendening,	Jones, J. M.,	Muldowney,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Munley,	Toll,
Conway,	Jones, T. H. W.,	Murray,	Tompkins,
Cooper,	Jump,	Musto,	Toomey,
Corr,	Kamyk,	Najaka,	VanSant,
Costa,	Keller,	Naugle,	Varallo,
Coyle,	Kent,	Needham,	Varner,
Dalrymple,	Kline,	Olsen,	Verona,
Davis,	Kohl,	Penglase,	Wachhaus,
Dennison,	Kolankiewicz,	Peta,	Wargo,
Dougherty,	Kornick,	Petrosky,	Waterhouse,
Dowling,	Kratz,	Pettigrew,	Watkins,
Duffy,	Kubacki,	Pfaff,	Welsh,
Dunn,	Lafore,	Pichney,	Wescott,
Erb,	Lederer,	Pitzer,	Whalley,
Ewing,	Lelsey,	Polaski,	Wheeler,
Fenrich,	Leonard, L.,	Polen,	White,
Ferster,	Leonard, W. C.,	Price, H. W. Jr.,	Williams,
Filip,	Leven,	Price, R. A.,	Wilt,
Filo,	Light,	Readinger,	Wood,
Firmstone,	Limper,	Reese,	Yeakel,
Flack,	Loftus,	Reidenbach,	Yester,
Frost,	Lopresti,	Reilly, J. M.,	Yetzer,
Gaffney,	Lovett,	Robertson,	Young,
Geer,	Lutty,	Rose,	Ziegler,
Gibson,	Madden,	Rosen,	Sorg,
Gleason,	Madigan,	Rovanssek,	Speaker

## NAYS—9

Baumunk,	Lyons,	Reagan,	Riley, R. L.,
Goodling,	Miller, J. C.,	Rigby,	Weidner,
Graybill,			

## NOT VOTING—3

DuBois,	Swartz,	Westrick,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the consideration on final passage of Senate Bill No. 680, as follows:

An Act to amend the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 928) entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the sixth class" by increasing the salaries of certain county officers

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1 of the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 928) entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the sixth class" is hereby amended to read as follows

Section 1 The annual salaries of the following county officers of counties of the sixth class shall be as follows

The clerk of the court of quarter sessions [two thousand seven hundred fifty dollars (\$2750)] four thousand dollars (\$4000)

The treasurer [four thousand four hundred dollars (\$4400)] four thousand eight hundred dollars (\$4800)

The controller [three thousand three hundred dollars (\$3300)] five thousand dollars (\$5000)

The clerk of oyer and terminer one thousand one hundred dollars (\$100)

The clerks of the orphans' court [two thousand seven hundred fifty dollars (\$2750)] three thousand five hundred dollars (\$3500) each

The prothonotary [three thousand three hundred dollars (\$3300)] five thousand dollars (\$500)

The recorder of deeds [three thousand three hundred dollars (\$3300)] four thousand four hundred dollars (\$4400)

The register of wills [three thousand three hundred dollars (\$3300)] four thousand dollars (\$4000)

Where any of the officers above mentioned holds two or more of said offices he shall receive the highest salary fixed for [either] any of the offices which he holds and the additional salary of [five hundred fifty dollars (\$550)] seven hundred fifty dollars (\$750) [and where any of said officers shall hold three or more such offices he shall receive an additional salary of one thousand one hundred dollars (\$1100)]

The sheriff [four thousand four hundred dollars (\$4400)] five thousand dollars (\$5000)

The county commissioners [three thousand three hundred dollars (\$3300)] five thousand dollars (\$5000) each

The district attorney shall receive annual salaries depending upon the population of the county as follows

(a) [Fifty thousand and more but] Less than sixty thousand [twenty-six hundred forty dollars (\$2640)] three thousand seven dollars (\$3700)

(b) Sixty thousand and more but less than seventy thousand [twenty-nine hundred seventy dollars (\$2970)] three thousand seven hundred fifty dollars (\$3750)

(c) Seventy thousand and more but less than eighty thousand [three thousand three hundred dollars (\$3300)] four thousand two hundred fifty dollars (\$4250)

(d) Eighty thousand and more but less than ninety thousand [three thousand six hundred thirty dollars (\$3630)] four thousand seven hundred fifty dollars (\$4750)

(e) Ninety thousand and more but less than one hundred thousand [four thousand one hundred eighty dollars (\$4180)] five thousand dollars (\$5000)

[In counties having a population of eighty thousand or more the assistant district attorney shall receive a salary of twenty-two hundred dollars (\$2200) and in counties having a population of less than eighty thousand the assistant district attorney shall receive a salary of one thousand three hundred seventy-five dollars (\$1375) except in counties having two or more judges of the court of common pleas where the assistants have been appointed with the approval of the court the first assistant district attorney shall receive a salary of two thousand seven hundred fifty dollars (\$2750) and the second assistant district attorney shall receive a salary of two thousand two hundred dollars (\$2200)]

The jury commissioners shall each receive seven dollars and fifty cents (\$7.50) for each day necessarily employed in the discharge of their duties. The said compensation shall be paid from the county treasury in the same manner as the salary or compensation of other county officers and employes

Section 2 This act shall become effective and applicable to all of the pertinent county officers who shall begin a term of office on or after the first Monday of January one thousand nine hundred fifty-two

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—195

Amarando.	Good.	Markley.	Royer.
Andrews.	Greenwood.	Maxwell.	Rubin.
Banker.	Greer.	Mazza.	Sarra.
Barkdoll.	Guarnieri.	McConnell.	Sax.
Bear.	Gutendorf.	McCormack.	Scanlon.
Beaver.	Guthrie.	McCullough.	Schmidt.
Beech.	Hagerty.	McDermitt.	Schuster.



Berkstresser,	Hall,	McGee,	Scott,
Blair,	Hamilton, R. K.,	McInroy,	Seyler,
Bloom,	Hamilton, W. H.,	McKinney,	Shoemaker,
Boles,	Harney,	McMillen,	Shotwell,
Bolton,	Haudenshield,	McNally,	Smith,
Bomberger,	Headlee,	Metz,	Snider,
Boorse,	Helm,	Mihm,	Sollenberger,
Bower,	Hersch,	Mikula,	Spencer,
Breisch,	Hewitt,	Miller, H. G.,	Stank,
Breth,	Hocker,	Mills,	Stimmel,
Brown,	Hoggard,	Mintess,	Stoner,
Bucchin,	Hunter,	Monroe,	Swope,
Byrne,	Jenkins,	Moore, C. E.,	Tahl,
Cella,	Johnson,	Moore, H. A.,	Taylor,
Clapper,	Jones, G. E.,	Moran,	Thompson, E. F.,
Clendenning,	Jones, J. M.,	Muldowney,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Munley,	Toll,
Conway,	Jones, T. H. W.,	Murray,	Tompkins,
Cooper,	Jump,	Musto,	Toomey,
Corr,	Kamyk,	Najaka,	VanSant,
Costa,	Keller,	Naugle,	Varallo,
Coyle,	Kent,	Needham,	Varner,
Dalrymple,	Kline,	Olsen,	Verona,
Davis,	Kohl,	Penglase,	Wachhaus,
Dennison,	Kolankiewicz,	Peta,	Wargo,
Dougherty,	Kornick,	Petrosky,	Waterhouse,
Dowling,	Kratz,	Pettigrew,	Watkins,
Duffy,	Kubacki,	Pfaff,	Welsh,
Dunn,	Lafore,	Pichney,	Wescott,
Erb,	Lederer,	Pitzer,	Whalley,
Ewing,	Leisey,	Polaski,	Wheeler,
Fenrich,	Leonard, L.,	Polen,	White,
Ferster,	Leonard, W. C.,	Price, H. W. Jr.,	Williams,
Filip,	Leven,	Price, R. A.,	Wilt,
Filo,	Light,	Readinger,	Wood,
Firmstone,	Limper,	Reese,	Yeakel,
Flack,	Loftus,	Reidenbach,	Yester,
Frost,	Lopresti,	Reilly, J. M.,	Yetzer,
Gaffney,	Lovett,	Robertson,	Young,
Geer,	Lutty,	Rose,	Ziegler,
Gibson,	Madden,	Rosen,	Sorg,
Gleason,	Madigan,	Rovansek,	Speaker

## NAYS—9

Baumunk,	Lyons,	Reagan,	Riley, R. L.,
Goodling,	Miller, J. C.,	Rigby,	Weidner,
Graybill,			

## NOT VOTING—3

DuBois,	Swartz,	Westrick,
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order.

The House proceeded to the consideration on final passage of Senate Bill No. 681, as follows:

An Act to amend the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 971) entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the eighth class" by increasing the salaries of certain county officers

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1 of the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 971) entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the eighth class" is hereby amended to read as follows

Section 1 The annual salaries of the following county officers of counties of the eighth class shall be as follows

(a) The sheriff [one thousand seven hundred sixty dollars (\$1,760)] in counties having a population of less than twelve thousand (12,000) two thousand two hundred dollars (\$2,200) and in counties having a population of

twelve thousand (12,000 and more but less than twenty thousand (20,000) two thousand eight hundred dollars (\$2,800)

(b) The county commissioners [one thousand one hundred dollars (\$1,100)] one thousand five hundred dollars (\$1,500) each

(c) The district attorney in counties having a population of less than [ten thousand (10,000) eight hundred twenty-five dollars (\$825)] twelve thousand (12,000) one thousand two hundred dollars (\$1,200) and in counties having a population of [ten thousand (10,000)] twelve thousand (12,000) and more but less than twenty thousand (20,000) [nine hundred ninety dollars (\$990)] one thousand eight hundred dollars (\$1,800)

(d) The county auditors shall each receive ten dollars (\$10) for each day necessarily employed in the discharge of their duties

(e) The jury commissioners shall each receive seven dollars and fifty cents (\$7.50) for each day necessarily employed in the discharge of their duties The said compensation shall be paid from the county treasury in the same manner as the salary or compensation of other county officers and employees

Section 2 This act shall become effective and applicable to all of the pertinent county officers who shall begin a term of office on or after the first Monday of January one thousand nine hundred fifty-two

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—195

Amarando,	Good,	Markley,	Royer,
Andrews,	Greenwood,	Maxwell,	Rubin,
Banker,	Greer,	Mazza,	Sarraff,
Barkdoll,	Guarnieri,	McConnell,	Sax,
Bear,	Gutendorf,	McCormack,	Scanlon,
Beaver,	Guthrie,	McCullough,	Schmidt,
Beech,	Hagerty,	McDermitt,	Schuster,
Berkstresser,	Hall,	McGee,	Scott,
Blair,	Hamilton, R. K.,	McInroy,	Seyler,
Bloom,	Hamilton, W. H.,	McKinney,	Shoemaker,
Boles,	Harney,	McMillen,	Shotwell,
Bolton,	Haudenshield,	McNally,	Smith,
Bomberger,	Headlee,	Metz,	Snider,
Boorse,	Helm,	Mihm,	Sollenberger,
Bower,	Hersch,	Mikula,	Spencer,
Breisch,	Hewitt,	Miller, H. G.,	Stank,
Breth,	Hocker,	Mills,	Stimmel,
Brown,	Hoggard,	Mintess,	Stoner,
Bucchin,	Hunter,	Monroe,	Swope,
Byrne,	Jenkins,	Moore, C. E.,	Tahl,
Cella,	Johnson,	Moore, H. A.,	Taylor,
Clapper,	Jones, G. E.,	Moran,	Thompson, E. F.,
Clendenning,	Jones, J. M.,	Muldowney,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Munley,	Toll,
Conway,	Jones, T. H. W.,	Murray,	Tompkins,
Cooper,	Jump,	Musto,	Toomey,
Corr,	Kamyk,	Najaka,	VanSant,
Costa,	Keller,	Naugle,	Varallo,
Coyle,	Kent,	Needham,	Varner,
Dalrymple,	Kline,	Olsen,	Verona,
Davis,	Kohl,	Penglase,	Wachhaus,
Dennison,	Kolankiewicz,	Peta,	Wargo,
Dougherty,	Kornick,	Petrosky,	Waterhouse,
Dowling,	Kratz,	Pettigrew,	Watkins,
Duffy,	Kubacki,	Pfaff,	Welsh,
Dunn,	Lafore,	Pichney,	Wescott,
Erb,	Lederer,	Pitzer,	Whalley,
Ewing,	Leisey,	Polaski,	Wheeler,
Fenrich,	Leonard, L.,	Polen,	White,
Ferster,	Leonard, W. C.,	Price, H. W. Jr.,	Williams,
Filip,	Leven,	Price, R. A.,	Wilt,
Filo,	Light,	Readinger,	Yeakel,
Firmstone,	Limper,	Reese,	Yester,
Flack,	Loftus,	Reidenbach,	Yetzer,
Frost,	Lopresti,	Reilly, J. M.,	Wood,
Gaffney,	Lovett,	Robertson,	Young,
Geer,	Lutty,	Rose,	Ziegler,
Gibson,	Madden,	Rosen,	Sorg,
Gleason,	Madigan,	Rovansek,	Speaker



## NAYS—9

Baumunk,  
Goodling,  
Graybill,Lyons,  
Miller, J. C.,Reagan,  
Rigby,Riley, R. L.,  
Weidner,

## NOT VOTING—3

DuBois,

Swartz,

Westrick,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the consideration on final passage of Senate Bill No. 682, as follows:

An Act to amend the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 938) entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the seventh class" by increasing the salaries of certain county officers

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1 of the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 938) entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the seventh class" is hereby amended to read as follows

Section 1 That in counties of the seventh class the annual salary of the sheriff shall be [three thousand three hundred dollars (\$3,300)] four thousand dollars (\$4,000)

The district attorney shall receive an annual salary depending upon the population of the county as follows (a) twenty thousand (20,000) and more but less than thirty thousand (30,000) [one thousand six hundred fifty dollars (\$1,650)] two thousand five hundred dollars (\$2,500) (b) thirty thousand (30,000) and more but less than forty thousand (40,000) [one thousand nine hundred eighty dollars (\$1,980)] three thousand dollars (\$3,000) (c) forty thousand (40,000) and more but less than fifty thousand (50,000) [two thousand three hundred ten dollars (\$2,310)] three thousand five hundred dollars (\$3,500)

The annual salary of each county commissioner shall be [one thousand one hundred dollars (\$1,100)] two thousand two hundred dollars (\$2,200)

The jury commissioners shall each receive seven dollars and fifty cents (\$7.50) for each day necessarily employed in the discharge of their duties The said compensation shall be paid from the county treasury in the same manner as the salary or compensation of other county officers and employees

Section 2 This act shall become effective and applicable to all of the pertinent county officers who shall begin a term of office on or after the first Monday of January one thousand nine hundred fifty-two

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—195

Amarando,  
Andrews,  
Banker,  
Barkdoll,  
Bear,  
Beaver,  
Beech,  
Berkstresser,  
Blair,  
Bloom,Good,  
Greenwood,  
Greer,  
Guarnieri,  
Gutendorf,  
Guthrie,  
Hagerty,  
Hall,  
Hamilton, R. K.,  
Hamilton, W. H.,Markley,  
Maxwell,  
Mazza,  
McConnell,  
McCormack,  
McCullough,  
McDermitt,  
McGee,  
McInroy,  
McKinney,Royer,  
Rubin,  
Sarraf,  
Sax,  
Scanlon,  
Schmidt,  
Schuster,  
Scott,  
Seyler,  
Shoemaker,Boles,  
Bolton,  
Bomberger,  
Boorse,  
Bower,  
Brelsch,  
Breth,  
Brown,  
Bucchin,  
Byrne,  
Cella,  
Clapper,  
Clendenning,  
Cochran,  
Conway,  
Cooper,  
Corr,  
Costa,  
Coyle,  
Dalrymple,  
Davis,  
Dennison,  
Dougherty,  
Dowling,  
Duffy,  
Dunn,  
Erb,  
Ewing,  
Fenrich,  
Ferster,  
Fillip,  
Filo,  
Firmstone,  
Flack,  
Frost,  
Gaffney,  
Geer,  
Gibson,  
Gleason,Harney,  
Haudenshield,  
Headlee,  
Helm,  
Hersch,  
Hewitt,  
Hocker,  
Hoggard,  
Hunter,  
Jenkins,  
Johnson,  
Jones, G. E.,  
Jones, J. M.,  
Jones, P. F.,  
Jones, T. H. W.,  
Jump,  
Kamyk,  
Keller,  
Kent,  
Kline,  
Kohl,  
Kolankiewicz,  
Kornick,  
Kratz,  
Kubacki,  
Lafore,  
Lederer,  
Lelsey,  
Leonard, L.,  
Leonard, W. C.,  
Leven,  
Light,  
Limper,  
Loftus,  
Lopresti,  
Lovett,  
Lutty,  
Madden,  
Madigan,McMillen,  
McNally,  
Metz,  
Mihm,  
Mikula,  
Miller, H. G.,  
Mills,  
Mintess,  
Monroe,  
Moore, C. E.,  
Moore, H. A.,  
Moran,  
Muldowney,  
Munley,  
Murray,  
Musto,  
Najaka,  
Naugle,  
Needham,  
Olsen,  
Penglase,  
Peta,  
Petrosky,  
Pettigrew,  
Pfaff,  
Pichney,  
Pitzer,  
Polaski,  
Polen,  
Price, H. W. Jr.,  
Price, R. A.,  
Readinger,  
Reese,  
Reidenbach,  
Reilly, J. M.,  
Robertson,  
Rose,  
Rosen,  
Rovansek,Shotwell,  
Smith,  
Snider,  
Sollenberger,  
Spencer,  
Stank,  
Stimmel,  
Stoner,  
Swope,  
Tahl,  
Taylor,  
Thompson, E. F.,  
Thompson, R. L.,  
Toll,  
Tompkins,  
Toomey,  
VanSant,  
Varallo,  
Varner,  
Verona,  
Wachhaus,  
Wargo,  
Waterhouse,  
Watkins,  
Welsh,  
Wescott,  
Whalley,  
Wheeler,  
White,  
Williams,  
Wilt,  
Wood,  
Yeakel,  
Yester,  
Yetzer,  
Young,  
Ziegler,  
Sorg,  
Speaker

## NAYS—9

Baumunk,  
Goodling,  
Graybill,Lyons,  
Miller, J. C.,Reagan,  
Rigby,Riley, R. L.,  
Weidner,

## NOT VOTING—3

DuBois,

Swartz,

Westrick,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

## RECONSIDERATION OF VOTE

Mr. WATERHOUSE. Mr. Speaker, I move that the vote by which House Bill No. 1624, Printer's No. 889, entitled:

An Act to further amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with an dto accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" by further prescribing the powers and duties of the Department of Public Assistance and the local boards further defining "Assistance" and those persons eligible for assistance fur-



ther prescribing residence requirements with respect to assistance changing the terms of county board members clarifying the provisions with respect to the payment to the United States of its share of moneys received by way of restitution prescribing additional penalties and repealing a certain act

was defeated on final passage on Wednesday, September 26, be reconsidered.

Mr. BANKER. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Erie, Mr. Waterhouse vote on the final passage of this bill?

Mr. WATERHOUSE. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Huntington Mr. Banker vote on the final passage of this bill?

Mr. BANKER. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

It was agreed to.

On the question recurring,

Shall the bill pass finally?

#### BILL POSTPONED

Mr. WATERHOUSE. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

The motion was agreed to.

#### BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

SENATE BILL No. 836.

An Act making an appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred fifty-one

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

#### BILL CALLED UP

Mr. SOLLENBERGER. Mr. Speaker, I call up on page 9 of today's calendar, Bills on Final Passage, Senate Bill No. 230.

#### BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of Senate Bill No. 230, as follows:

An Act to amend sections one thousand one hundred sixty-six and one thousand one hundred sixty-nine of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further providing for sabbatical leaves of absence

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections one thousand one hundred sixty-six and one thousand one hundred sixty-nine of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising

consolidating and changing the laws relating thereto" are hereby amended to read as follows

Section 1166 Persons Entitled (a) Any person employed in the public school system of this Commonwealth who has completed ten (10) years of satisfactory service as a [teacher or in first class school districts as a member of the instructional staff or department of instruction as now defined by the local board of education] professional employee or member of the supervisory instructional or administrative staff or in first class school districts as a member of the instructional staff as defined by the local board of education shall be entitled to a leave of absence for restoration of health study or travel or at the discretion of the board of school directors for other purposes At least five consecutive years of such service shall have been in the school district from which leave of absence is sought unless the board of school directors shall in its discretion allow a shorter time Such leave of absence shall be for a half or full school year or for two half school years during a period of two years at the option of such person Thereafter one leave of absence shall be allowed after each seven years of service

A sabbatical leave granted to a regular employee shall also operate as a leave of absence without pay from all other school activities

Section 1169 Salary While on Leave The person on leave of absence shall receive [the difference between] one-half of his or her regular salary [and the salary paid to any substitute employee temporarily engaged because of such leave] Provided That the employee who is absent on sabbatical leave shall not receive more than [one thousand six hundred dollars (\$1600)] two thousand five hundred dollars (\$2500) nor less than one thousand eight hundred dollars (\$1800) if the employee's absence on sabbatical leave is for a full school year and not more than [eight hundred dollars (\$800)] one thousand two hundred fifty dollars (\$1250) nor less than nine hundred dollars (\$900) if the employee's absence on sabbatical leave is for a half school year as defined in this act [The salary paid to such substitute shall be the salary for substitute service according to the salary schedule established by the local board]

On the question,

Shall the bill pass finally?

#### RECONSIDERATION OF VOTE

Mr. SOLLENBERGER. Mr. Speaker, I move that the vote by which this bill passed third reading, be reconsidered.

Mr. HELM. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Blair, Mr. Sollenberger, vote on the third reading of this bill?

Mr. SOLLENBERGER. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Armstrong, Mr. Helm, vote on the third reading of this bill?

Mr. HELM. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

It was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. SOLLENBERGER. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Sec. 1 (Sec. 1169), page 3, lines 15 and 16, by striking out the words and figures "nor less than one thousand eight hundred dollars (\$1,800)."

Amend Sec. 1 (Sec. 1169), page 3, line 19, by striking



out the words and figures "nor less than nine hundred dollars (\$900)."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

Mr. ANDREWS. Mr. Speaker, while I have a copy of the amendments, I would like to have an expert's statement as to the effect of them. What do the amendments accomplish and why?

I say, I have a copy of the amendments here but I would not know just what motive inspired the amendments and what they do, and all that sort of thing.

Mr. SOLLENBERGER. Mr. Speaker, I regret to say that the gentleman will not have expert advice on this, but I will try to explain the amendments.

The bill reads, one-half of the salary and that takes care of the amendment. Then further on in the bill it states that there is a maximum of \$2,500 for the year in the leave of absence and a minimum of \$1,800. Now the minimum of \$1,800 has been deleted and the one-half salary that is given underscored before in the bill takes care of that. This was at the request of those who disagreed with the amount of \$1,800 for the minimum amount for leave of absence.

Mr. ANDREWS. Mr. Speaker, I thank the gentleman. On the question recurring,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

## REPUBLICAN AND DEMOCRATIC CAUCUSES

The SPEAKER. The Chair will announce that immediately upon the call of a recess there will be a brief caucus of the Republican Members in the new House Caucus Room and a caucus of the Democratic Members in the old House Caucus Room. The Chair will request the Members to go promptly to their respective caucus rooms.

## RECESS

The SPEAKER. If there is no objection, the Chair will declare a recess for one-half hour. The Chair hears none, and a recess is declared.

## AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Herbert P. Sorg) in the Chair.

## PERMISSION TO ADDRESS HOUSE

Mr. READINGER asked and obtained unanimous consent to address House.

Mr. Speaker, inasmuch as it is the opinion of the majority of the Members on the minority side that this Legislature has had enough time to deliberate on various measures before it, and that it will have ample to conclude its work for this session by next Friday, I would like to offer a concurrent resolution.

## RESOLUTION

### ADJOURNMENT SINE DIE

Mr. READINGER offered a resolution and asked and obtained unanimous consent that it be read for the consideration of the House.

The resolution was read as follows:

In the House of Representatives, September 27, 1951.

Resolved (if the Senate concur) that this Regular Session of the General Assembly adjourn sine die on October 5, 1951.

The SPEAKER. The resolution is referred to the Committee on Rules.

## SENATE MESSAGE

### TIME OF NEXT MEETING

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, September 27, 1951.

Resolved (if the House of Representatives concur) That when the Senate adjourns next week it reconvene on Monday, December 10, 1951 at 3:00 o'clock p. m. Eastern Standard Time and when the House of Representatives adjourns next week it reconvene on Monday, December 10, 1951, at 4:30 o'clock p. m. Eastern Standard Time.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

Mr. SMITH. Mr. Speaker, I move that this resolution be referred to the Committee on Rules.

The motion was agreed to.

The SPEAKER. The resolution is referred to the Committee on Rules.

## REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL NO. 1370

Mr. DALRYMPLE. Mr. Speaker, I call up the Report of the Committee of Conference on House Bill 1370.

The report was read as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 1370, entitled: "An act to further amend Section 2004 of the act approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled 'An act relating to cities of the third class and amending, revising, and consolidating the law relating thereto,' by limiting to forty-four hours the work week of police officers except in emergencies and fixing minimum annual vacation for police officers."

Respectfully submit the following bill as our report:

GEORGE B. STEVENSON,  
TILGHMAN A. FREED,  
(Committee on the part of the Senate.)

DELBERT W. DALRYMPLE,  
HUETTE F. DOWLING,  
JULIAN POLASKI,

(Committee on the part of the House of Representatives.)

An Act to further amend Section 2004 of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by limiting to forty-four hours the work week of police officers



except in emergencies and fixing minimum annual vacation for police officers 14 working days  
The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 2004 of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" as reenacted and amended by the act approved the twenty-eighth day of June one thousand nine hundred fifty-one (Act No. 164) is hereby further amended to read as follows

Section 2004 Hours of Service Exceptions Vacations No city shall employ or require any police officer to remain on duty for more than eight hours in any twenty-four consecutive hours [nor] more than [fifty-six] forty-four hours in any one week unless in emergency cases for the suppression of riots or tumults or the preservation of the public peace [Provided That for the duration of any war in which the United States is engaged and six months thereafter the hours of service may exceed the number hereinbefore provided as the maximum number of hours of service and in such cases council shall provide for the payment of extra compensation for any hours of service in excess of such maximum hours of service at the same rate as paid for regular service] Nothing contained herein shall prevent any such city from requiring any such police officer to remain on duty or to work sixteen hours in any twenty-four consecutive hours not more than one day each week if required by a change in working hours or a change in shifts cities shall permit every member of the police department to have at least twenty-four consecutive hours of rest in every calendar week except in emergency cases for the suppression of riots or tumults or the preservation of the public peace in times of war riot conflagration or public celebrations and to have an annual vacation of not less than fourteen working days without diminution of the salary or compensation fixed by ordinance

Section 2 The provisions of this act shall become effective the first day of January one thousand nine hundred fifty-two

On the question,

Will the House adopt the Report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—204

Amarando,	Goodling,	Markley,
Andrews,	Graybill,	Maxwell,
Banker,	Greenwood,	Mazza,
Barkdoll,	Greer,	McConnell,
Baumunk,	Guarnieri,	McCormack,
Bear,	Gutendorf,	McCullough,
Beaver,	Guthrie,	McDermitt,
Beech,	Hagerty,	McGee,
Berkstresser,	Hall,	McInroy,
Blair,	Hamilton, R. K.,	McKinney,
Bloom,	Hamilton, W. H.,	McMillen,
Boles,	Harney,	McNally,
Bolton,	Haudenschild,	Metz,
Bomberger,	Headlee,	Mihm,
Boorse,	Helm,	Mikula,
Bower,	Hersch,	Miller, H. G.,
Breisch,	Hewitt,	Miller, J. C.,
Breth,	Hocker,	Mills,
Brown,	Hoggard,	Mintess,
Buchin,	Hunter,	Monroe,
Byrne,	Jenkins,	Moore, C. E.,
Cella,	Johnson,	Moore, H. A.,
Clapper,	Jones, G. E.,	Moran,
Clendening,	Jones, J. M.,	Muldowney,
Cochran,	Jones, P. F.,	Munley,
Conway,	Jones, T. H. W.,	Murray,
Cooper,	Jump,	Musto,
Corr,	Kamyk,	Najaka,
Costa,	Keller,	Naugle,
Coyle,	Kent,	Needham,
Dairymple,	Kline,	Olsen,

Davis,	Kohl,	Penglase,	Verona,
Dennison,	Kolankiewicz,	Peta,	Wachhaus.
Dougherty,	Kornick,	Petrosky,	Waterhouse.
Dowling,	Kratz,	Pettigrew,	Weidner,
Duffy,	Kubacki,	Pfaff,	Welsh.
Dunn,	Lafore,	Pichney,	Wargo.
Erb,	Lederer,	Pitzer,	Watkins,
Ewing,	Leisey,	Polaski,	Wescott,
Filo,	Leonard, L.,	Polen,	Whalley,
Fenrich,	Leonard, W. C.,	Price, H. W. Jr.,	Wheeler,
Ferster,	Leven,	Price, R. A.,	White,
Filip,	Light,	Readinger,	Williams,
Firmstone,	Limper,	Reagan,	Wilt,
Flack,	Loftus,	Reese,	Wood,
Frost,	Lopresti,	Reidenbach,	Yeakel,
Gaffney,	Lovetti,	Reilly, J. M.,	Yester,
Geer,	Lutty,	Rigby,	Yetzer,
Gibson,	Lyons,	Riley, R. L.,	Young,
Gleason,	Madden,	Robertson,	Ziegler,
Good,	Madigan,	Rose,	Sorg,

Speaker

NAYS—0

NOT VOTING—3

DuBois, Swartz, Westrick,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

#### REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL NO. 238

Mr. GIBSON. Mr. Speaker, I call up the Report of the Committee of Conference on House Bill 238.

The report was read as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 238, entitled: "An act to amend Section 256 of the act, approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled 'An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth,' by authorizing fish wardens to make certain arrests with warrants under certain circumstances."

Respectfully submit the following bill as our report:

SAMUEL B. WOLFE,  
ROWLAND B. MAHANY,  
SAMUEL G. NEFF,  
(Committee on the part of the Senate.)

ALLEN M. GIBSON,  
GEORGE G. SHOEMAKER  
HARRIS G. BRETH,  
(Committee on the part of the House of Representatives)

An Act to Section 256 of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by authorizing fish wardens to make certain arrests with warrants under certain circumstances

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 256 of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 488) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary



rivers of the Commonwealth" is hereby amended to read as follows

Section 256 Powers of Fish Wardens A fish warden shall have power

(a) To enforce all the laws of the Commonwealth relating to fish (b) to execute all warrants and search-warrants for the violation of the fish laws (c) to serve subpoenas issued for the examination investigation and trial of all offenses against the laws relating to fish (d) to carry firearms or other weapons in the performance of his duties (e) to search without warrant any boat conveyance vehicle fish-box bag coat basket or other receptacle for fish when he has reason to believe that any provision of any law of this Commonwealth relating to fish has been violated (f) to seize and take possession of any and all fish which may have been caught taken or killed at any time in any manner or for any purpose or had in possession or under control or have been shipped or about to be shipped contrary to the laws of this Commonwealth fish so seized shall be disposed of in any manner as the Commissioner may direct (g) to enter upon any land or water in the performance of his duty (h) to demand and secure proper assistance in case of emergency (i) to purchase fish for the purpose of securing evidence (j) to arrest with a warrant any person found in the act of doing any of the following offenses without permission of the owner or in pursuit immediately following the doing of any such offenses (1) obstructing an owner or his tenant ingress egress or regress to his property or cattle ways (2) digging in or driving upon fields under cultivation (3) leaving garbage bottles cans rubbish or any other type of debris in or along streams or adjacent lands (4) leaving gates open breaking or cutting down fences

Any person convicted of committing any of the offenses set forth above shall be sentenced to pay a fine of ten dollars (\$10) and costs for each such offense and upon a second conviction for any such offense shall have his license revoked for a period of one year

Section 2 The provisions of this act shall become effective immediately upon final enactment

On the question,

Will the House adopt the Report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—204

Amarando,	Graybill,	Maxwell,	Rovansek.
Andrews,	Greenwood,	Mazza,	Royer,
Banker,	Greer,	McConnell,	Rubin,
Barkdoll,	Guarnieri,	McCormack,	Sarraf,
Baumunk,	Gutendorf,	McCullough,	Sax,
Bear,	Guthrie,	McDermitt,	Scanlon,
Beaver,	Hagerty,	McGee,	Schmidt,
Beech,	Hall,	McInroy,	Schuster,
Berkstresser,	Hamilton, R. K.,	McKinney,	Scott,
Blair,	Hamilton, W. H.,	McMillen,	Seyler,
Bloom,	Harney,	McNally,	Shoemaker,
Boles,	Haudenschild,	Metz,	Shotwell,
Bolton,	Headlee,	Mihm,	Smith,
Bomberger,	Helm,	Mikula,	Snider,
Boorse,	Hersch,	Miller, H. G.,	Sollenberger,
Bower,	Hewitt,	Miller, J. C.,	Spencer,
Brelschi,	Hocker,	Miller,	Stank,
Breth,	Hoggard,	Mintess,	Stimmel,
Brown,	Hunter,	Monroe,	Stoner,
Bucchin,	Jenkins,	Moore, C. E.,	Swope,
Byrne,	Johnson,	Moore, H. A.,	Tahl,
Cella,	Jones, G. E.,	Moran,	Taylor,
Clapper,	Jones, J. M.,	Muldowney,	Thompson, E. F.,
Clendening,	Jones, P. F.,	Munley,	Thompson, R. L.,
Cochran,	Jones, T. H. W.,	Murray,	Toll,
Conway,	Jump,	Musto,	Tompkins,
Cooper,	Kamyk,	Najaka,	Toomey,
Corr,	Keller,	Naugle,	VanSant,
Costa,	Kent,	Needham,	Varallo,
Coyle,	Kilne,	Olsen,	Varner,
Dalrymple,	Kohl,	Penglase,	Verona,
Davis,	Kolankiewicz,	Peta,	Wachhaus,
Dennison,	Kornick,	Petrosky,	Wargo,

Dougherty,	Kratz,	Pettigrew,	Waterhouse,
Dowling,	Kubacki,	Pfaff,	Watkins,
Duffy,	Lafore,	Pichney,	Weidner,
Dunn,	Lederer,	Pitzer,	Welsh,
Erb,	Lelsey,	Polaski,	Wescott,
Ewing,	Leonard, L.,	Polen,	Whalley,
Fenrich,	Leonard, W. C.,	Price, H. W. Jr.,	Wheeler,
Ferster,	Leven,	Price, R. A.,	White,
Filip,	Light,	Readinger,	Williams,
Filo,	Limper,	Reagan,	Wilt,
Firmstone,	Loftus,	Reese,	Wood,
Flack,	Lopresti,	Reidenbach,	Yeakel,
Frost,	Lovett,	Reilly, J. M.,	Yetzer,
Gaffney,	Lutty,	Rigby,	Yester,
Geer,	Lyons,	Riley, R. L.,	Young,
Gibson,	Madden,	Robertson,	Ziegler,
Gleason,	Madigan,	Rose,	Sorg,
Good,	Markley,	Rosen,	Speaker
Goodling,			

NAYS—0

NOT VOTING—3

DuBois, Swartz, Westrick,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

#### REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL NO. 1102

Mr. JOHNSON. Mr. Speaker, I call up the Report of the Committee of Conference on House Bill 1102.

The report was read as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 1102, entitled: "An act to provide for liens for the cost of hospital care and treatment of persons wilfully or negligently injured, the liens to exist on rights of action and on counterclaims and on verdicts and judgments recovered as the result of such injuries and on moneys paid in settlement of such actions and counterclaims and providing rights of action to recover such liens if not paid."

Respectfully submit the following bill as our report:

GEORGE W. WADE,  
SAMUEL G. NEFF,  
CHARLES R. MALLERY,

(Committee on the part of the Senate.)

ROBERT F. KENT,  
EDWIN W. TOMPKINS,  
THEODORE H. SCHMIDT,  
(Committee on the part of the  
House of Representatives.)

An Act to provide for liens for the cost of hospital care and treatment of persons wilfully or negligently injured the liens to exist on rights of action and on counterclaims and on verdicts and judgments recovered as the result of such injuries and on moneys paid in settlement of such actions and counterclaims and providing rights of action to recover such liens if not paid

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Commonwealth any political subdivision of the Commonwealth and any corporation or association maintaining a hospital in this State in which medical and surgical services are rendered to the public shall have a lien upon any and all rights of action and counterclaims which any person admitted to any such hospital for care and treatment of personal injuries wilfully or negligently



inflicted shall have against any other person firm or corporation on account of such injuries provided that such lien shall be effective against only that portion of funds recovered or paid on settlement remaining after the payment of reasonable attorneys fees and court costs incurred in the prosecution of the said rights of action and counterclaims The extent of such lien shall be the amount of the reasonable charges of such hospital for the care and treatment of such injured person but the per diem rate for room and board included in such charges shall not exceed the rate for room and board in the public ward of such hospital

Such lien shall exist only if a notice in writing as herein provided is filed on behalf of the hospital in the office of the prothonotary of the county in which an action or counterclaim was commenced or filed by such injured person or in case of his death by his personal representative prior to the payment over by the defendant in the action of any moneys as compensation for such injuries Such notice shall be filed to the number and term of such action and shall set forth (a) the name and location of the hospital (b) the name and address of the injured person (c) the date of the injury and (d) an itemized statement of the charge of the hospital for the care and treatment of the injured person It shall be the duty of the authority filing any such notice in the office of the prothonotary to mail postage prepaid a copy of such notice to the defendant alleged to be liable to make compensation for the injuries sustained if his address is known or to his attorney of record and if known to any insurance carrier which has insured him against such liability

Section 2 After notice has been filed as provided in section one of this act the lien of the Commonwealth the political subdivision the corporation or association for the amount of the reasonable charge of the hospital for the care and treatment of any injured person as provided in section one of this act shall also attach to any verdict or judgment rendered or entered in any action or on any counterclaim brought in the county by such injured person or by the personal representative of the estate of such injured person in case of the death of the injured person against any defendant for the recovery of damages on account of injuries received as well as to any moneys paid or payable by such defendant in settlement of any action or counterclaim to the injured person or his personal representative

Section 3 After a lien attaches to a verdict judgment or moneys payable in settlement of any action or counterclaim as provided in section two of this act no satisfaction of such judgment shall be entered on the record of such action and no moneys shall be paid over by the defendant in settlement of the claim of the injured person or his personal representative bringing such action or counterclaim until the lien of the hospital has first been paid in full not however exceeding the amount of the full and true consideration payable by the defendant. Unless the lien of the hospital is so paid the defendant shall remain liable to the Commonwealth the political subdivision or the corporation or association operating the hospital in which the care and treatment was provided to such injured person and a right of action shall exist to enforce said lien against the defendant for a period of one year from the time of the satisfaction of the judgment or the payment over of the moneys in settlement of such action or counterclaim

Section 4 Any notice filed under and in accordance with this act shall be noted on the docket record of the cause of action to which it relates as a hospital lien noting the amount of the lien

Section 5 The authorities of any hospital to which a lien has been duly paid as provided in this act shall file in the office of the prothonotary of the county in which notice of a lien was filed a duly acknowledged certificate to the effect that the lien filed by such hospital for care and treatment has been duly paid or released and authorizing the prothonotary to discharge the same Thereupon the prothonotary shall note upon the docket record

of the action as to which notice of a lien was filed a memorandum of the discharge or release of said hospital lien

On the question,

Will the House adopt the Report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—204

Amarando,	Goodling,	Markley,	Rovansek,
Andrews,	Graybill,	Maxwell,	Royer,
Banker,	Greenwood,	Mazza,	Rubin,
Barkdoll,	Greer,	McConnell,	Sarraff,
Baumunk,	Guarnieri,	McCormack,	Sax,
Bear,	Gutendorf,	McCullough,	Scanlon,
Beaver,	Guthrie,	McDermitt,	Schmidt,
Beech,	Hagerty,	McGee,	Schuster,
Berkstresser,	Hall,	McInroy,	Scott,
Blair,	Hamilton, R. K.,	McKinney,	Seyler,
Bloom,	Hamilton, W. H.,	McMillen,	Shoemaker,
Boies,	Harney,	McNally,	Shotwell,
Bolton,	Haudenshield,	Metz,	Smith,
Bomberger,	Headlee,	Mihm,	Snider,
Boorse,	Helm,	Mikula,	Sollenberger,
Bower,	Hersch,	Miller, H. G.,	Spencer,
Breisch,	Hewitt,	Miller, J. C.,	Stank,
Breth,	Hocker,	Mills,	Stimmel,
Brown,	Hoggard,	Mintess,	Stoner,
Buccin,	Hunter,	Monroe,	Swope,
Byrne,	Jenkins,	Moore, C. E.,	Tahl,
Cella,	Johnson,	Moore, H. A.,	Taylor,
Clapper,	Jones, G. E.,	Moran,	Thompson, E. F.,
Clendening,	Jones, J. M.,	Muldowney,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Munley,	Toll,
Conway,	Jones, T. H. W.,	Murray,	Tompkins,
Cooper,	Jump,	Musto,	Toomey,
Corr,	Kamyk,	Najaka,	VanSant,
Costa,	Keller,	Naugle,	Varallo,
Coyle,	Kent,	Needham,	Varnier,
Dalrymple,	Kline,	Olsen,	Verona,
Davis,	Kohl,	Penglase,	Wachhaus,
Dennison,	Kolankiewicz,	Peta,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Petrosky,	Watkins,
Duffy,	Kubacki,	Pfaff,	Weidner,
Dunn,	Lafore,	Pichney,	Welsh,
Erb,	Lederer,	Pitzer,	Wescott,
Ewing,	Lelsey,	Polaski,	Whalley,
Fenrich,	Leonard, L.,	Polen,	Wheeler,
Ferster,	Leonard, W. C.,	Price, H. W. Jr.,	White,
Filip,	Leven,	Price, R. A.,	Williams,
Filo,	Light,	Reagan,	Wilt,
Firmstone,	Limper,	Readinger,	Wood,
Flack,	Loftus,	Reese,	Yeakel,
Frost,	Lopresti,	Reidenbach,	Yester,
Gaffney,	Lovett,	Reilly, J. M.,	Yetzer,
Geer,	Lutty,	Rigby,	Young,
Gibson,	Lyons,	Riley, R. L.,	Ziegler,
Gleason,	Madden,	Robertson,	Sorg,
Good,	Madigan,	Rose,	Speaker
		Rosen,	

#### NAYS—0

#### NOT VOTING—3

DuBois, Swartz, Westrick,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

#### SENATE MESSAGES

#### HOUSE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:



## HOUSE BILL No. 1603.

An Act to further amend Section 4 to amend subsection (d) of Section 4.1 to add Sections 4.2 and 4.3 and to amend paragraph (1) of Section 14 of the act approved the twentieth day of May one thousand nine hundred fifteen (P. L. 566) entitled "An act requiring cities of the first class to establish a pension fund for employees of said cities and all county or other public employees if any paid by appropriation of the city councils thereof and out of the treasury of said cities and regulating the administration and the payment of such pensions" by clarifying the amount of contributions by certain pensioners and the method of computing lesser pensions changing date of completing certain payments and the age to which pension increments may be computed fixing minimum pensions and providing benefits for surviving spouse

With the information that the Senate has passed the same without amendment.

AMENDED SENATE BILLS NON-CONCURRED IN  
BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has nonconcurred in the amendments made by the House of Representatives to Senate bill numbered and entitled as follows:

## SENATE BILL No. 655.

An Act to amend the title and act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 571) entitled "An act relating to assessment for taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects property and persons subject to and exempt from taxation for county borough town township school except in cities and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for the assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of ward borough town and township assessors abolishing the office of assistant triennial assessor in townships of the first class providing for the appointment of a chief assessor assistant assessors and other employees providing for their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the recorder of deeds and eliminating the triennial assessment" by further regulating the assessment and valuation of real property for local taxation purposes further defining the duties of assessors and chief assessors changing the time for the preparation inspection and revision of the assessment roll and duplicate assessment roll notice of appeal and hearings on appeals prescribing duties of and fees to be collected by municipal officers who issue building permits imposing duties on taxables making improvements on land and grantees of land and prescribing penalties and changing procedure on appeals to court

Mr. JOHNSON. Mr. Speaker, I move that the House insist upon its amendments non-concurred in by the Senate to Senate Bill No. 655.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, informed that the Senate has non-concurred in the amendments made by the House of Representatives to Senate bill numbered and entitled as follows:

## SENATE BILL No. 789.

An Act to further amend clause (b) of Section 507 and clause (c) of Section 2403 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" by making special provision for the purchase of fuel for use in any State hospital or any other State institution

Mr. JOHNSON. Mr. Speaker, I move that the House insist upon its amendments non-concurred in by the Senate to Senate Bill No. 789.

Ordered, That the Clerk inform the Senate accordingly.

APPOINTMENT OF CONFERENCE COMMITTEE ON  
SENATE BILL No. 752

The Clerk of the Senate being introduced, informed that the Senate insists on its nonconcurrence in the amendments made and insisted upon by the House of Representatives to Senate Bill No. 752 entitled:

An Act to further amend the act approved the twenty-sixth day of June one thousand nine hundred thirty-one (P. L. 1379) entitled "An act creating in counties of the third class a board for the assessment and revision of taxes providing for the appointment of the members of such board by the county commissioners providing for their salaries payable by the county abolishing existing boards defining the powers and duties of such board regulating the assessment of persons property and occupations for county borough town township school and poor purposes authorizing the appointment of subordinate assessors a solicitor engineers and clerks providing for their compensation payable by such counties abolishing the office of ward borough and township assessors so far as the making of assessments and valuations for taxation is concerned and providing for the acceptance of this act by cities" by further regulating the assessment and valuation of property for local taxation purposes further defining the duties of subordinate assessors and the board changing the time for the preparation and inspection of the assessment roll and duplicate assessment roll notice of appeal and hearings on appeals prescribing duties of and fees to be collected by municipal officers who issue building permits imposing duties on taxables making improvements on land and grantees of land and prescribing penalties

And has appointed Messrs. Mallery, Stevenson and Lane a Committee of Conference to confer with a similar committee of the House of Representatives (if the House of Representatives shall appoint such committee) on the subject of the differences existing between the two Houses in relation to said bill.

Mr. JOHNSON. Mr. Speaker, I move that the House



insist upon its amendments non-concurred in by the Senate to Senate Bill No. 752 and that a Committee of Conference be appointed.

The motion was agreed to.

#### APPOINTMENT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 752

The SPEAKER. The Chair appoints as a Committee of Conference on said bill, Messrs. Boorse, Robertson and Swope.

Ordered, That the Clerk inform the Senate accordingly.

#### COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

##### APPROVAL OF HOUSE BILL No. 124.

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, September 26, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 124, Printer's No. 670, entitled "An Act to amend section one thousand twenty-four of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled 'An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto' by increasing compensation and mileage rates for attendance at conventions for the election of county superintendents."

JOHN S. FINE.

#### PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. FROST asked and obtained permission for the Committee on Public Health and Sanitation to meet during the session of the House.

#### COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

##### APPROVAL OF HOUSE BILLS Nos. 213, 361, 1064, 1108, 1237, 1346, 1367, 1380, 1463, 1482, 1512, 1526 and 1562.

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, September 27, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 213, Printer's No. 870, entitled "An Act to further amend the title and section one of the act approved the twenty-eighth day of June one thousand nine hundred thirty-five (P. L. 477) entitled as amended 'An Act providing for the payment of the salary medical and hospital expenses of policemen and firemen by cities boroughs towns and townships who are injured in the performance of their duty and providing that absence during such injury shall not reduce any usual sick leave period' by extending the provisions of the act to include county firemen and policemen and providing disability benefits for in certain cases diseases of the heart and tuberculosis of the respiratory system incurred in active police and firemen service."

JOHN S. FINE.

September 26, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 361, Printer's No. 109, entitled "An Act to further amend Section 6 of the act approved the nineteenth day of June one thousand nine hundred eleven (P. L. 1055) entitled 'An act authorizing the release on probation of certain convicts instead of imposing sentences the appointment of probation and parole officers and the payment of their salaries and expenses regulating the manner of sentencing convicts in certain cases and providing for their release on parole their conviction of crime during parole and their re-arrest and reconviction for breach of parole and extending the powers and duties of boards of prison inspectors of penitentiaries' by further regulating the manner of sentencing of convicts in certain cases."

JOHN S. FINE.

September 26, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1064, Printer's No. 439, entitled "An Act to amend Section 1132 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled 'An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto' by conferring jurisdiction on the County Court of Allegheny County in certain cases of appeal from decisions of the Superintendent of Public Instruction."

JOHN S. FINE.

September 26, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1108, Printer's No. 625, entitled "An act to repeal the act approved the sixth day of June one thousand nine hundred thirteen (P. L. 452) entitled 'An act to amend an act "Providing for the appointment of a board of visitation for institutions societies and associations caring for dependent neglected or delinquent children" approved the twenty-sixth day of February Anno Domini one thousand nine hundred and three and making it the duty of the board of visitation to visit all institutions within the county which receive their inmates from more than one county and are in whole or in part supported and managed by the Commonwealth and all institutions which are wholly supported and managed by any county city borough or township of the poor district of the Commonwealth and providing for the making of nominations of appointment on the boards of visitation.'"

JOHN S. FINE.

September 26, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1237, Printer's No. 442, entitled "An Act to amend Section 1 of the act approved the sixth day of May one thousand nine hundred twenty-nine (P. L. 1557) entitled 'An act permitting the sale of mortgaged real estate under a judgment upon the bond accompanying such mortgage to be made by the sheriff upon a writ of fieri facias without inquisition and with any other writ' by extending the provisions thereof to promissory notes accompanying mortgages."

JOHN S. FINE.



September 26, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1346, Printer's No. 447, entitled "An Act to amend the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled 'An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards shaving the employment of public school employes exempting annuities allowances returns benefits an drights from taxation and judicial process and providing penalties' by clarifying certain provisions thereof and correcting grammatical and typographical errors therein."

JOHN S. FINE.

September 26, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1367, Printer's No. 566, entitled "An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled 'An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto' by further providing for payment of the expenses of the annual convention of school directors out of county funds."

JOHN S. FINE.

September 26, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1380, Printer's No. 642, entitled "An Act to further amend the title and Section four of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2045) entitled as amended 'An act relating to the support of indigent persons providing for the support of such persons by certain relatives and for the recovery of public moneys expended for care and assistance from the property and estates of such persons providing for guardians of the person and property of such persons providing for the arrest and seizure and sale of the property of deserters and providing procedure' by further defining the liability of property for expenses incurred for support maintenance assistance and burial."

JOHN S. FINE.

September 26, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1463, Printer's No. 635, entitled "An act to repeal the act approved the twenty-sixth day of February one thousand nine hundred three (P. L. 8) entitled 'An act providing for the appointment of boards of visitation for institutions societies and associations caring for dependent neglected and delinquent children.'"

JOHN S. FINE.

September 26, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1482, Printer's No. 803, entitled "An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire by gift suitable ground and buildings to be used by the Department of Welfare as a State training school for female juvenile delinquents."

JOHN S. FINE.

September 26, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1512, Printer's No. 731, entitled "An Act relating to records of governmental departments or agencies or private businesses institutions professions or callings authorizing the reproduction or recording thereof by any photographic photostatic micro-film micro-card miniature photographic or other similar process providing for the admissibility of such reproductions in evidence and the disposition of the original records."

JOHN S. FINE.

September 26, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1526, Printer's No. 806, entitled "An Act authorizing the Department of Property and Supplies to exchange certain lands located in Penn Township Snyder County Pennsylvania necessary for the better administration of the Selinsgrove State Colony for Epileptics."

JOHN S. FINE.

September 26, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1562, Printer's No. 766, entitled "An Act to amend sections one and two of the act approved the twenty-third day of May one thousand nine hundred forty-five (P. L. 926) entitled 'An act for the protection of the public health by regulating the conduct and operation of public eating and drinking places within this Commonwealth requiring their licensing imposing certain duties on the Department of Health of this Commonwealth and on the local health authorities and providing penalties' by providing for the licensing of public eating or drinking places by county departments of health or joint-county departments of health in certain political subdivisions."

JOHN S. FINE.

### BILL SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

#### SENATE BILL No. 739.

An Act providing for the construction by The General State Authority of an addition of a medical and surgical hospital building to the Philadelphia State Hospital on lands heretofore or about to be conveyed to it by The



Mercy-Douglass Hospital and authorizing the Department of Property and Supplies to sublease said lands and building to the Mercy-Douglass Hospital

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

#### ADJOURNMENT

Mr. DALRYMPLE. Mr. Speaker, I move that this House do now adjourn until Monday, October 1, 1951 at 4:30 p. m.

The motion was agreed to, and (at 5:41 p. m. EST) the House adjourned.



# Legislative Journal.

Session 1951.

139th of the General Assembly.

Vol. 32.

HARRISBURG, PA., MONDAY, OCTOBER 1, 1951.

No. 89.

## SENATE

MONDAY, October 1, 1951.

The Senate met at 3:00 o'clock, p. m., Eastern Standard Time.

The PRESIDING OFFICER (Fred P. Hare) in the Chair.

### PRAYER

The Chaplain, Rev. WILLIAM D. McLEAN, Pastor of St. Peters Episcopal Church, Butler, Pennsylvania, offered the following prayer:

Oh Almighty God, the Fountain of all wisdom, whose statutes are good and gracious and Whose law is truth, we humbly beseech Thee for the people of the Commonwealth of Pennsylvania, and especially for their Senate now assembled, that Thou would'st be pleased to direct and prosper all their consultations to the advancement of Thy glory, and the safety, honor and welfare of Thy people; that all things may be so ordered and settled by their endeavors, upon the best and surest foundations, that peace and happiness, truth and justice, may be established among us for the years to come. And grant that having the eyes of the mind opened to behold things invisible and unseen, we may in heart be inspired by Thy wisdom, and in work be upheld by Thy strength. We ask this in the name of Jesus Christ, our Lord. Amen.

### JOURNAL APPROVED

The PRESIDING OFFICER. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WALKER and Mr. MALLERY further reading was dispensed with, and the Journal was approved.

### COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows:

APPROVED AND SIGNED SENATE BILL No. 703,  
PRINTER'S No. 513

Commonwealth of Pennsylvania,

Governor's Office, Harrisburg, September 26, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day

approved and signed Senate Bill No. 703, Printer's No. 513, entitled "An Act authorizing the capture or destruction of Unprotected birds in any city or borough in certain cases."

JOHN S. FINE.

APPROVED AND SIGNED SENATE BILL No. 808,  
PRINTER'S No. 477

Commonwealth of Pennsylvania,

Governor's Office, Harrisburg, September 26, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 771, Printer's No. 477, entitled "An Act to further amend Section 1201 of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled 'An act concerning boroughs and revising amending and consolidating the law relating to boroughs' by further providing for the sale of borough property."

JOHN S. FINE.

APPROVED AND SIGNED SENATE BILL No. 771,  
PRINTER'S No. 440

Commonwealth of Pennsylvania,

Governor's Office, Harrisburg, September 26, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 771, Printer's No. 440, entitled "An Act to further amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled 'An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto' by empowering the board of school directors in every school district to insure all of its employes against liability for personal damages sustained by pupils or others as the result of the employes' negligence in the performance of his or her duties during the course of his or her employment."

JOHN S. FINE.

APPROVED AND SIGNED SENATE BILL No. 407,  
PRINTER'S No. 558

Commonwealth of Pennsylvania,

Governor's Office, Harrisburg, September 29, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 407, Printer's No. 558, entitled "An Act to further amend the title and section one of the act approved the third day of May one thousand nine hundred and nine (P. L. 424) entitled as amended 'An act providing that in all counties of the first second third fourth fifth and sixth class advertisements and notices required by law or rules of court to be published



in newspapers of general circulation unless dispensed with by special order of court shall be published in the legal newspaper issued at least weekly of the proper county designated by rules of court for the publication of court or other legal notices' by extending the provisions of the said act to all counties and further defining publications excepted from its operation."

JOHN S. FINE.

APPROVED AND SIGNED SENATE BILL No. 723,  
PRINTER'S No. 462

Commonwealth of Pennsylvania,

Governor's Office, Harrisburg, September 29, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 723, Printer's No. 462, entitled "An Act to amend section 3 of the act approved the fifteenth day of June one thousand nine hundred thirty-nine (P. L. 359) entitled 'An act relating to recognizances and official bonds of present and future sheriffs and coroners and to their sureties thereon imposing the expense of corporate suretyships on such obligations upon the several counties and various duties upon the courts of common pleas and county officers thereof authorizing the substitution of approved surety companies for individual or corporate sureties upon such obligations and the release of any surety upon any such recognizance by such court upon certain conditions dispensing with sureties on such recognizances but providing for the acknowledgement recording and indexing of same as liens on certain real estate regulating such liens and releases therefrom providing for refunds to sheriffs and coroners of certain premiums paid to sureties on their official bonds and recognizances and repealing inconsistent laws except as to existing claims or pending suits thereunder subject to certain limitations' by fixing the time the lien of such recognizances shall run including those heretofore executed."

JOHN S. FINE.

APPROVED AND SIGNED SENATE BILL No. 688,  
PRINTER'S No. 517

Commonwealth of Pennsylvania,

Governor's Office, Harrisburg, September 29, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 688, Printer's No. 517, entitled "An Act to further amend Section 303 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2017) entitled 'An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the rare and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws' by directing that an allowance be paid to certain county controllers for the expenses pertaining to the institution district for a temporary period."

JOHN S. FINE.

APPROVED AND SIGNED SENATE BILL No. 738,  
PRINTER'S No. 371

Commonwealth of Pennsylvania,

Governor's Office, Harrisburg, September 29, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 738, Printer's No. 371, entitled "An Act to further amend subsection (g) of Section 1110 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled 'An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections' by eliminating requirement that the form and arrangement of ballot labels on voting machines be approved by the Secretary of the Commonwealth."

JOHN S. FINE.

APPROVED AND SIGNED SENATE BILL No. 172,  
PRINTER'S No. 529

Commonwealth of Pennsylvania,

Governor's Office, Harrisburg, September 28, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 172, Printer's No. 529, entitled "An Act to amend the act approved the fourth day of June one thousand nine hundred forty-five (P. L. 1388) entitled 'An act relating to the practice procedure regulations and adjudications of departments departmental administrative boards and commissions independent administrative boards and commissions officers and other administrative agencies of this Commonwealth and judicial review thereof and preserving equitable jurisdiction in certain cases' by redefining 'regulation' changing provisions governing promulgation of regulations imposing duties on the Department of State requiring all appeals to be taken to the Superior Court and enumerating the agencies affected and the extent to which they are affected."

JOHN S. FINE.

APPROVED AND SIGNED SENATE BILL No. 365,  
Printer's No. 512

Commonwealth of Pennsylvania,

Governor's Office, Harrisburg, September 26, 1951.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 365, Printer's No. 512, entitled "An act to further amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled 'An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or of-



ficers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations' by permitting the Department of State to copy and destroy or return certain documents permitting directors to fill vacancies in the board of directors resulting from an increase in the number of directors deleting certain requirements as to the appointment compensation and duties of agents providing that meetings of shareholders at which directors are to be elected may be adjourned for periods of fifteen days each fixing the method of cumulative voting in cases where directors are elected separately by the holders of different classes of shares providing that courts having jurisdiction over trustees who are evenly divided as to how shares shall be voted may direct the voting of such shares deleting requirements as to the voting of shares of foreign corporations owned by other corporations providing that articles of incorporation may be amended to eliminate the preemptive rights of shareholders and providing for the purchase of and payment of shares of certain shareholders who dissent therefrom specifying cases of merger or consolidation of which sixty days' notice to shareholders must be given providing that shareholders of a parent corporation shall have no right to dissent from a merger or consolidation of such parent and one or more wholly-owned subsidiaries thereof provided the state of incorporation and relative rights and preferences of the shareholders of the parent corporation are not changed thereby agent to accept service of process in cases arising out of acts further providing for advertising of merger or consolidation by domestic corporations for merger and consolidation of foreign business corporations defining 'doing business' by foreign corporations and further providing for service of process on the Secretary of the Commonwealth with respect to such corporations and prescribing procedure for rescinding a certificate of election to dissolve."

JOHN S. FINE.

### CALENDAR

#### BILLS ON CONCURRENCE IN HOUSE AMENDMENTS RECALLED FROM THE GOVERNOR

#### BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 269, on concurrence in House amendments recalled from the Governor, entitled:

An Act to amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto;" by providing for the establishment by the Department of Public Instruction of a standardized driver-training program in the public schools and providing for assistance to school districts in certain cases.

go over in its order, temporarily, awaiting a communication from the Department of Justice.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 900, on concurrence in House amendments recalled from the Governor, entitled:

An Act to further amend section one thousand and twenty-seven of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon pay-

ment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by changing the requirements that certain vehicles stop at railway grade crossings

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1057, on concurrence in House amendments recalled from the Governor, entitled:

An Act to add Section 6.1 to the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1216) entitled "An act to define real estate brokers and real estate salesmen and providing for the licensing regulation and supervision of resident and nonresident real estate brokers and real estate salesmen and their business" by authorizing the issuance of limited real estate brokers' and salesmen's licenses exclusively within the limited field or branch of the real estate business applying to cemetery lots plots and mausoleum spaces or openings and conferring powers and imposing duties upon the Department of Public Instruction and the State Real Estate Commission with respect to examination for the issuance of such licenses

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1293, on concurrence in House amendments recalled from the Governor, entitled:

An Act to amend the act, approved the first day of June, one thousand nine hundred forty-five (P. L. 1340) entitled "An act relating to the financial responsibility of operators and owners of motor vehicles and to make uniform the law with reference thereto requiring owners and operators in certain cases to furnish proof of financial responsibility providing for the suspension of operator's licenses and motor vehicle registration certificates in certain cases regulating insurance policies which may be accepted as proof of financial responsibility imposing duties upon the Secretary of Revenue the State Treasurer and prothonotaries and prescribing penalties' by clarifying and extending the provisions of the act to include certain vehicles of the tractor type authorizing the Secretary of Revenue to prescribe the contents of accident reports altering certain penalties and providing for the disposition of fines

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1294 on concurrence in House amendments recalled from the Governor, entitled:

An Act to amend the title of, and the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 1005), entitled "An act relating to and regulating tractors and trailers, and their operation; providing for their registration, and the licensing of certain operators by the Department of Revenue upon payment of pre-



scribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of tractors and trailers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, and townships, within the Commonwealth, liability for damages caused by the negligent operation of tractors and trailers; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation; and providing for refunds," by deleting from said act all provisions relating to operators, operators' license, and trailers; and further providing for the equipment of tractors.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1338, on concurrence in House amendments recalled from the Governor, entitled:

An Act to further amend Section 713 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by increasing the fee for learner's permits; and appropriating the increase for teaching of safe driving of motor vehicles.

go over in its order, temporarily, awaiting a communication from the Department of Justice.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1404, on concurrence in House amendments recalled from the Governor, entitled:

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing the reassessment of certain property in school districts of the third and fourth class in certain cases and imposing liability for school taxes upon the owners thereof

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous con-

sent that House Bill No. 1505, on concurrence in House amendments recalled from the Governor, entitled:

An Act to amend the act approved the twelfth day of June one thousand nine hundred thirty-one (P. L. 510) entitled "An act providing for the licensure and regulation of certain private nursing homes and private hospitals conferring certain powers and duties upon the Department of Welfare and providing penalties" by further providing for the licensure and regulation of such nursing homes and hospitals

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON CONCURRENCE IN HOUSE AMENDMENTS

### BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 104, on concurrence in House amendments, entitled:

An Act providing for the sentencing of persons convicted of certain crimes to an indeterminate sentence having a minimum of one day and a maximum of life in certain cases; authorizing the criminal courts to impose such a sentence and certain temporary sentences in connection therewith, requiring psychiatric examinations of such persons before the imposition of such a sentence, conferring powers and imposing duties upon the Department of Welfare and the Pennsylvania Board of Parole, and providing for the parole, conditional parole or absolute discharge of persons so sentenced and the procedure relating thereto.

go over in its order, temporarily, awaiting a communication from the Department of Justice.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 615, on concurrence in House amendments, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by increasing annual registration fees for certain commercial motor vehicles truck tractors trailers and semi-trailers prescribing additional equipment requirements for certain vehicles increasing the maximum gross weights and axle loads allowed for certain vehicles changing the requirements for weighing vehicles and removal of excess loads and prescribing and changing penalties providing that certain penalties shall be enforced by liens upon vehicles and the sale of



such vehicles free of all liens and encumbrances and imposing duties upon operators owners magistrates and sheriffs

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 796, on occurrence in House amendments, entitled:

An Act prohibiting the occupation of living quarters over or the depositing of foreign substances in any lake or pond which is the source of water used for human consumption prescribing penalties and authorizing the courts of common pleas to enjoin violations

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 818, on concurrence in House amendments, entitled:

An Act to further amend Section 3062 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by further regulating publication of notice of land subdivision ordinances

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

#### REPORTS OF COMMITTEES OF CONFERENCE

##### BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 238, a Report of Committee of Conference, entitled:

An Act to amend Section 256 of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by authorizing fish wardens to make arrests without warrants under certain circumstances

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1102, a Report of Committee of Conference, entitled:

An Act to provide for liens for the cost of hospitals care and treatment of persons wilfully or negligently injured the liens to exist on rights of action and on counterclaims and on verdicts and judgments recovered as the result of such injuries and on moneys paid in settlement of such actions and counterclaims and providing rights of action to recover such liens if not paid

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1370, a Report of Committee of Conference, entitled:

An Act to further amend Section 2004 of the act ap-

proved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by limiting to forty-eight hours the work week of police officers except in emergencies

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

#### THIRD READING CALENDAR

##### BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 769, on third reading, entitled:

An Act to further amend clause (a) of section one thousand eight hundred three and clause (e) of section one thousand eight hundred six of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" by further regulating the leasing and sale of State forest and park lands by the Commonwealth and defining the powers and duties of the Department of Forests and Waters and the rights of lessee with respect to such leased lands

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 811, on third reading, entitled:

An Act to add section 1501.1 to the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by empowering township supervisors to compel connection with and use of sewer systems constructed by municipal authorities to impose penalties to enforce regulations and orders and to connect properties of owners failing or neglecting to make connection

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 869, on third reading, entitled:

An Act to further amend section 322 of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by clarifying the provisions of said section as to the minimum and maximum retirement allowance payments to be made from the employees retirement fund in counties of the second class to beneficiaries having heretofore retired



go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 937, on third reading, entitled:

An Act to amend Section 3 of the act approved the twenty-sixth day of March one thousand nine hundred twenty-five (P. L. 83) entitled "An act for the protection of public health by regulating the serving of milk for drinking purposes to patrons of hotels restaurants lunch rooms fountains and dining cars and providing penalties" by permitting the purchase and sale of milk in bulk for use in certain automatic milk dispensing machines

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 967, on third reading, entitled:

An Act to further amend the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" providing for disability leave with salary and hospital and medical expenses for employes of jails and workhouses in counties of the second class temporarily incapacitated in the performance of duties

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

### BILL RECOMMENDED

Mr. WALKER. Mr. President, I move that House Bill No. 1228, on third reading, entitled:

An Act establishing The Pennsylvania State School for the Deaf providing for its operation and maintenance by the Department of Public Instruction and for the admission of pupils thereto and the expense of maintaining pupils therein authorizing the acquisition of a site by The General State Authority or the use of land now owned by the Commonwealth the conveying of Commonwealth owned land to The General State Authority and the erection or construction and the furnishing and equipping of buildings and structures by The General State Authority and the leasing thereof by the Commonwealth and conferring powers and imposing duties on district and county superintendents of schools

be recommitted to the Committee on Education.

Mr. WADE. Mr. President, I second the motion.

The motion was agreed to.

### BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1247, as follows:

An Act to further amend section two of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 720) entitled "An act providing for the taking over by the Commonwealth under certain terms conditions and limitations of certain streets in cities of the second class second class A and third class as State highways and for the improvement construction reconstruction resurfacing and maintenance by the Commonwealth of certain defined widths of said streets imposing duties on such cities and on public utility companies using such streets providing that no

assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon authorizing cities persons associations or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of certain portions of the cost of street improvements on abutting property owners regulating the replacement of certain facilities of public utility companies prohibiting the opening of said streets after improvement without a permit and providing penalty therefor regulating the maintenance of detours authorizing the increase of city indebtedness in certain cases and appropriating money in the Motor License Fund for the purposes of this act" by changing or deleting certain routes and adding certain new routes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The following routes established by section two of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 720) entitled "An act providing for the taking over by the Commonwealth under certain terms conditions and limitations of certain streets in cities of the second class second class A and third class as State highways and for the improvement construction reconstruction resurfacing and maintenance by the Commonwealth of certain defined widths of said streets imposing duties on such cities and on public utility companies using such streets providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon authorizing cities persons associations or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance providing for the assessment of certain portions of the cost of street improvements on abutting property owners regulating the replacement of certain facilities of public utility companies prohibiting the opening of said streets after improvement without a permit and providing penalty therefor regulating the maintenance of detours authorizing the increase of city indebtedness in certain cases and appropriating money in the Motor License Fund for the purposes of this act" and its amendments are hereby deleted as indicated or amended to read as follows

\* \* \* \* \*

Beginning at a point on East Third Street on the dividing line between the City of Williamsport and Loyalsock Township thence over [East] Third Street to the intersection of [East] Third Street and [Market] Campbell Street thence over Campbell Street to the intersection of Campbell and Fourth Streets in the City of Williamsport a distance of about [1.11] 2.12 miles

Section 2 Said act is hereby further amended by adding thereto the following new routes

Beginning at a point on the Logan Township line at Orchard Avenue thence easterly to Logan Boulevard in the City of Altoona Blair County a distance of about 0.3 of a mile

Beginning at the intersection of Pittsburgh Street and Crawford Avenue thence southerly over Pittsburgh Street to the South Connellsville Borough line in the City of Connellsville Fayette County a distance of about 1.0 mile

Beginning at the intersection of Derry and 29th Streets thence northerly over the 29th Street Rudy Road and 25th Street to Route 370 at the Penbrook Borough line in the City of Harrisburg Dauphin County a distance of about 0.96 of a mile

Beginning at a point on Freeport Road at the approach to the Tarentum Bridge thence in a general southerly direction over a new street to be laid out by the City on a location approved by the Department of Highways to a point on Freeport Street near Little Pucketa Creek in the City of New Kensington Westmoreland County a distance of about 2.4 miles

Beginning at a point on Lancaster Avenue near the Schuylkill River thence northwesterly along the West Bank of the Schuylkill River to the West Reading Borough line in the City of Reading Berks County a distance of about 0.6 of a mile



Beginning at a point on the South Union Township line thence northeasterly and easterly over Mount Vernon Avenue and Main Street to the intersection of East Main and East Fayette Streets in the City of Uniontown Fayette County a distance of about 1.9 miles

Section 3 The streets established as State highways under the provisions of this act may be taken over for construction and maintenance at any time subsequent to the approval of this act but shall be taken over not later than the first day of January one thousand nine hundred fifty

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bane,	Haluska,	McPherson, Jr.	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Propert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahany,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
Diehm,	McCreesh,	Scarlett,	Wood,
DiSilvestro,	McGinnis,	Silvert,	Yosko,
Fleming,	McMenamin,	Snowden,	Hare,
Freed,		Stevenson,	Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1248, as follows:

An Act to further amend the act approved the fifth day of May one thousand nine hundred twenty-seven (P. L. 787) entitled "An act establishing certain public roads as State Highways and providing for their construction and maintenance at the expense of the Commonwealth" by changing certain routes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The following routes described in the act approved the fifth day of May one thousand nine hundred twenty-seven (P. L. 787) entitled "An act establishing certain public roads as State Highways and providing for their construction and maintenance at the expense of the Commonwealth" as amended by the act approved the seventh day of May one thousand nine hundred twenty-nine (P. L. 1598) are hereby further amended to read as follows

Route number five hundred and ninety-eight Commencing at a point on State highway Route number ninety-three in the County of Forest and running thence across the Allegheny River by way of West Hickory and Fleming Hill to Neilltown and intersecting with State Highway route number five hundred and eleven [and by spur from West Hickory in a southerly and westerly direction on the road to Fogle Farm a distance of one and seven tenths miles]

Route number six hundred and three Commencing at [P R R Station in] a point on Route 470 south of Gran-

ville in Mifflin County thence in a southwestwardly direction to intersect with State highway route number thirty-three at McVeytown

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## YEAS—50

Bane,	Haluska,	McPherson, Jr.,	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Propert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahany,	Rosenfeld,	Watson,
Diehm,	Mallery,	Ruth,	Wolfe,
Dent,	McCreesh,	Scarlett,	Wood,
DiSilvestro,	McGinnis,	Silvert,	Yosko,
Fleming,	McMenamin,	Snowden,	Hare,
Freed,		Stevenson,	Presiding Officer

## NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1249, as follows:

An Act to further amend the act approved the eighteenth day of May one thousand nine hundred forty-five (P. L. 809) entitled "An act removing certain roads or sections of road from the State highway system and providing for their future maintenance and construction" by removing additional roads from the State highway system

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the eighteenth day of May one thousand nine hundred forty-five (P. L. 809) entitled "An act removing certain roads or sections of road from the State highway system and providing for their future maintenance and construction" is hereby further amended by adding certain additional roads to be removed from the State highway system as follows

Section 1 The following described roads which were added to the State highway system under the provisions of the act approved the twenty-seventh day of April one thousand nine hundred twenty-seven (P. L. 409) entitled "An act authorizing the Secretary of Highways to joint two or more State highway routes by the construction of connecting roads under certain conditions and providing for the payment of damages for land taken in the construction of such connecting roads" or under the provisions of Section 217 of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1242) known as the "State Highway Law" and which have been numbered by the Secretary of Highways as indicated are hereby removed from the said system

\* \* \* \* \*

The section of road identified in the records of the Department of Highways as Route 05055 Spur E beginning at a point on Route 05054 about .7 of a mile west of New Paris extending about 0.4 of a mile in Napier Township Bedford County to Route 05055

The section of road identified in the records of the De-



partment of Highways as Route 07003 Spur E extending from a point on Route 286 near Sharpsburg a distance of about 0.2 of a mile in Taylor Township Blair County to Route 07003

The section of road beginning on Route 133 about 0.9 of a mile east of Route 143 and extending northwesterly in West Goshen Township Chester County a distance of 0.5 of a mile to Route 143 presently identified in the records of the Department of Highways as Route 133 Spur E

The section of road beginning on Route 202 north of Fern Hill and extending northwesterly in West Goshen Township Chester County a distance of 0.4 of a mile to Route 15096 presently identified in the records of the Department of Highways as Route 202 Spur E

The section of road identified in the records of the Department of Highways as Route 19064 Spur E extending easterly in Greenwood Township Columbia County from a point on Route 239 south of Sereno a distance of 0.02 of a mile to Route 19064

Section 2 Said act is hereby amended by adding after section one a new section as follows

Section 1.1 The following described roads which were added to the State highway system under the provisions of the act approved the twenty-fifth day of June one thousand nine hundred thirty-one (P. L. 1369) entitled "An act establishing certain State-aid highways and concrete township reward roads as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act and repealing an act" are hereby removed from the State highways system

The section of road in Bristol Township Bucks County presently identified in the records of the Department of Highways as application 4947 beginning at a point on the eastern line of Bristol Borough and extending north-easterly a distance of about one tenth of a mile to a road intersection

The section of road in Falls Township Bucks County presently identified in the records of the Department of Highways as application 5610 extending southerly from the Morrisville Borough line a distance of 2.37 miles to a road intersection

Section 3 Sections two and three of said act are hereby further amended by adding certain additional roads to be removed from the State Highway System

Section 2 The following described roads or sections of road which were added to the State highway system under the provisions of the act approved the third day of June one thousand nine hundred thirty-three (P. L. 1514) entitled "An act establishing as State highways certain condemned or abandoned turnpikes and turnpikes the companies or associations owning which have been dissolved and requiring their construction repair and maintenance as such" and which have been numbered by the Secretary of Highways as indicated are hereby removed from the said system

\* \* \* \* \*

The section of the former Lackawaxen Turnpike presently identified in the records of the Department of Highways as Route 965 extending from a point on Route 227 west of Pleasant Mount southeasterly in Mount Pleasant Township Wayne County a distance of about 3.7 miles to Route 227

Section 3 On or after the effective date of this act the roads herein described shall be maintained constructed and reconstructed by the authorities of the township borough incorporated town or city in which they are located

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Barr,	Haluska,	McPherson, Jr.,	Stiefel,
Bane,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Propert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahany,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
Diehm,	McCreesh,	Scarlett,	Wood,
DiSilvestro,	McGinnis,	Silver,	Yosko,
Fleming,	McMenamin,	Snowden,	Hare,
Freed,		Stevenson,	Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1250, as follows:

An Act to further amend section two of the act approved the first day of June one thousand nine hundred thirty-three (P. L. 1172) entitled "An act establishing certain streets in boroughs and incorporated towns as State highways and providing for their construction and maintenance at the expense of the Commonwealth" by changing or deleting certain routes and adding certain new routes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The following routes established by section two of the act approved the first day of June one thousand nine hundred thirty-three (P. L. 1172) entitled "An act establishing certain streets in boroughs and incorporated towns as State highways and providing for their construction and maintenance at the expense of the Commonwealth" and its amendments are hereby deleted as indicated or amended to read as follows

\* \* \* \* \*

[Application 5715 beginning at a point on the Falls Township-Morrisville Borough line thence northerly on Pennsylvania Avenue to an intersection with Route 150 at Pennsylvania and Philadelphia Avenues in the Borough of Morrisville Bucks County a distance of about 0.53 of a mile]

[Route 10096 Extending Route 10096 beginning at a point on the Portersville Borough Muddy Creek Township line thence in a northerly direction to a point on Route 79 in the Borough of Portersville Butler County a distance of about 0.15 of a mile]

Route 18004 extending Route 18004 beginning at a point on Route 18004 at the South Renovo Borough-Noyes Township line at Petes Run Clinton County thence in an easterly direction on Pennsylvania Avenue to the intersection of Pennsylvania Avenue and [Second] Fourth Street thence north on [Second] Fourth Street to the intersection of [Second] Fourth Street and Susquehanna Avenue thence west on Susquehanna Avenue to the Susquehanna River Bridge and the South Renovo-Renovo Borough line Clinton County thence in a northerly direction on Eighth Street in Renovo Borough to an intersection with Route 105 at the intersection of Eighth Street



and Huron Avenue in Renovo Borough Clinton County a distance of about [0.45] .85 of a mile

[Route 23063 extending Route 23063 beginning at a point on the Lower Chichester Township-Marcus Hook Borough line thence in a southerly direction on Blue Ball Road to an intersection with Route 132 at Blue Ball Road and Wilmington Post Road in the Borough of Marcus Hook Delaware County a distance of about .22 of a mile]

[Route 23100 extending Route 23100 beginning at a point on the Upper Darby Township-East Lansdowne Borough line thence over Church Lane to a point on Route 23064 at Oak Avenue and Church Lane in the Borough of East Lansdowne Delaware County a distance of about 0.15 of a mile]

Route 26047 [Traffic Route 110] Extending Route 26047 beginning at a point on the Dunbar Borough-Dunbar Township line thence in a westerly direction on Woodvale Street to an intersection with [rural Route 26070 Traffic Route 110] Route 26179 [at the southwestern borough line] in the Borough of Dunbar Fayette County a distance of about 0.38 of a mile

Route 26079 Extending Route 26079 Beginning at a point on the Masontown Borough-German Township line thence in a northwesterly direction on Fairview Street to [Bradley Street] South Water Street thence in a [westerly] northerly direction on [Bradley Street] South Water Street to an intersection with [the continuation of Route 579 at Bradley and South Main Streets] Route 26008 at South Water and Church Streets in the Borough of Masontown Fayette County a distance of about [1.10] 0.26 of a mile

[Route 26135 Extending Route 26135 Beginning at a point on the Henry Clay Township-Markleysburg Borough line thence in a northeasterly direction on a borough street to an intersection with Route 363 in the Borough of Markleysburg Fayette County a distance of about 0.5 of a mile]

[Route 31058] 31108 extending Route [31058] 31108 beginning at a point on the north line of Birmingham Borough thence southerly over Tyrone Street and easterly over Church Street to the Warriors Mark Township line in the Borough of Birmingham Huntingdon County a distance of about .4 of a mile

Route 39033 extending Route 39033 beginning at a point on the Catasauqua Borough-Hanover Township line thence in a northwesterly direction on Howerton Road [to Fourteenth Street thence in a northerly direction on Fourteenth Street] Bethlehem Road Bath Avenue and Tenth Street to an intersection with the continuation of Route 39032 at [Fourteenth] Tenth and Race Streets in the Borough of Catasauqua Lehigh County a distance of about [1.27] 0.45 of a mile

Route 40098 Extending Route 40098 Beginning at a point on the Dallas Township-Dallas Borough line thence in a southwesterly direction to a point of intersection with Main Street thence over Main Street to a point on Route 177 in the Borough of Dallas Luzerne County a distance of about [0.06] 0.36 of a mile

Route 49117 extending Route 49117 beginning at a point on the Riverside Borough-Gearhart Township line at D and H Avenue thence westerly to First Street thence over First Street to [the Cherokee Ordnance Works] an intersection with C Avenue in Riverside Borough Northumberland County a distance of about [0.5] 0.4 of a mile

Route 64196 Extending Route 64196 Beginning at a point on the West Leechburg Borough-Allegheny Township line thence in an easterly direction on an unnamed borough street to an intersection with [county-aid application 7320 to an intersection with Route 69] Hill Avenue in the Borough of West Leechburg Westmoreland County a distance of about [1.68] .33 of a mile

Section 2 Said act is hereby further amended by adding thereto the following new routes

#### Atwood Borough

Route 03063 extending Route 03063 beginning at a point on the Cowanshannock Township line thence easterly

over Indiana Street to the Indiana County line in Atwood Borough Armstrong County a distance of about 2.1 miles

#### Midland Borough

Route 04121 extending Route 04121 beginning at a point on the Ohio Township line thence over Spring Lane Wood Lane and Fairview Road to a point on Route 243 in the Borough of Midland Beaver County a distance of about 0.7 of a mile

#### West Reading and Wyomissing Boroughs

Route 06210 Beginning on the City of Reading line on the west bank of the Schuylkill River thence northwesterly along the west bank of the Schuylkill River to Tulpehocken Road thence over Tulpehocken Road to Warren Street extension in the Boroughs of West Reading and Wyomissing Berks County a distance of about 1.8 miles

#### Borough of St Lawrence

Route 06211 Beginning at a point on Route 146 thence easterly over Oley Turnpike Road to an intersection with Route 916 at St Lawrence Avenue in the Borough of St Lawrence Berks County a distance of about 0.6 of a mile

#### Quakertown Borough

Route 09156 extending Route 09156 beginning at the Richland Township line thence in an easterly direction over Mill Road to Route 153 in Quakertown Borough Bucks County a distance of about 0.2 of a mile

#### Conoquenessing Borough

Route 10140 extending Route 10140 beginning at a point on the Conoquenessing Township line thence in a westerly direction over Constitution Avenue to the intersection with Route 78 in Conoquenessing Borough Butler County a distance of about 0.76 of a mile

#### Evansburg Borough

Route 10141 extending Route 10141 beginning at a point on the Jackson Township line thence in a northeasterly direction over Patterson Street to Route 78 in Evansburg Borough Butler County a distance of about 0.23 of a mile

#### Portersville Borough

Route 10143 Extending Route 10143 Beginning at a point on the Muddy Creek Township line thence westerly over a borough street to a point on Route 246 in the Borough of Portersville Butler County a distance of about 0.5 of a mile

#### Prospect Borough

Route 10144 Extending Route 10144 Beginning at a point on the Franklin Township line thence westerly to a point on Routes 10051 and 10043 in the Borough of Prospect Butler County a distance of about 0.8 of a mile

Route 10143 Extending Route 10143 Beginning at a point on the Muddy Creek Township line thence easterly to a point on Routes 10043 and 10051 in the Borough of Prospect Butler County a distance of about 1.2 miles

#### Hastings Borough

Route 11098 Extending Route 11098 Beginning at a point on the Elder Township line thence northwesterly over Huber Street to a point on Route 11076 in Cambria County a distance of about 0.25 of a mile

#### Flemington Borough

Route 18047 extending Route 18047 beginning at a point on the Allison Township line at Woods Avenue thence over Woods Avenue and Houston Street to Route 58 in the Borough of Flemington Clinton County a distance of about 0.45 of a mile

#### Town of Bloomsburg

Route 19117 Extending Route 19117 Beginning at a point



on the Scott Township line at Berwick Road thence westerly over Berwick Road and East Street to an intersection with Route 283 at Poplar Street in the town of Bloomsburg Columbia County a distance of about 1.0 mile

#### Berwick and Briar Creek Boroughs

Route 19118 Beginning at a point on Route 19098 in Berwick thence westerly on a borough street through Berwick and Briar Creek Boroughs to Route 673 in Briar Creek Columbia County a distance of about 0.5 of a mile

#### Waterford Borough

Route 25129 Extending Route 25129 Beginning at a point on the Waterford Township line at Bagdad Road thence easterly over Bagdad Road to Route 351 in Waterford Borough Erie County a distance of about 0.3 of a mile

#### Dunbar Borough

Route 26179 Extending Route 26179 Beginning at a point on the Dunbar Borough Dunbar Township line thence southerly to an intersection with Route 26047 in the Borough of Dunbar Fayette County a distance of about 0.25 of a mile

#### South Connellsville Borough

Route 26178 Beginning at a point on the Connellsville city line thence southerly over Pittsburgh Street to McCormick Street in the Borough of South Connellsville a distance of about 0.98 of a mile

#### Point Marion Borough

Route 451 Beginning at a point on the Fayette-Greene County line thence southeasterly and northeasterly over Home and Main Streets to an intersection with Route 116 at Main and Penn Streets in the Borough of Point Marion Fayette County a distance of about 0.25 of a mile

#### Fairchance Borough

Route 26181 Extending Route 26180 Beginning at a point on the Georges Township line thence northerly over Morgantown Street to a point on Route 26082 in the Borough of Fairchance Fayette County a distance of about 0.68 of a mile

#### Waynesburg Borough

Route 30124 Extending Route 30124 Beginning at a point on the Franklin Township line thence westerly over Greene Street and northerly over Richhill Streets to Route 109 in Greene County a distance of about one mile

#### Petersburg Borough

Route 31107 extending Route 31107 beginning at a point on the Logan Township line thence over King Street to a point on Route 352 in the Borough of Petersburg Huntingdon County a distance of about 0.25 of a mile

#### Blairsville Borough

Route 32179 extending Route 32179 beginning at the Blairsville Borough-Burrell Township line at Market Street thence westerly over Market Street to the Derry Township Westmoreland County line in the Borough of Blairsville Indiana County a distance of about 0.83 of a mile

#### Clymer Borough

Route 32180 extending Route 32180 beginning at a point on the Cherryhill Township line thence easterly over Gerry Street to Route 508 in the Borough of Clymer Indiana County a distance of about 0.2 of a mile

#### Coal Center Borough

Route 62196 Extending Route 62191 Beginning at a point on the East Pike Run Township line thence northeasterly over Spring Street to Route 268 in Coal Center Borough Washington County a distance of about 0.1 of a mile

#### Bethany Borough

Route 63116 Extending Route 63116 Beginning at a point on the Bethany Borough line thence over a borough street to Route 950 in Bethany Borough Wayne County a distance of about 0.2 of a mile

#### Bolivar Borough

Route 64190 extending Route 64190 beginning at a point on the Fairfield Township line thence in a general north-easterly direction over Market Lincoln and River Streets to the Fairfield Township line in the Borough of Bolivar Westmoreland County a distance of about 0.70 of a mile

#### White Oak Borough

Route 64266 extending Route 64266 beginning at a point on the Westmoreland County line thence westerly over Muse Lane to a point on Route 02180 in the Borough of White Oak Allegheny County a distance of about 0.5 of a mile

Section 3 This act shall become effective on the first day of January one thousand nine hundred fifty-two

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Bane,	Haluska,	McPherson, Jr.,	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Probert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahany,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
Diehm,	McCreesh,	Scarlett,	Wood,
DiSilvestro,	McGinnis,	Silver,	Yosko,
Fleming,	McMenamin,	Snowden,	Hare,
Freed,		Stevenson,	Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1251, as follows:

An Act to further amend the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 594) entitled "An act establishing certain township roads as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act" by changing or deleting certain routes and adding certain new routes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows



Section 1 The following routes established by the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 594) entitled "An act establishing certain township roads as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act" and its amendments are hereby deleted as indicated or amended to read as follows

Route 01001 Beginning at a point in Liberty Township on the Maryland state line about one mile west of the Liberty-Freedom Township line thence through Liberty and Hamiltonban Townships to the southern boundary line of Fairfield Borough thence from a point in Hamiltonban Township intersecting Route 44 about one-eighth mile east of Fairfield Borough thence through Hamiltonban Highland and Franklin Townships via Orrtanna [to a point intersecting Route 43 at] and Cashtown thence [from a point intersecting Route 43] through Franklin Township via Hilltown to a point intersecting Route 342 at Bridgeport thence from a point intersecting Route 342 about one-eighth mile west of Arendtsville Borough through Franklin and Menallen Townships via Brysonia to a point intersecting the township road and about one-half mile east of Wenskville in Adams County a distance of about [22.2] 22.02 miles

Route 01018 Beginning at a point in Franklin Township at McKnightstown Station thence through Franklin Township to a point [intersecting] crossing Route 43 [in] near the village of McKnightstown thence [from a point intersecting Route 43 one-fourth mile east of McKnightstown] through Franklin Township to a point intersecting Route 01002 about one-half mile south of Arendtsville Borough thence from a point on the eastern boundary line to Arendtsville Borough through Butler Township by way of Veechersville to a point intersecting Route 342 about one-fourth mile west of Biglerville Borough in Adams County a distance of about [6.5] 7.32 miles

[Route 02184 Beginning in the Village of Coulter thence northerly and easterly to the Vandergrift State Orphans Home in Allegheny County a distance of about 1.1 miles]

Route 03005 Beginning at a point along the west bank of the Allegheny River about 1 mile north of Clinton thence southerly along the bank of the Allegheny River to the village of Clinton [on the Allegheny River] thence northerly in South Buffalo Township to an intersection with Route 378 near McVile in Armstrong County a distance of about [2.3] 3.3 miles

Route 03052 Beginning at a point on Route 03050 at Bruck Church thence northwesterly in Burrell Township to Myers Crossroads in Armstrong County a distance of about [3.05] 1.5 miles

Route 03098 Beginning at a point on the east borough line of Leechburg Borough thence in a northeasterly direction through Gilpin Township [to a road intersection thence in a northwesterly direction] to a point on Route 03036 [about 1.5 miles northeast of its intersection with Route 203] in Armstrong County a distance of about [1.5] 2.4 miles

[Route 03114 Beginning at the southern end of Route 03085 at Denaville thence in a southeasterly direction through Madison Township to a road intersection in Armstrong County a distance of about 1.8 miles]

[Route 03115 Beginning at a point on Route 03075 at or near Putneyville thence in a northeasterly direction through Mahoning Township to a road intersection at or near the Mahoning-Redbank Township line in Armstrong County a distance of about 1.0 miles]

Route 03124 Beginning at a point on Route 705 about 0.5 of a mile north of the village of Dime thence in a general easterly direction through Parks and Burrell Townships [via the State Point School to a point 03051 about 0.2 of a mile northwest of its intersection with Route

03050] to a road intersection in Armstrong County a distance of about [3.2] 1.4 miles

Route 03126 Beginning at a point on Route 69 at the Kiskiminetas-Parks Township line thence northerly [and westerly] through Parks Township [intersecting] to Route 705 about 0.1 of a mile south of Route 03040 [to a point on Route 03038 about 0.5 of a mile south of Hill School] in Armstrong County a distance of about [2.4] 1.0 mile

Route 03130 Beginning at a point on the Butler-Armstrong County line near the West Franklin-Sugar Creek Township line thence extending in a southeasterly and northeasterly direction through Sugar Creek and West Franklin Townships to a point on Route 03014 about [0.3] 0.1 of a mile [west] east of its intersection with with Route 03015 in Armstrong County a distance of about [1.1] 1.2 miles

Route 03133 Beginning at a point on the Freeport Borough line near the Allegheny River thence in a general northeasterly direction along the Allegheny River through South Buffalo [and Cadogan Townships via the village of Clinton to a point on Route 378 near the village of Cadogan] Township in Armstrong County a distance of about [9.1 miles] 0.9 of a mile

Route 03139 Beginning at a point on Route 03039 about 0.5 of a mile west of the village of Mateer thence in a northwesterly direction through Burrell Township to [a road intersection at Riggles Crossroads] Route 03124 in Armstrong County a distance of about [0.9 of a mile] 2.8 miles

[Route 05054 Beginning at a road intersection approximately 0.25 of a mile north of the Moore School on the road between Schellsburg and Springhope in Napier Township Bedford County thence northwesterly through Napier Township to a road intersection on Chestnut Ridge thence northerly for a distance of approximately .25 of a mile thence northwesterly to a point on Route 356 approximately .02 of a mile south of the Borough of New Paris Bedford County a distance of about 2.5 miles]

Route 05055 Beginning at a [road intersection approximately 0.50 of a mile west of the borough line of New Paris in Napier Township Bedford County] point on Route 05054 about one mile west of New Paris Borough thence northeasterly and easterly through Napier Township to a point on the west borough line of New Paris at Rocklick Creek in Bedford County a distance of about [0.5] 1.2 miles

[Route 07003 Beginning at Rodman on Route 286 thence easterly along Plum Creek to road intersection thence northeasterly along Plum Creek to schoolhouse thence southeasterly along Plum Run connecting with Route 286 near Sharpsburg in Blair County a distance of about 3.5 miles]

Route 07011 Beginning at [the Village of Catfish Blair County] a point on Route 07056 near Kladder thence northeasterly to the Village of Reservoir thence north-easterly to a point on the Blair-Frankstown Township line thence northeasterly through Frankstown Township to a point on Route 260 in the Village of Frankstown thence northerly to a road intersection approximately one and one-half miles east of the borough line of Hollidaysburg thence northwesterly to a point on the Frankstown-Logan Township line thence northwesterly through Logan Township to a point on the Altoona city line approximately one-quarter of a mile south of the Altoona driving park in Blair County a distance of about [11.2] 10.8 miles

Route 07012 Beginning at a point on Route 07011 east of the village of Loop thence [southeasterly] northwesterly through Frankstown Township to [a road intersection at a church approximate one-eighth of a mile east of Oldtown Run] the Hollidaysburg Borough line in Blair County a distance of about 2.1 miles

Route 07034 Beginning at a point near McKee [on the Freedom-Blair township line in Blair County] on Route 286 thence through Blair Township in a northerly direction to [Brooks Mills thence northwesterly to the Blair County road known as the Catfish road] a point on Route 07056 near Vicksburg in Blair County a distance of about [1.6 miles] 1 mile



[Route 08135 Beginning at a point on Route 08075 at Saco thence northeasterly through Ulster Township to a point on Route 287 about 1 mile south of the intersection of Routes 287 and 08073 in Bradford County a distance of about 2.10 miles]

Route 09015 Beginning at a point on the east borough line of Tullytown Borough thence easterly and northerly through Falls Township [via Slickville to a point in Falls Township about 1.7 miles east of Slickville thence northwesterly] to a point [at the southern terminus of State-aid Application 5610 near Station 125 in Falls Township] on Route 150 east of Penn Valley in Bucks County a distance of about [6.4] 4.15 miles

[Route 10096 Beginning at a point on the Portersville Borough line and extending in a southeasterly direction through Muddy Creek Township to a point on Route 10041 in Butler County a distance of about 3.1 miles]

[Route 10112 Beginning at a point on the Beaver-Butler County line thence extending in a northerly direction through Jackson Township to a point on Route 78 in Butler County a distance of about 0.8 of a mile]

[Route 10117 Beginning at a point on Route 10070 about 0.8 of a mile northeast of Ferris School thence northerly through Venango Township to a point on Route 10072 about 0.9 of a mile southeast of Venango-Marion Township line in Butler County a distance of about 2.3 miles]

[Route 10124 Beginning at a point on Route 10070 about 1.4 miles west of Anandale Station thence in a northerly direction through Marion Township to a point on Route 10072 about 2.0 miles west of the village of Murrinsville in Butler County a distance of about 2.2 miles]

[Route 10133 Beginning at a point on Route 246 near Ogle thence northwesterly through Cranberry Township to a point on Route 10003 about 2.0 miles southwest of its intersection with Route 246 in Butler County a distance of about 2.4 miles]

[Route 10134 Beginning at a point on Route 10068 about 0.5 of a mile east of Ridgeville thence southerly and easterly through Washington Township to a point on Route 10068 about 0.7 of a mile northwest of its intersection with Route 75 in Butler County a distance of about 1.8 miles]

[Route 12004 Beginning at a point on Route 105 near Sterling Run thence in a northwesterly and westerly direction through Lumber Township to the Tanney School in Cameron County a distance of about 1.75 miles]

[Route 12011 Beginning at a point on Route 105 near Emporium Junction thence easterly in Shippen Township to Sulvan Heights in Cameron County a distance of about 0.4 of a mile]

Route 13039 Beginning at a point on Route 550 near Crass Lake thence in a general northwesterly direction through Kidder Township in Carbon County a distance of about [1.4] 2.5 miles

Route 14053 Beginning at a point on Route 307 about [0.7] 0.5 of a mile west of its intersection with Route 14019 thence in a southwesterly and northwesterly direction through College Township to a point on the State College Borough line in Centre County a distance of about [0.2] 0.6 of a mile

[Route 15169 Beginning at a point on Route 15025 at or near the West Fallowfield-Upper Oxford Township line thence in a northwesterly direction through West Fallowfield Township to a road intersection thence in a westerly direction to the Octoraro Creek being the dividing line between Lancaster and Chester Counties in Chester County a distance of about 1.6 miles]

Route 15170 Beginning at a point on Route 15025 about 1.9 miles southwest of the intersection of Route 15024 274 and 215 thence in a southwesterly direction through West Fallowfield Township to [a point on Route 15169 about 0.4 of a mile east of the Octoraro Creek being the dividing line between Lancaster and Chester Counties in Chester County a distance of about [1.5] 1.9 miles]

[Route 15172 Beginning at a point on Route 215 about one half mile west of Route 15073 thence in a general northerly direction through Londonderry and Highland Townships to a point on Route 15053 about 0.25 of a mile

southeast of an intersection with Route 541 in Chester County a distance of about 1.7 miles]

[Route 17087 Beginning at a point on Route 17051 about 1.5 miles north of Clearfield Borough thence in a northerly direction through Lawrence Township by way of Mount Joy church and school to a township road intersection in Clearfield County a distance of about 0.7 of a mile]

[Route 19064 Beginning at a point on state highway Route 239 about 0.75 of a mile south of Sereno thence northeasterly through Greenwood Township to its intersection with Route 19063 about 2.0 miles south of the Jackson Township line in Columbia County a distance of about 3.2 miles]

[Route 19087 Beginning at a point on Route 183 about 0.2 of a mile southeast of the intersection of Routes 183 and 283 thence southeasterly about 0.3 of a mile through Catawissa Township to a road intersection thence easterly and southeasterly about 1.5 miles to an intersection with Route 19010 in Columbia County a distance of about 1.8 miles]

Route 19088 Beginning at Route 415 at Shumans thence in a northeasterly direction through Beaver Township to an intersection with Route 19016 at Dog Town in Columbia County a distance of about 1.1 miles]

[Route 19092 Beginning at a point on Route 19023 about 1.0 mile south of Mifflinville thence southerly to Hofs-nagle Corners thence westerly to an intersection with Route 19021 in Mifflin Township Columbia County a distance of about 2.1 miles]

[Route 19112 Beginning at a point on Route 19045 at its intersection with Sixth Avenue thence west on Sixth Avenue to Arch Street thence north on Arch Street to Seventh Avenue thence east on Seventh Avenue to its intersection with Route 19045 in Briar Creek Township Columbia County a distance of about 0.7 of a mile]

[Route 22027 Beginning at a point in Reed Township on Route 1 about one-third mile north of Inglenook and leading eastward over Powell's Creek through Halifax Township to Route 22004 in Dauphin County a distance of about 2.34 miles]

[Route 23063 Beginning at a point on the northwest boundary line at Marcus Hook Borough near the intersection of Blue Ball Road with Route 132 near Station 675 in Lower Chichester Township thence northwesterly along Blue Ball Road through Lower and Upper Chichester Townships crossing State-aid Application 2436 to a point near Station 65 on State-aid Application 1136 in Upper Chichester Township in Delaware County a distance of about 1.25 miles]

Route 23073 Beginning at a point on Route 420 about Station 23 in Darby Township and extending in a northerly direction through Darby Township to a point on the boundary line between Darby Township and Sharon Hill Borough [beginning again on Route 420 thence over Magazine Lane to an intersection with Tribbett Avenue] in Delaware County a distance of about [.88] .25 of a mile

[Route 23081 Beginning at a point on the boundary line between the states of Delaware and Pennsylvania and extending in an easterly direction through Upper Chichester Township to a point on Route 135 about Station 716 at the village of Ogden in Delaware County a distance of about .6 of a mile]

[Route 23104 Beginning at a point of intersection of Tribitt Avenue and Route 420 thence in a southeasterly direction through Darby Township on Tribbett Avenue to its intersection with Calcon Hook Road Route 23073 in Delaware County a distance of about 0.6 of a mile]

Route 25012 Beginning at a point on the Crane Road at Cobbs Corners thence north in Elk Creek Township approximately parallel to Little Elk Creek via Fillinger School to a point on the south line of Girard Township thence north to a point on [Route 25014 near Little Elk Corners] Route 25013 in Erie County a distance of about 2.9 [4.1] miles

[Route 25083 Beginning at a point on Route 25032 at or near Gardner School thence extending in a northeasterly direction through Washington Township to the Leboeuf-Washington Township line at McClelland's Corners thence



northerly along said township line to the Waterford-Washington-Leboeuf Township line in Erie County a distance of about 1.5 miles]

[Route 25089 Beginning at a point on Route 25014 about 0.3 of a mile northeast of Manyock Corners thence extending in an easterly direction through Girard Township to a road intersection at the Girard-Franklin Township line in Erie County a distance of about 1.4 miles]

Route 25096 Beginning at a point on Route [86 at Osborne School] 496 near Fairplain thence northerly through Girard Township [by way of Fairplain Crossing Route 496] to Lake Erie in Erie County a distance of about [2.4 miles] 0.8 of a mile

[Route 27004 Beginning at an intersection with Route 511 at White Church Corners and thence in an easterly direction along the Milford Road in Harmony Township via Carters Farm to the beginning of Route 598-Spur in Forest County a distance of 3.4 miles]

[Route 26014 Beginning at the Village of Perryopolis and extending in an easterly direction thence in a northwesterly direction along the Youghiogheny River to Whitsett thence in the same direction to Route 228 about .5 of a mile south of Dick Haven in Fayette County a distance of about 3.31 miles]

Route 26043 Beginning at Route 26041 south of Lutheran Church and extending in a southeasterly direction to [the improved road leading from Hopwood to Oliphant Furnace] Route 50 in Hopwood in Fayette County a distance of about [1.7] 2.0 miles

Route 26046 Beginning at the improved county Pleasant Hill Road about .25 of a mile northeast of State Route 117 thence in a general northeasterly direction by way of Clinton Buchanan and White to an intersection with [the Jacobs Creek Road about one mile west of Chapion] Route 26055 in Fayette County a distance of about [10.6] 8.8 miles

Route 26055 Beginning at Route 578 near Melcroft and extending in a northwesterly direction by way of Keslar School to the Saltlick-Bullskin Township line thence northeasterly to Route 64074 in Fayette County a distance of about [4.5] 5.1 miles

[Route 26070 Beginning at a point on the western line of Dunbar Borough thence westerly by way of Pechin Farm to an intersection with State Route 117 about one mile southeast of Monarch in Fayette County a distance of about .89 of a mile]

Route 26091 Beginning at an intersection with Route 26026 at a point about 2.4 miles northeast of Waltersburg thence extending in a southerly direction to [Laurel Hill] Route 26019 in Fayette County a distance of about [1.3] 1.8 miles

[Route 26097 Beginning at an intersection with the county road at a point about .8 of a mile south of Brownfield thence extending in a general easterly direction to an intersection with the road at a point near Oliphant Furnace in Fayette County a distance of about 1.2 miles]

[Route 26105 Beginning at Footdale on the Balsinger-Lambert Road and extending to Balsinger in German Township in Fayette County a distance of about 1 mile]

[Route 26109 Beginning at a point on Route 113 about .8 of a mile northwest of Searights and extending in a general easterly direction to an intersection with State-aid Application 741 about .4 of a mile north of Searights in Fayette County a distance of about 1.22 miles]

Route 26128 Beginning at a point on Route 26046 about 0.25 of a mile west of the intersection of Routes 26046 and 26044 thence in a northwesterly direction through Bullskin Township to a point on [the county road about 0.3 of a mile northeast of Kell's School] Route 26151 in Pennsville in Fayette County a distance of about [1.2] 2.5 miles

[Route 26130 Beginning at a point on Route 26016 about 0.5 of a mile west of the Washington-Perry Township line thence in a northeasterly and easterly direction through Washington and Perry Townships to a point on Route 288 at the Summerhill School in Fayette County a distance of about 1.4 miles]

[Route 26135 Beginning at a point on the West Vir-

ginia state line near the Maryland state line thence northeasterly through Henry Clay Township to a point on the Markleysburg Borough line in Fayette County a distance about 1.2 miles]

Route 26168 Beginning at a point on Route 26167 just west of the Springfield Township line thence [southeasterly in Bullskin Township to a point on the Bullskin-Springfield Township line] southerly through Bullskin and Springfield Townships to Route 336 in Fayette County a distance of about [0.4 of a mile] 1.9 miles

Route 27025 Beginning in the village of [Dawson] Jameson thence northerly in Tionesta Township and Harmony Township to a point on Route [27004] 598 in Forest County a distance of about [2.5] 5.5 miles

Route 30018 Beginning [near crossroads on Rudolph Run near Brock at Route 30015 in] at a road intersection about one and one half miles east of Brook in Perry Township thence easterly via Little Shannan Run to [county Bridge Road at residence of Endsley Lemley at] Route 30017 in Greene County a distance of about [4.5] 3.0 miles

Route 30020 Beginning [near Williams Farm] on Route 110 near Fairchance thence easterly [via L L Long Farm] to a point on Dunkard Township line via Highland Cemetery to intersection with Route 30021 thence eastwardly via Dunkard and Durr's Crossroads to [Crow's Ferry] Route 451 in Greene County a distance of about [13] 12.8 miles

[Route 30083 Beginning at a point at the intersection of Routes 30001 and 30037 thence southerly through Springhill Township to the West Virginia State Line in Greene County a distance of about 0.8 of a mile]

[Route 30085 Beginning at the intersection of Route 30020 and Route 30021 thence northerly through Dunkard Township to a road intersection in Greene County a distance of about 0.45 of a mile]

[Route 30086 Beginning at a point on Route 268 near the intersection of Routes 268 and 30019 thence southeasterly through Morgan and Jefferson Townships to a point on Route 30059 in Greene County a distance of about 2.5 miles]

Route 30108 Beginning at a point on Route 30040 near Time thence northeasterly through Morris Township to a point on [Route 109 about 0.7 of a mile southeast of] Route 30070 in Greene County a distance of about [2.5] 1.8 miles

[Route 30115 Beginning at a point on Route 30010 about 1.2 miles southeast of Pine Bank thence northerly and southeasterly through Gilmore and Wayne Townships to a point on Route 30016 near Kuhntown in Greene County a distance of about 3.4 miles]

[Route 30116 Beginning at a point on Route 30009 at Kuhntown thence northwesterly through Wayne Township to a point on Route 30012 at Bluff in Greene County a distance of about 2.8 miles]

Route 31054 Beginning at a [road intersection approximately one-quarter miles northwest of the village of Cornpropts Mills in Miller Township Huntingdon County thence northeasterly through Miller Township to a] point on Route 261 at Westley Chapel thence northerly to a road intersection at the Ridge School thence northerly to a point on the Miller-Barree Township line thence northerly through Barree Township to a point on Route 352 in the village of Salusburg in Huntingdon County a distance of about [4.3] 2.2 miles

Route 31058 Beginning at a point on Route 346 in the village of Spruce Creek in Spruce Creek Township Huntingdon County thence northwesterly through Spruce Creek Township to a point on the Spruce Creek-Warriors Mark Township line thence northwesterly through Warriors Mark Township to [the Birmingham Borough line thence from the Birmingham Borough line at Tyrone Street northwesterly to] a point on Route [55] 31069 in Huntingdon County a distance of about [5.0] 3.0 miles

[Route 31066 Beginning at a point on Route 261 at the Oakdale School in Jackson Township Huntingdon County thence northerly through Jackson Township along Herod's Run to a point on Route 352 approximately one and one-



quarter mile west of the village of Ennisville in Huntingdon County a distance of about 0.8 miles]

Route 31088 Beginning at a point on Route 31051 about 1.50 miles southeast of Barree thence in a general [northeasterly] easterly direction through Logan Township to a point on [the Logan-West Township line thence in a southeasterly direction through West Township to a point on] Route [31087 about 0.10 of a mile northeast of the Logan-West Township line] 31902 in Huntingdon County a distance of about [4.50] 1.9 miles

[Route 31090 Beginning at a point on Route 56 about 0.10 of a mile west of Pennington thence in a general northerly direction through Warriors Mark Township to a point on Route 31071 in Huntingdon County a distance of about 0.7 of a mile]

[Route 32108 Beginning at a road intersection approximately 1.25 miles east of the village of Locust Lane in Canoe Township Indiana County thence northwesterly through Canoe Township to a point on Route 435 in the village of Juneau in Indiana County a distance of about 1.6 miles]

Route 32115 Beginning at a point on [a road intersection approximately .5 of a mile east of the Canoe-Banks Township line in Bank Township Indiana County] Route 433 near Rossiter Junction thence easterly through Canoe and Banks [Township] Townships to the village of Flora thence northeasterly to a point on the Indiana-Jefferson County line approximately .25 of a mile east of the village of Hillman in Indiana County a distance of about [3.4] 6.25 miles

Route 32118 Beginning at a point on Route 32033 about 1.0 mile north of Jacksonville thence westerly and northerly in Young Township to a point on Route [228] 32032 near Lowry in Indiana County a distance of about 3.1 miles

Route 32120 Beginning at a point on Route [32016 about 1.5 miles southwest of its intersection with Route 32022] 32154 about one mile northeast of Route 902 thence [westerly and] northwesterly through Blacklick Township to a point on Route 32028 near its intersection with Route [637] 902 in Indiana County a distance of about [3.0] 1.0 miles

[Route 32129 Beginning at a point on Route 32048 about 0.2 of a mile east of its intersection with Route 32049 thence in a southeasterly and southerly direction through Armstrong Township to a point on Route 188 about 0.7 of a mile northeast of its intersection with Route 32049 in Indiana County a distance of about 1.0 miles]

Route 32132 Beginning at a point on Route [32054] 301 about 1.3 miles [northeast] east of its intersection with Route 54 thence in a general northeasterly direction through White Township to the White-Rayne-Cherryhill Township line thence continuing in a northeasterly direction along a [township line] road dividing Cherryhill and Rayne Townships to a point on Route 32058 about 1.0 mile south of its intersection with Route 54 in Indiana County a distance of about [2.9] 4.8 miles

[Route 32138 Beginning at a point on Route 32063 about 1.0 mile east of Kintersburg thence in a northeasterly direction through Rayne Township to a point on Route 508 at Rayne in Indiana County a distance of about 2.5 miles]

[Route 32152 Beginning at a point on Route 32125 0.75 of a mile notheast of the Brush Valley-Center Township line thence in a northwesterly direction through Brush Valley Township to a point on Route 337 about 0.1 of a mile east of the Brush Valley-Center Township line in Indiana County a distance of about 1.0 mile]

[Route 32168 Beginning at a point on Route 32119 near the Young Township line thence northerly through Armstrong Township to a point on Route 32149 in Indiana County a distance of about 0.7 of a mile]

Route 33038 Beginning on Route 650 near Red Mill thence northward in Washington Township to intersect Route [33044 near Beachtree] 33064 in Jefferson County a distance of about [2.45] 1.24 miles

[Route 33062 Beginning at a point on Route 33003 at Burkhouse Crossroads thence easterly and southerly

through Beaver Township to a point on Route 33010 at Pansy in Jefferson County a distance of about 4.5 miles]

[Route 33087 Beginning at a point on Route 358 about 1.2 miles north of Punxsutawney thence northeasterly and easterly in Bell Township to a point on Route 33036 near Trout Run School in Jefferson County a distance of about 2.6 miles]

Route 33089 Beginning at a point on Route 189 about 0.8 of a mile northeast of Bells Mills thence southerly through Bell Township and easterly through the village of Buff to a road intersection about .1 of a mile east of the Gaskill-Bell Township line thence southerly and easterly to Route 33057 in Jefferson County a distance of about [1.9] 4.1 miles

Route 33091 Beginning at a point on Route 33029 just south of Route 33033 thence northerly in Winslow and Washington Townships to a road intersection thence westerly to Route 33042 at Hormtown in Jefferson County a distance of about [1.7] 4.1 miles

Route 35015 Beginning at a point on Route 35014 at Milwaukee in Ransom Township thence northerly through Ransom and Newton Townships to [a point intersecting Route 35016 thence northerly to a point intersecting the county road; Route 952 at Cosners Corners thence easterly to a point on Route 952 in Lackawanna County a distance of about [4.30] 5.30 miles

Route 36005 Beginning at a point in Drumore Township on Route 36080 at Chestnut Level thence westerly and northerly through Drumore and Martic Township intersecting Route 36008 at Liberty Square and Route 344 about .5 of a mile west of Bethesda thence via Cedar Run Schoolhouse Oscar Erb's Mill and Tucquan Hollow intersecting Route 332 at Martic Forge thence northerly through Conestoga Manor and West Hempfield Township via Safe Harbor Indiantown and Central Manor to a point on the southern boundary line of Mountville Borough thence from a point on the northern boundary line of Mountville Borough northerly and easterly through West Hempfield and East Hempfield Townships intersecting Route [129 at] 36184 near Landisville [to a point intersecting Route 36006 at Mechanicsville] in Lancaster County a distance of about [31.92] 29.5 miles

Route 36065 Beginning at a point on Route [129] 36184 in West Hempfield Township at the West End of Salunga thence southwestwardly through West Hempfield Township to a concrete bridge across Chickies Creek thence south one-tenth mile in Rapho Township to another concrete bridge thence southerly in West Hempfield Township crossing Route 36003 about 1.2 miles west of Silver Spring thence via Ironville to Columbia Borough line in Lancaster County a distance of about 6.3 miles

Route 36100 Beginning at a point on Route 36005 about 1.0 of a mile northwest of an intersection with Route 344 and extending in a southwesterly direction [for 0.4 of a mile] to an intersection with Route 344 [thence from a point on Route 344 about 0.5 of a mile west of Route 36005 in a southeasterly and northeasterly direction through Martic Township past the Crystal Brook School to an intersection with Route 36005] in Lancaster County a distance of about [0.9] 0.5 of a mile

Route 36102 Beginning at an intersection with Routes 36010 and 136 at the Village of Mechanics Grove and extending in a northwesterly direction through East Drumore Township and Providence Township to an intersection with Route [344] 36015 about 0.1 of a mile [south] north of the Providence-East Drumore Township line in Lancaster County a distance of about [3.9] 4.0 miles

Route 36113 Beginning at the Mountville Borough-West Hempfield Township line and extending in a northerly [northwesterly and northerly] and westerly direction through West Hempfield Township [past Hempfield Station] to an intersection with Route [36003 immediately west of the Village of Silver Spring] 36112 in Lancaster County a distance of about [2.4] 2.0 miles

Route 36126 Beginning at an intersection with Route 36067 at or near McKinley's School and extending in a southeasterly direction through Rapho Township to an



intersection with Route 138 in Lancaster County a distance of about 0.5 of a mile]

[Route 36154 Beginning at a point on Route 129 about 0.6 of a mile southeast of Chickies Creek thence in a northeasterly direction through East Hempfield Township to a point on Route 36055 about 1.0 mile north of Landisville in Lancaster County a distance of about 1.1 miles]

[Route 36158 Beginning at a point on Route 568 about 0.1 of a mile southwest of Conestoga Creek thence in a northwesterly direction through Manheim Township to a point on Route 36041 at its intersection with Route 36042 in Lancaster County a distance of about 1.6 miles]

[Route 44006 Beginning at a point in Oliver Township intersecting Route 33 about 2.5 miles west of the Oliver Granville Township line thence southeast and north through Oliver and Granville Townships via Strodes Mills intersecting Route 33 to a point intersecting Route 44001 about one mile north of Strodes Mills in Mifflin County a distance of about 6.08 miles]

[Route 44028 Beginning at a point on Application 4287 in Milroy thence northeasterly in Armagh Township Mifflin County a distance of about 0.5 of a mile]

Route [44037] 44039 Beginning at a point on Route 44001 about 1.8 miles northeast of Newton Hamilton Borough thence northerly in Wayne Township to a point on Route 44001 about one mile southeast of Atkinson Mills in Mifflin County a distance of about 3.0 miles.

Route 45052 Beginning at a point on the dividing line between Carbon and Monroe Counties thence in a general northeasterly direction through Eldred Township to a point where it intersects Route 45002 thence in an easterly and northeasterly direction through Eldred and Ross Townships along the Aquashicola Creek [crossing] to a point on Route 45006 [thence continuing through Ross and Hamilton Townships to Route 165 at a point approximately 0.1 of a mile south of Saylorsburg] in Monroe County a distance of about [11.9] 10.25 miles

[Route 45068 Beginning at a point on Route 45012 about 1.0 mile south east of Shoemaker thence northeasterly through Middle Smithfield Township to a point on Route 167 about 0.5 of a mile south of Bushkill in Monroe County a distance of about 1.2 miles]

Route 45078 Beginning at a point on Route [45057] 45019 about 1.5 miles north of Route 168 thence [northwesterly] southeasterly and easterly through Stroud Township to a point on Route [45019] 169 in Monroe County a distance of about [1.2] 2.9 miles

[Route 46024 Beginning at a point on road known as the Skippack Road at Salford in Upper Salford Township thence easterly through Upper Salford Township via Bergey Station to a point on Route 198 near Station 186 in Montgomery County a distance of about 1.1 miles]

[Route 46093 Beginning at a point on Route 155 in Upper Moreland Township about .3 of a mile south of the intersection of Route 155 with the southwestern boundary line of the Borough of Hatboro thence northwesterly through Upper Moreland Township to a point on Route 151 about .4 of a mile south of its intersection with the Horsham Upper Moreland Township line in Montgomery County a distance of about .8 of a mile]

Route 46180 Beginning at a point on Route 46008 about 0.2 of a mile southeast of the Berks County line thence northeasterly through Douglass and Upper Hanover townships to a point on Route 46013 about [0.3] 0.7 of a mile southeast of Route 46165 in Montgomery County a distance of about [4.0] 4.1 miles

Route 48083 Beginning at a point on Route 48027 about 1.2 miles northeast of Mount Pleasant thence northerly through Lower Mount Bethel and Washington Townships to a point on Route 48033 [near] about 0.8 of a mile west of the intersection of Routes 48033 and 48028 in Northampton County a distance of about [2.9] 3.1 miles

[Route 49014 Beginning at a point on Route 49013 about three and one-half miles west of the East Cameron Township line thence northerly through West Cameron Township to the intersection of Route 49013 at Gottshalls in Northumberland County a distance of about .6 of a mile]

[Route 49029 Beginning at a point on Route 49028 about two miles from its intersection with State Highway Route 1 thence northeasterly through Rockefeller Township to the intersection with State Highway Route 633 at the Upper Augusta Township line in Northumberland County a distance of about 1.6 miles]

Route 49093 Beginning at a point on Route 182 at or near Union Corner Public School thence in a westerly and northerly direction through Rush Township to a point on Route [49045] 49040 about [1.3 miles southeast] 0.2 of a mile southwest of its intersection with Route [49071] 49045 in Northumberland County a distance of about [1.6] 3.7 miles

Route 49113 Beginning at a point on Route 336 about 0.1 of a mile south of Mahantango Creek thence easterly in Little Mahanoy Township Northumberland County a distance of [7] 0.07 of a mile

[Route 49114 Beginning at a point on Route 49022 about 3.0 miles west of Augustaville thence south through Lower Augusta Township to its intersection with Route 49023 in Northumberland County a distance of about 1.6 miles]

Route 49121 Beginning at a point on the east borough line of Watsonstown Borough thence in a northeasterly and westerly direction through Delaware Township to a point on Route [49061] about 1.0 mile west of Warrior Run] 49119 about 0.5 of a mile north of Route 46061 in Northumberland County a distance of about [2.50] 4.4 miles

Route 49122 Beginning at a point on Route 161 about .2 of a mile east of Shamokin thence southerly to Tioga Street in the village of Marshallton thence over Tioga and Sheridan Street Pulaski Avenue Sherman Wabash and Logan Streets to the [entrances] entrance of [St. Mary's and Hebrew Cemeteries] the Polish National Cemetery and from Logan Street over Eagle Street to the St Michael Cemetery in Coal Township Northumberland County a distance of about [1.5] 1.4 miles

Route 50010 Beginning at a point in Tyrone Township intersecting Route 191 about 1.5 miles west of Landisburg Borough thence northerly through Tyrone Township and Saville Township to a point intersecting Route [122 at Loysville] 50011 in Perry County a distance of about [2.32] 4 miles

[Route 52038 Beginning at a point on Route 52028 about 0.45 of a mile southeast of the Hector--Pike Township line and extending in a general northeasterly direction through Pike and Hector Townships to the Potter-Tioga County line in Potter County a distance of about 2.8 miles]

Route 53115 Beginning at a point on Route 53056 about .3 of a mile northeast of Mabel thence southerly and southwesterly through Barry Township to the Hegins Township line in Schuylkill County a distance of [2.73] about 3.9 miles

Route 54047 Beginning at a point on Route 54023 about 0.5 of a mile southeast of the intersection of Routes 54025 and 54023 thence in a general southwesterly direction through West Beaver Township about 3.2 miles to [a road intersection] the Mifflin County line thence in a southeasterly direction to a point on Route 28 near the Snyder-Mifflin County line in Snyder County a distance of about 4.0 miles

Route 55051 Beginning at a point on Route 49 at the village of Dividing Ridge in Allegheny Township thence northeasterly through Allegheny Township along the Raystown Branch of the Juniata River to a point on the west borough line of New Baltimore in Somerset County a distance of about [5.4] 5.1 miles

Route 55056 Beginning at a point on Route 49 at Deeter Gap thence northeasterly and southerly through Allegheny Township to an intersection with Route 55051 [at Sarver Church] in Somerset County a distance of about [2.4] 2.5 miles

[Route 55137 Beginning at a point on Route 55023 about 0.7 of a mile north of the Summit-Brothers Valley Township line thence in an easterly and northeasterly direction through Brothers Valley Township to a point on Route



808 about 0.3 of a mile south of its intersection with Route 55121 in Somerset County a distance of about 1.9 miles]

[Route 56033 Beginning at a point on Route 56017 at Eldredsville thence in a northwesterly direction through Elkland Township to a point on route 5605 in Sullivan County a distance of about 1.2 miles]

Route 58021 Beginning at a point on state highway Route 478 in Sabinsville thence southeasterly through Clymer Township to a road intersection near Azelta [thence northeasterly through Clymer Shippen and Chatham Townships to the intersection with Route 292 at Little Marsh] in Tioga County a distance of about [9.9] 4.6 miles

Route 58044 Beginning at a point on state highway Route 196 at Lambs Creek thence southwesterly [along Lambs Creek] through Richmond and Charleston Townships to intersect with the ore bed road thence on the ore bed road to Whitneyville thence southerly through Charleston Township to the intersection with state highway Route 21 at Ashleys Corner in Tioga County a distance of about 7.7 miles

Route 58054 Beginning at a point on the Lycoming County line about 1.0 mile south of the Borough of Liberty thence northerly through Liberty Township to the southern boundary of Liberty Borough [thence northeasterly through Liberty Township to the intersection with Route] [58053 about 1.0 miles northeast of Liberty Borough] in Tioga County a distance of about [2.0 miles] 1.0 mile

Route 58081 Beginning at a point on Route 58053 [at East Point] about 0.3 of a mile east of Route 58110 thence [southerly westerly and northwesterly] southeasterly and southerly in Liberty Township to a point on [Route 58053 about one mile east of Liberty Borough] the Lycoming County line in Tioga County a distance of about [5.7] 2.8 miles

Route 58106 Beginning at a point on Route 21 at Sebring thence in a general easterly direction through Liberty Township to a point on Route [58053 at East Point] 58110 in Tioga County a distance of about [4.3] 1.7 miles

Route 61046 Beginning at a point [on] about 0.4 of a mile west of the township road at Booker Mill School thence in an easterly direction through Pleasant Township to a point on the dividing line between Pleasant and Mead Townships thence continuing in an easterly direction through Mead Township to the west borough line of Clarendon in Warren County a distance of about [4.2] 4.6 miles

[Route 63009 Beginning at a point on [County Road] Route 951 in Paupack Township approximately .5 of a mile east of the division line between Salem and Paupack Townships thence northerly through Paupack Township [crossing] to State Highway Route 575 [thence northwesterly through Paupack Township to the outlet of Long Pond in Paupack Township] in Wayne County a distance about [6.17] 4 miles

Route 63017 Beginning at a point on Route 63016 near the dividing line between Lake Township Wayne County and Lackawanna County approximately .75 of a mile south of South Canaan Township line thence in a northeasterly direction through Lake Township and South Canaan Township intersection Route 63018 and crossing the north and south Turnpike at South Canaan thence northeasterly through South Canaan Township [near Curtis Pond] to the intersection or Routes 63082 and 63034 [thence northwesterly through South Canaan Township to a point where it intersects the north and south Turnpike near the dividing line between Canaan Township and South Canaan Township] in Wayne County a distance of about [9.52] 6.6 miles

Route 63024 Beginning at a point on [State Highway] Route 335 Berlin Township approximately one mile west of the village of Indian Orchard thence northeasterly through Indian Orchard in Berlin Township] Route 63109 west of Perkins Lake thence northeasterly through Berlin Township intersecting Route 63026 and 63025 thence through Damascus Township to a point where it intersects State Highway Route 335 at Darbytown in Wayne County a distance of about [9.06] 4.5 miles

Route 63027 Beginning at a point on Route 335 approxi-

mately .25 of a mile northwest of Narrowsburg New York thence northerly through Damascus Township intersecting Route 63029 at Milanville thence northerly through Damascus Township intersecting [County Road] Route 945 at Damascus thence from Route 63110 about 3 miles north of Damascus northerly through Damascus Township thence westerly through Damascus Township intersecting Route 63045 thence northwesterly through Damascus and Manchester Township thence southwesterly through Manchester and Damascus Townships to a point where it intersects State Highway Route 173 approximately .9 of a mile south of the village of Lookout [in Manchester Township] in Wayne County a distance of about [20.5] 17.2 miles

Route 63062 Beginning at a point on State Highway Route 450.5 of a mile north of the village of Poyntelle in Preston Township thence in an easterly direction through Preston Township to a point where it intersects Route 63055 approximately two miles north of the dividing line between Preston Township and Mount Pleasant Township in Wayne County a distance of about 1.75 miles]

[Route 63077 Beginning at a point on the Bethand and Dingman's Choice Turnpike road thence in a northeasterly direction through Dyberry Township to a point on Route 63041 about 1.0 mile south of the Lebanon-Dyberry Township line in Wayne County a distance of about 1.5 miles]

[Route 63087 Beginning at a point on Route 63045 near Mitchell's Pond thence northwesterly through Damascus Township to a road intersection in Wayne County a distance of about 1.3 miles]

Route 63094 Beginning at a point on Route 960 at Seelyville thence southerly through Texas [Township to the Cherry Ridge Township line] and Cherry Ridge Township to Route 63034 in Wayne County a distance of about [1.3] 2.7 miles

Route 63111 Beginning at a point on Route [63059 about 1.1 miles north of Route 365] 365 near Shehawken thence [Easterly and] northeasterly through Preston Scott and Buckingham Townships by way of Pleasant Valley and Autumn Leaves to a point on Route 63058 in Wayne County a distance of about 7.0 miles

Route 64190 Beginning at Route 302 seventy-five one hundredths (.75) of a mile northeast of West Fairfield and extending down Tb Mill Run to [improved county road] the westerly Bolivar Borough line and from the northern Bolivar Borough line in a general northeasterly direction to the Indiana County line in Westmoreland County a distance of about [1.25] 4.59 miles

Section 2 Said act is hereby further amended by adding thereto the following new routes

#### Adams County

Route 01077 Beginning at a point on Route 43 at McKnightstown thence northwesterly through Franklin Township to a point on Route 01001 at Cashtown in Adams County a distance of about 2.4 miles

#### Armstrong County

Route 03151. Beginning at a point on Route 319 about 0.9 of a mile northeast of South Bend thence eastwardly in South Bend Township to the Indiana County line in Armstrong County a distance of about 0.5 of a mile

Route 03152 Beginning at a point on Route 03050 just south of Heilman thence southerly through Kittanning Township to Route 03061 in Armstrong County a distance of about 1.0 mile

Route 03153 Beginning at a point on Route 03050 about 1.0 mile northwest of Top thence westerly through Kittanning Township to Route 03061 in Armstrong County a distance of about 1.2 miles

Route 03154 Beginning at a point on Route 03116 about 1.2 miles east of Route 66 thence northerly through Mahoning Township to Route 03090 in Armstrong County a distance of about 1.5 miles

Route 03155 Beginning at a point on Route 03062 about 0.8 of a mile west of Munemaker Hill thence southwesterly



through Manor Township to Route 203 in Armstrong County a distance of about 0.4 of a mile

Route 03156 Beginning at a point on Route 03072 about 1.8 miles east of Slabtown thence northwesterly through Wayne and Boggs Townships to Route 66 about 1.5 miles south of Goheenville in Armstrong County a distance of about 2.1 miles

Route 03157 Beginning at a point on Route 03068 at Cowanshannock thence easterly through Reyburn township to a road intersection in Armstrong County a distance of about 2.3 miles

Route 03158 Beginning at a point on Route 378 in Cadogan thence southerly along the Allegheny River through Cadogan and South Buffalo Townships in Armstrong County a distance of about 1.0 mile

Route 03159 Beginning at a point on Route 03134 just north of Route 378 thence southwesterly through North Buffalo Township to Route 378 in Armstrong County a distance of about 1.0 mile

Route 03160 Beginning at a point on Route 189 just west of the Indiana County line thence northeasterly in Cowanshannock Township to the Indiana County line in Armstrong County a distance of about 0.8 of a mile

#### Bedford County

Route 05120 Beginning at a point on Route 356 about 0.7 of a mile south of New Paris Borough thence westerly and southerly through Napier Township to Route 05096 about 0.6 of a mile east of the Somerset County line in Bedford County a distance of about 4.5 miles

Route 05121 Beginning at a point on Route 356 about one mile south of Palo Alto thence easterly and northerly through Londonderry Township to the Hyndman Borough line in Bedford County a distance of about 5.7 miles

Route 05122 Beginning at a point at the end of Application 1132 thence northerly in Bedford Township Bedford County a distance of about 0.6 of a mile

#### Blair County

Route 07063 Beginning at a point on Route 07054 in Skelp thence easterly through Tyrone and Antis Townships to an intersection with Route 55 in Blair County a distance of about 2.63 miles

Route 07062 Beginning at the intersection of Route 884 and Route 07019 Spur E thence easterly through Logan Township to the Altoona city line in Blair County a distance of about 0.3 of a mile

Route 07064 Beginning at a point on Route 07012 near Loop thence westerly through Blair Township to an intersection with Route 883 in Blair County a distance of about 1.5 miles

#### Bradford County

Route 08191 Beginning at a point on Route 212 near Sugar Creek thence easterly southeasterly and northeasterly through North Towanda Township to a point on Route 212 North of North Towanda in Bradford County a distance of about 5.7 miles

Route 08192 Beginning at a point on Route 08075 about 0.5 of a mile north of Saco thence northerly through Ulster Township to Route 08073 In Bradford County a distance of about 2.4 miles

#### Bucks County

Route 09156 Beginning at a point on Route 923 about 0.5 of a mile west of Spur 153 thence southerly and easterly to the Quakertown Borough line in Richland Township Bucks County a distance of about 1.2 miles

Route 09157 Beginning at a point on Route 09017 near Oxford Valley thence easterly and northeasterly in Middletown Bristol and Falls Townships to a point on Route 150 near Penn Valley in Bucks County a distance of about 4.6 Miles

#### Butler County

Route 10140 Beginning at a point on Route 10015 about two miles south of Route 10096 thence in a southwesterly direction in Conoquenessing Township to the Conoquen-

essing Borough line in Butler County a distance of about 2.25 miles

Route 10141 Beginning at a point on Route 246 about 0.3 of a mile north of Glen Eden thence in a northeasterly direction through Cranberry and Jackson Township to the Evansburg Borough line in Butler County a distance of about 3.7 miles

Route 10142 Beginning at a point on Route 79 near Mt. Chestnut thence northerly in Franklin Township to a point on Route 10053 in Butler County a distance of about 2.5 miles

Route 10143 Beginning at a point on the East line of Portersville Borough thence easterly and southeasterly in Muddy Creek township to the west line of Prospect Borough in Butler County a distance of about 4.15 miles

Route 10144 Beginning at a point on the east line of Prospect Borough thence easterly in Franklin township to a point on Route 79 in Butler County a distance of about 0.5 of a mile

#### Cambria County

Route 11098 Beginning at a point on Route 11076 about 1.2 miles northwest of Route 221 thence northwesterly to the Hastings Borough line in Cambria County a distance of 0.65 of a mile

#### Cameron County

Route 12012 Beginning at a point on Route 12003 near Lawn View thence in a southwesterly direction in Shippen Township Cameron County a distance of about 3.8 miles

#### Chester County

Route 15238 Beginning at a point on Application 90 about 0.3 of a mile north of New London and East Nottingham Townships to a point on Route 605 about 0.8 of a mile north of Hickory Hill in Chester County a distance of about 3.4 miles

#### Clearfield County

Route 17137 Beginning at a point on Route 17049 about one mile northwest of Coal Run junction thence northeasterly in Decatur Township to a point on Route 17056 in Clearfield County a distance of about 1.3 miles

Route 17138 Beginning at a point on Route 17040 about 1.60 miles northwest of the Lawrence Township line thence westerly and southwesterly through Pike Township to Route 17039 in Clearfield County a distance of about 1.9 Miles

#### Clinton County

Route 18047 Beginning at the Lock Haven City-Allison Township line at Woods Avenue thence through Allison Township to the Flemington Borough line in Clinton County a distance of about 0.4 of a mile

#### Columbia County

Route 19117 Beginning at a point on Route 19103 at Willow Grove thence westerly through south center and Scott Townships to the eastern line of the town of Bloomsburg in Columbia County a distance of about 7.2 miles

Route 19119 Beginning at a point on Route 609 south of Route 19027 thence in a general southwesterly direction in Hemlock and Montour Townships to a point on route 3 about one mile east of the Montour County line in Columbia County a distance of about 2.8 miles

Route 19120 Beginning at a point on Route 16 at central thence northeasterly through Sugarloaf Township via Jamison City to the Sullivan County line in Columbia County a distance of about 1.6 miles

#### Crawford County

Route 20153 Beginning at the western end of Application 646 thence westerly to a road intersection in Crawford County a distance of about 1.1 miles



Route 20154 Beginning at a point on Route 20084 about one half mile west of Page Corner thence westerly and southerly in Bloomfield Township to a point on Route 20084 about one mile north of McLeans Corner in Crawford County a distance of about 1.2 miles

#### Delaware County

Route 23105 Beginning at the point on intersection of Mills Road and Route 131 Spur "B" thence in a northeasterly direction through Thornbury and Concord Townships on Mill Road to its intersection with Route 728 in Delaware County a distance of about 1.4 miles

Route 23123 Beginning at a point on Route 23008 about 2 miles north of Concordville thence southwesterly through Thornbury Township to a point on Route 23094 in Delaware County a distance of about 0.7 of a mile

Route 23124 Beginning at a point on Route 576 about 1 mile northeast of Route 23094 thence northeasterly to a point on Route 15090 in Delaware and Chester Counties a distance of about 1.5 miles

#### Elk County

Route 24034 Beginning at a point on Route 24031 in the village of Kersey thence northerly through Fox Township on Taylor Street to a point on application 103 in Elk County a distance of about 0.1 of a mile

#### Erie County

Route 25128 Beginning at a point on Route 761 near the intersection with Route 25065 thence northwesterly to a point on Route 495 in Erie County a distance of about 0.3 of a mile

Route 25129 Beginning at the intersection of Routes 25032 and 25033 thence southeasterly through McKean and Waterford Townships to the Waterford Borough line at Bagdad Road in Erie County a distance of about 4.3 miles

Route 25130 Beginning at a point on Route 258 about 0.1 of a mile north of Route 351 thence easterly through Mill Creek and Summit Townships to Route 84 in Erie County a distance of about 2.3 miles

Route 25131 Beginning at a point on Route 295 just east of Albion Borough thence northerly through Conneaut Township to Route 25126 in Erie County a distance of about 0.1 of a mile

#### Fayette County

Route 26153 Beginning at a point on Route 26062 about 2 miles east of Balsinger thence southeasterly and northeasterly through South Union Township to the Uniontown City line at Mt. Vernon Avenue in Fayette County a distance of about 1.6 miles

Route 26179 Beginning at a point on Route 117 about 1.3 miles south of Fayette thence southeasterly through Dunbar Township to the Dunbar Borough line in Fayette County a distance of about 0.8 of a mile

Route 26180 Beginning at a point on Route 26011 about 0.8 of a mile south of Route 26016 thence southwesterly through Washington Township to Route 26129 in Fayette County a distance of about 1.0 mile

Route 26181 Beginning at a point on Route 26011 about 1 mile north of Emme thence northeasterly in Georges Township to the Fairchance Borough line Georges Township in Fayette County a distance of about 3.8 miles

Route 26182 Beginning at a point on Route 117 about 1.0 mile south of Moyer thence in a general northwesterly direction through Bullskin Township to Route 26125 in Fayette County a distance of about 2.9 miles

#### Forest County

Route 27028 Beginning at a point on Route 27009 near Beaver Creek thence northerly in Hickory Township to the village of Yellow Hammer thence southwesterly to a point on Route 27009 in Forest County a distance of about 3.2 miles

#### Greene County

Route 30121 Beginning at a point on Route 30048 about 0.5 of a mile west of the intersection of Route 30048 and Route 109 thence in a northwesterly direction through Morris Township to a point on Route 30070 about two miles south of Beulah Church in Greene County a distance of about 2.4 miles

Route 30124 Beginning at a point on Route 110 near Ten Mile Creek thence southwesterly through Franklin Township to the Waynesburg Borough line in Greene County a distance of about 0.1 of a mile

Route 30125 Beginning at a point on Route 30094 about one mile north of Route 109 thence northerly through Morris Township to Route 30063 in Greene County a distance of about 1.3 miles

Route 30126 Beginning at a point on Route 30010 about 0.5 of a mile northeast of Jollytown thence easterly through Gilmore and Wayne Township to a point on Route 30045 in Greene County a distance of about 2.1 miles

#### Huntingdon County

Route 31107 Beginning at a point on Route 759 just north of Huntingdon thence northwesterly through Oneida and Logan Townships to the Petersburg Borough line in Huntingdon County a distance of about 6.2 miles

Route 31108 Beginning on Route 55 near the North Birmingham Borough line thence south easterly through Warriors Mark Township to the Birmingham Borough line in Huntingdon County a distance of about 0.1 of a mile

Route 31109 Beginning at a point on Route 31032 about one mile southeast of Application 135 thence southeasterly and southwesterly through Smithfield Township into the village of Henderson Hollow in Huntingdon County a distance of about 1.2 miles

#### Indiana County

Route 32157 Beginning at a point on Route 32072 about 1.3 miles southwest of Davis thence in a northerly direction through Washington and South Mahoning Townships to a point on Plumville Borough line in Indiana County a distance of about 4.4 miles

Route 32167 Beginning at a point on Route 67 near the White-Armstrong Township line thence northwesterly and southwesterly to an intersection with Route 67 about 0.6 of a mile west of Watts in Indiana County a distance of about 2.1 miles

Route 32179 Beginning at a point on Route 223 about 0.7 of a mile west of Route 32017 thence westerly in Burrell Township to the Blairsville Borough line at Market Street in Indiana County a distance of about 3.25 miles

Route 32180 Beginning at a point on Route 54 near Sample Run thence northeasterly through Cherryhill Township to the Clymer Borough line in Indiana County a distance of about 1.5 miles

Route 32181 Beginning at a point on Route 902 about 1.6 miles south of Route 32022 thence easterly through Blacklick Township to Route 32028 in Indiana County a distance of about 0.9 of a mile

Route 32182 Beginning at a point on Route 32158 about one mile south of Denton thence westerly in South Mahoning Township to the Armstrong County line in Indiana County a distance of about 1.3 miles

#### Jefferson County

Route 33094 Beginning at a point on Route 33010 at the Union-Clover Township line thence northeasterly through Union Township to Route 64 in Jefferson County a distance of about 1.3 miles

Route 33095 Beginning at a point on Route 33091 about one mile north of Pardus thence easterly in Washington Township to Route 33029 in Jefferson County a distance of about 0.6 of a mile



**Lackawanna County**

Route 35070 Beginning at a point on Route 35018 near Route 440 thence southerly in Newton Township to Route 952 in Lackawanna County a distance of about 0.8 of a mile

**Lancaster County**

Route 36141 Beginning at a point on Route 36018 about 0.3 of a mile northwest of its intersection with Route 36019 thence in a northeasterly direction through Little Britan and Colerain Townships to a point on Route 527 about 0.7 of a mile northwest of Octoraro Creek in Lancaster County a distance of about 2.4 miles

Route 36184 Beginning at a point on Route 129 about one half mile east of Chickies Creek thence southeasterly through Rapho West Hampfield East Hampfield and Manheim Townships to a point on Route 36040 in Lancaster County a distance of about 8.5 miles

**Lawrence County**

Route 37084 Beginning at a point on Route 37013 about 0.5 of a mile north of Route 37036 thence westerly to Bryson Mill road to a road intersection near Shenango-Taylor School in Lawrence County a distance of about 0.8 of a mile

**Lehigh County**

Route 39121 Beginning at a point on Application 745 in Slatedale thence northerly through Washington Township to a point on Route 39119 about 2.5 miles northeast of Lehigh Furnace in Lehigh County a distance of about 1.1 miles

**Luzerne County**

Route 40134 Beginning at a point on Route 40086 near Meeker thence easterly in Lehman Township to a point on Route 361 in the Village of Lehman in Luzerne County a distance of about 2.4 miles

**Mifflin County**

Route 44040 Beginning at a point on Route 603 near McVeytown thence southeasterly through Bratton Township via Horningford to a point on Route 603 in Mifflin County a distance of about 3.9 miles

Route 44042 Beginning at a point on application 1088 in Milroy thence southwesterly through Armagh Township to Route 29 spur in Mifflin County a distance of about 0.4 of a mile

**Monroe County**

Route 45090 Beginning at a point on Route 45007 about one mile east of Route 165 thence easterly through Hamilton and Stroud Townships to a point on Route 45051 in Monroe County a distance of about 2.7 miles

**Montgomery County**

Route 46197 Beginning at a point on Application 26 at the Hatboro line thence northeasterly through Upper Moreland Township and along the Hatboro Borough line to Route 09033 in Montgomery County a distance of about 0.8 of a mile

Route 46198 Beginning at a point on Route 158 at Perkiomenville thence southeasterly in Marlborough and Upper Salford Townships to a point on Route 46023 at Woxall in Montgomery County a distance of about 2 miles

**Northumberland County**

Route 49127 Beginning at a point on Route 283 at or near Deibler thence southerly through Shamokin Township to 49116 in Northumberland County a distance of about 0.6 of a mile

**Potter County**

Route 52057 Beginning at a point on Route 52018 near Lyman Run thence northwesterly through West Branch

Ulysses and Sweden Townships through Lyman Run Park to a point on Route 102 in Potter County a distance of about 10 miles

**Schuylkill County**

Route 53119 Beginning at a point on Route 53035 about one mile east of Morea thence northeasterly through Mahanoy Township to the Mahanoy City Borough line in Schuylkill County a distance of about 1.3 miles

Route 53120 Beginning at a point on Route 53035 near Route 53087 thence northwesterly through Mahanoy Township to a point on Route 53119 in Schuylkill County a distance of about 0.4 of a mile

Route 53121 Beginning at a point on Route 53111 west of Barry Station thence westerly in Barry Township to a point on Route 53057 in Schuylkill County a distance of about 0.25 of a mile

**Somerset County**

Route 55158 Beginning at a point on Route 317 at Thomas Mills thence south through Conemaugh and Jenner Townships to Route 52 in Somerset County a distance of about 1.4 miles

Route 55159 Beginning at a point on Route 55039 near MacDonaldton thence in a general southerly direction through Brothers Valley Township to Route 55121 in Somerset County a distance of about 2.1 miles

**Sullivan County**

Route 56047 Beginning at a point on Route 56021 about .3 of a mile south of Route 56034 thence in a southwesterly direction through Forks Township to a road intersection in Sullivan County a distance of approximately 1.2 miles

**Tioga County**

Route 58123 Beginning at a point on Route 58013 near Stony Fork thence northerly through Delmar Township to Route 58015 in Tioga County a distance of about 2.6 miles

Route 58124 Beginning at a point at the intersection of Routes 58050 and 58052 thence northerly through Nelson Township to the New York State Line in Tioga County a distance of about 1.7 miles

Route 58125 Beginning at a point on Route 58053 at East Point thence southerly through Liberty Township to a road intersection in Tioga County a distance of about 2.0 miles

Route 58126 Beginning at a point on Route 58091 about 0.6 of a mile south of the Osceola-Farmington Township line thence easterly through Farmington Township to a road intersection in Tioga County a distance of about 1.6 miles

Route 58127 Beginning at a point on Route 212 at Maonesburg thence southerly through Sullivan Township to Route 58060 in Tioga County a distance of about 1.5 miles

Route 58128 Beginning at a point on Route 292 at Little Marsh thence southwesterly through Chatham Township to a road intersection about 1.0 mile west of South Hill in Tioga County a distance of about 2.7

**Warren County**

Route 61061 Beginning at a point at the intersection of Route 61070 and Route 61021 at Lottsville thence in a northeasterly and northerly direction through Freehold Township to a point on the New York state line in Warren County a distance of about 3.9 miles

Route 61072 Beginning at a point on Route 88 spur near Columbus thence southerly through Columbus Township to a point on Route 88 in Warren County a distance of about 0.1 of a mile

**Washington County**

Route 62187 Beginning at a point on the Pennsylvania-West Virginia state line about one mile south of the B and O Railroad thence northeasterly through Donegal



Township to the West Alexander Borough line in Washington County a distance of about 0.5 of a mile

Route 62210 Beginning at a point on Route 62026 about 0.6 of a mile north of Donaldsons Crossroads thence southeasterly in Peters Township to a point on Route 62191 in Washington County a distance of about 1.5 miles

Route 62211 Beginning at a point on Route 62111 about 0.5 of a mile north of Route 114 thence westerly through Donegal Township to the Pennsylvania-West Virginia state line in Washington County a distance of about 0.3 of a mile

#### Wayne County

Route 63082 Beginning at the intersection of Routes 63017 and 63034 thence southeasterly in South Canaan and Cherry Ridge Townships to a point on Route 63068 near Clemo in Wayne County a distance of about 3.1 miles

Route 63116 Beginning at a point on Route 63041 about 1.5 miles south of Tanners Falls thence southerly through Dyberry Township to the Bethany Borough line in Wayne County a distance of about 2.4 miles

Route 63117 Beginning at a point on Route 63031 about 1 mile west of Laurella thence westerly through Berlin Township to the Honesdale Borough line in Wayne County a distance of about 0.9 of a mile

Route 63118 Beginning at a point on Route 962 just east of Route 63109 thence southeasterly through Berlin Township to Route 335 in Wayne County a distance of about 0.1 of a mile

Route 63119 Beginning at a point on Route 335 about 1 mile northeast of Indian Orchard thence easterly and northerly through Berlin Township to Route 335 in Wayne County a distance of about 1.9 miles

Route 63120 Beginning at a point on Route 63031 at the Oregon-Berlin Township line thence westerly through Oregon and Berlin Townships to Route 63029 at Smith Hill in Wayne County a distance of about 1.3 miles

Route 63121 Beginning at a point on Route 63045 at Galilee thence northerly through Damascus Township to Route 63027 in Wayne County a distance of about 2.3 miles

Route 63122 Beginning at a point on Route 63091 near Fallsdale thence easterly and northerly through Damascus Township to Route 945 at Tyler Hill in Wayne County a distance of about 3.0 miles

Route 63123 Beginning at a point on Route 173 about 1 mile north of Dyberry thence northerly through Dyberry and Lebanon Townships to Route 945 in Wayne County a distance of about 6.0 miles

Route 63124 Beginning at a point on Route 962 just south of Route 63030 thence southeasterly through Berlin Township to Route 335 in Wayne County a distance of about 0.5 of a mile

#### Westmoreland County

Route 64264 Beginning at a point on Route 68 near Stoney Run thence southeasterly in Derry Township to the Indiana County line in Westmoreland County a distance of about 0.51 of a mile

Route 64266 Beginning at a point on Route 120 in Byerly thence westerly through North Huntingdon Township to the Allegheny County line in Westmoreland County a distance of about 0.8 of a mile

Route 64267 Beginning at a point on Route 69 about 0.4 of a mile northeast of Weinle Crossroads thence northerly through Allegheny Township to Route 64196 in Westmoreland County a distance of about 0.5 of a mile

#### Wyoming County

Route 65074 Beginning at a point on Route 11 at Beaumont thence westerly through Monroe Township to Route 65002 in Wyoming County a distance of about 1.5 miles

Section 3 The highways established as State highways under the provisions of this act may be taken over for construction and maintenance at any time subsequent to the final enactment of this act when the same shall become effective and shall be taken over not later than the first day of January one thousand nine hundred fifty-two

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Bane,	Haluska,	McPherson, Jr.,	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	F	Wade,
Blass,	Lane,	Peelior,	Wagner,
Byrne,	Leader,	Probert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahany,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
Diehm,	McCreesh,	Scarlett,	Wood,
DiSilvestro,	McGinnis,	Silvert,	Yosko,
Fleming,	McMenamin,	Snowden,	Hare,
Freed,		Stevenson,	Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1252, as follows:

An Act to establish certain roads or sections of road as State Highways

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The following described roads or sections of road shall be adopted by the Commonwealth as State Highways to be repaired maintained constructed and reconstructed at the expense of the Commonwealth under the provisions of present or future laws governing State Highways

Beginning at a point on Route 860 near Wopsononack thence easterly through Logan Township to and around the Lookout in Blair County a distance of about 0.8 of a mile

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Bane,	Haluska,	McPherson, Jr.	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelior,	Wagner,
Byrne,	Leader,	Probert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahanay,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
Diehm,	McCreesh,	Scarlett,	Wood,
DiSilvestro,	McGinnis,	Silvert,	Yosko,
Fleming,	McMenamin,	Snowden,	Hare,
Freed		Stevenson,	Presiding Officer

#### NAYS—0



A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1253, as follows:

An Act to amend the act approved the eighth day of April one thousand nine hundred twenty-five (P. L. 191) entitled "An act establishing certain public roads as State highways and providing for their construction and maintenance at the expense of the Commonwealth" by changing certain routes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The following routes described in Section 1 of the act approved the eighth day of April one thousand nine hundred twenty-five (P. L. 191) entitled "An act establishing certain public roads as State highways and providing for their construction and maintenance at the expense of the Commonwealth" are hereby amended to read as follows

Route Four hundred and seventy Beginning at a point [in Granville Township Mifflin County at the corner of Helen Street and the road leading from Lewistown to Granville] on Route thirty-three in Lewistown thence along the back mountain road to [Granville railroad station at] Route 603 south of Granville Mifflin County

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Bane,	Haluska,	McPherson, Jr.,	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelr,	Wagner,
Byrne,	Leader,	Propert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahany,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
Diehm,	McCreesh,	Scarlett,	Wood,
DiSilvestro,	McGinnis,	Silver,	Yosko,
Fleming,	McMenamin,	Snowden,	Hare,
Freed		Stevenson,	Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

#### BILL OVER IN ORDER

Mr. WALKER .Mr. President, I ask unanimous consent that House Bill No. 1312, on third reading, entitled:

An Act to provide for the better protection of life and health of the citizens of this Commonwealth by requiring and regulating the examination licensure and registration of persons and registration of corporations engaging in the care preparation and disposition of the bodies of deceased persons and providing penalties providing for a State Board of Funeral Directors in the Department of Health and repealing other laws

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

#### BILL RECOMMITTED

Mr. WALKER. Mr. President, I move that House Bill No. 1421, on third reading, entitled:

An Act to provide for the ordinary expenses of the Executive Legislative and Judicial Department of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred fifty-one and the payments of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred fifty-one

be recommitted to the Committee on Appropriations.

Mr. WADE. Mr. President, I second the motion.

The motion was agreed to.

#### BILLS OVER IN ORDER

Mr. WALKER .Mr. President, I ask unanimous consent that House Bill No. 1518, on third reading, entitled:

An Act to amend Section 2001 of the act approved the first day of May, one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," by changing the provisions relating to protests by property owners to the exercise of zoning powers.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER .Mr. President, I ask unanimous consent that House Bill No. 1533, on third reading, entitled:

An Act to further amend Section 28 of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 414) entitled "An act relating to vital statistics and to make uniform the law with reference thereto" by further providing for payment of the compensation of local registrars.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1644, on third reading, entitled:

An Act declaring the Communist Party and similar revolutionary organizations illegal making membership in or participation in the revolutionary activities of the Communist Party or any organization furthering the revolutionary conspiracy by force and violence a felony and providing penalties.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

#### BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1669, as follows:

An Act to amend section one thousand three hundred ten point one of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts



due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" by providing for the sale of escheatable property by the Secretary of Revenue

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one thousand three hundred ten point one of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" as added by the act approved the ninth day of May one thousand nine hundred forty-nine (P. L. 1013) is hereby amended to read as follows

Section 1310.1 [Conversion of Personal Property Taken Without Escheat Any personal property which has heretofore or shall hereafter come into the possession of the Secretary of Revenue without escheat shall from time to time be converted into cash in such manner and under such terms and conditions as may be fixed by the Court of Common Pleas of Dauphin County upon petition of the Secretary of Revenue The proceeds of such conversions shall be paid into the State Treasury and shall be subject to being refunded upon petition to the Board of Finance and Revenue in the same manner as other like refunds are made Sale of Escheatable Property by the Secretary of Revenue Whenever the Secretary of Revenue shall come into the possession of any escheatable property other than cash or real estate either by escheat or without escheat it shall be lawful for him to convert such property into cash in the following manner The Secretary shall in the best interests of the Commonwealth determine whether the various items of property shall be sold singly or in lots He then shall advertise once a week for the period of at least three weeks in three newspapers of general

circulation on in Dauphin County one in Philadelphia County and one in Allegheny County respectively describing the said property stating a time at which it shall be available for inspection and specifying a date at which bids will be received for the sale thereof Upon receipt of one or more bids the Secretary shall sell said property to the highest bidder but the Secretary may decline to accept any or all bids for the reason that he deems them to be inadequate Upon the sale of such property the purchaser shall take an absolute title and should the property consist of registered securities the person partnership or corporation issuing the same shall make a proper transfer on its books The proceeds of such sale shall be paid into the State Treasury If the property in question comes into the possession of the Secretary of Revenue without escheat the proceeds from the sale thereof shall be subject to refund in conformity with the provisions of the act approved the sixteenth day of May one thousand nine hundred nineteen (P. L. 177) entitled "An act providing for the payment into the State Treasury without escheat of certain moneys and property subject to escheat under the provisions of any act of the General Assembly and for the refund thereof with interest to persons entitled thereto and making an appropriation for such refund" its amendments and supplements but any money paid into the State Treasury in any such case shall be paid into it through the Department of Revenue

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Bane,	Haluska,	McPherson, Jr.,	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Probert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahany,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
Diehm,	McCreesh,	Scarlett,	Wood,
DiSilvestro,	McGinnis,	Silvert,	Yosko,
Fleming,	McMenamin,	Snowden,	Hare,
Freed,		Stevenson,	Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

#### BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 1715, on third reading, entitled:

An Act making an appropriation to The Brandywine Battlefield Park Commission for the payment of necessary expenses .

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

#### SECOND READING CALENDAR

#### BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I move that Senate Bill No. 148, entitled:



An Act to further amend section one of the act approved the twenty-fifth day of April one thousand nine hundred twenty-nine (P. L. 723) entitled "An act regulating the investment of funds by administrative departments boards commissions and officers of the State Government" by authorizing the investment of such funds in bonds notes or other obligations issued assumed or guaranteed by International Bank for Reconstruction and Development

Senate Bill No. 149, entitled:

An Act to amend section three of the act approved the twenty-sixth day of May one thousand nine hundred forty-nine (P. L. 1828) entitled "An act concerning the investment powers and duties of guardians committees trustees and other fiduciaries except personal representatives and prescribing the nature and kind of investments which may be made and retained by such fiduciaries" by adding a new paragraph (4) to authorize such fiduciaries to invest in bonds notes or other obligations issued assumed or guaranteed by International Bank for Reconstruction and Development

House Bill No. 207, entitled:

An Act to further amend the second paragraph of section two of the act approved the seventh day of June one thousand nine hundred one (P. L. 493) entitled as amended "An act providing for the examination licensure and registration of persons firms or corporations engaged or engaging in the business or work of plumbing or house drainage and prescribing certain rules regulations and requirements for the construction of plumbing house drainage and cesspools in cities of the second class second class A and third class and imposing fines penalties and forfeiture for violation thereof" by further providing for the appointment of the plumbing inspector in certain cases in third class cities

Senate Bill No. 431, entitled:

An Act to further amend clause (c) of Section 9 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" by increasing pensions for the blind and changing the provisions relating to eligibility therefor

House Bill No. 488, entitled:

An Act to impose a temporary tax on real estate for public school purposes in school districts of the first class A for current expenses

House Bill No. 623, entitled:

An Act to amend subsection (f) of section two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 748) entitled as amended "An act relating to and regulating the purchase and sale of securities providing for the registration and regulation of certain individuals and entities selling contracting to sell or dispose of attempting or offering to dispose of soliciting offers to buy or inducing holders thereof to exchange securities defined herein including securities issued

by them or engaging in the business of inducing holders of securities to effect the sale thereof in order to produce funds to pay for other investments sold by them or in the business of buying securities directly from individuals who are not registered hereunder or in the business of advising others as to the value or investment qualifications of securities and the management of investment accounts and the solicitors of such investment advisors providing for the revocation and suspension of registrations conferring powers and imposing duties on the Pennsylvania Securities Commission and otherwise providing for the administration of this act providing for appeals to the Court of Common Pleas of Dauphin County and to the Supreme Court of Pennsylvania conferring jurisdiction upon the several courts of common pleas to issue injunctions against violations of this act and to appoint receivers and prescribing fees and penalties" by changing the exemptions of certain corporations the number of whose stockholders does not exceed twenty-five to companies the number of whose security holders does not exceed twenty-five by exempting certain offerings to directors officers and employees of the issuing company and certain private offerings by companies without any selling commission or fee by extending to companies certain exemptions now available only to corporations by eliminating the requirement that certain exemptions are not available until five days after a claim therefor is mailed or filed

House Bill No. 744, entitled:

An Act to amend Article VIII of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by requiring overhead exhaust outlets on diesel motor vehicles

Senate Bill No. 854, entitled:

An Act to add sections 324.1 and 324.2 to the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by providing for credit for years of service for certain former state employees and for the furnishing of information and the transfer of certain monies by the board to the State Employees' Retirement Board

Senate Bill No. 855, entitled:

An Act to add Sections 11.1 and 11.2 to the act approved the twenty-eighth day of May one thousand nine hundred fifteen (P. L. 596) entitled "An act requiring cities of the second class to establish a pension fund for employees of said cities and regulating the administration and the payment of such pensions" by providing for credit for years of service for certain former State employees and for the furnishing of information and the transfer of certain monies by the pension board to the State Employees' Retirement Board



## Senate Bill No. 856, entitled:

An Act to add sections 10.2 and 10.3 to the act approved the fourth day of June one thousand nine hundred thirty-seven (P. L. 1625) entitled "An act providing for the creation maintenance and operation of a county employees retirement system in counties of the third class and imposing certain charges on counties" by providing for credit for years of service for certain former state employees and for the furnishing of information and the transfer of certain monies by the board to the State Employees' Retirement Board

## Senate Bill No. 857, entitled:

An Act to add sections 10.1 and 10.2 to the act approved the fifth day of August one thousand nine hundred forty-one (P. L. 803) entitled as amended "An act providing for the creation maintenance and operation of a county employees' retirement system in counties of the fifth sixth seventh and eighth class imposing certain charges on counties and prescribing penalties" by providing for credit for years of service for certain former state employees and for the furnishing of information and the transfer of certain monies by the board to the State Employees' Retirement Board

## Senate Bill No. 858, entitled:

An Act to add sections 11.1 and 11.2 to the act approved the eighth day of July one thousand nine hundred forty-one (P. L. 298) entitled "An act authorizing the creation of and providing for and regulating the maintenance and operation of a county employees' retirement system in counties of the fourth class imposing certain charges on counties and fixing penalties" by providing for credit for years of service for certain former state employees and for the furnishing of information and the transfer of certain monies by the board to the State Employees' Retirement Board

## Senate Bill No. 859, entitled:

An Act to add Sections 10.1 and 10.2 to the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of Departments in which State employees serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by providing for credit for years of service for certain former employees of counties and municipalities and for the furnishing of information and the transfer of certain moneys by the board to the retirement boards of counties and municipalities

## Senate Bill No. 860, entitled:

An Act to add subdivision (d) to Article XLIII of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by providing for credit for years of service for certain former State employees and for the furnishing of information and the transfer of certain monies by pension boards to the State Employees' Retirement Board

## Senate Bill No. 861, entitled:

An Act to add Sections 10.1 and 10.2 to the act approved the fourth day of June one thousand nine hundred forty-three (P. L. 886) entitled as amended "An act creating a Municipal Employees' Retirement System for the payment

of retirement allowances to officers and employees of political subdivisions and municipal authorities and of institutions supported and maintained by political subdivisions and providing for the administration of the same by a board composed of certain state officers and others appointed by the Governor imposing certain duties on the State Employees' Retirement Board and the actuary thereof providing the procedure whereby political subdivisions and municipal authorities may join such system and imposing certain liabilities and obligations on such political subdivisions and municipal authorities in connection therewith and as to certain existing retirement and pension systems and upon officers and employees of such political subdivisions institutions supported and maintained by political subdivisions and upon municipal authorities providing certain exemptions from taxation execution attachment levy and sale and making an appropriation" by providing for credit for years of service for certain former state employees and for the furnishing of information and the transfer of certain monies by the board to the State Employees' Retirement Board

## Senate Bill No. 862, entitled:

An Act to add Sections 11.1 and 11.2 to the act approved the twentieth day of May one thousand nine hundred fifteen (P. L. 566) entitled "An act requiring cities of the first class to establish a pension fund for employees of said cities and all county or other public employees if any paid by appropriation of the city councils thereof and out of the treasury of said cities and regulating the administration and the payment of such pensions" by providing for credit for years of service for certain former State employees and for the furnishing of information and the transfer of certain moneys by the Board of Pensions to the State Employees' Retirement Board

## House Bill No. 862 entitled:

An Act to add Section 510.1 to the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing school directors of school districts in townships of the second class to appoint special school police and defining the power and duties of such police

## Senate Bill No. 863, entitled:

An Act to further amend Sections 113 and 133 of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by further regulating fishing devices for game fish on the Delaware River between Pennsylvania and New Jersey

## House Bill No. 1047, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1216) entitled "An act to define real estate brokers and real estate salesmen and providing for the licensing regulation and supervision of resident and nonresident real estate brokers and real estate salesmen and their business" by further defining "real estate brokers" and "real estate salesmen" authorizing the issuance of limited real estate brokers' and salesmen's licenses within a limited field or branch of the real estate business and prescribing the powers and duties of the department and commission with respect thereto further regulating licensing and the suspension and revocation of such licensing regulating the use of names of real estate salesmen in the corporate or partnership names of corporations or partnerships engaged in the real estate business and further regulating the payment of commissions



House Bill No. 1051, entitled:

An Act creating a Bituminous Mine Law Study Commission for the purpose of making a study and investigation of all laws relating to bituminous coal mines and the preparation of a modern code relating thereto and making an appropriation

House Bill No. 1097, entitled:

An Act to further amend subsection (a) (b) and (c) of Section 1112 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justice of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by authorizing the designation of thru highways and stop intersections in second class townships

House Bill No. 1116, entitled:

An Act to further amend Sections 1 and 2 of the act approved the twenty-fourth day of July one thousand nine hundred thirteen (P. L. 965) entitled "An act defining commodities regulating the sale thereof and providing penalties for violation hereof" by defining further words and terms and regulating the sale of certain additional commodities

House Bill No. 1246, entitled:

An Act to amend the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by providing for farm fish pond licenses regulating the use of such ponds and the terms of such licenses and prescribing penalties

House Bill No. 1264, entitled:

An Act to further amend Section 1201 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Com-

monwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by providing that the cities of the first and second classes informations charging violations of any summary provisions of The Vehicles Code shall be brought before the traffic court in such cities

House Bill No. 1287, entitled:

An Act to further amend subsection B of section one thousand nine of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled as amended "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers and employees' mutual banking associations defining the rights powers duties liabilities and immunities of such corporations of existing corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and employees' mutual banking associations and of the officers directors trustees shareholders attorneys and other employees of all such corporations employees mutual banking associations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by further limiting the amount which may be invested in shares of other banking institutions

House Bill No. 1331, entitled:

An Act authorizing and directing the Department of Highways, to erect and maintain a bridge over the Susquehanna River, between a point in or near the Borough of Millersburg, Dauphin County, and a point in Perry County, and to provide the necessary approaches and connections with State highways; empowering counties to pay certain damages; and making an appropriation.

House Bill No. 1350, entitled:

An Act to amend Section 2508 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for the allocation of funds to school districts for programs essential to the mobilization or demobilization of civilian manpower

House Bill No. 1428, entitled:

An Act to further amend the act approved the seventeenth day of May one thousand nine hundred seventeen (P. L. 208) entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the Violation thereof defining the words "drug" and "poison" and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity" by defining "prescription" further providing for meetings of the board and examination of pharmacists by the board further regulating experience requirements of applicants for examination and registration as pharmacists exempting physicians from certain requirements of the act



House Bill No. 1429, entitled:

An Act to amend Section 1 of the act approved the twenty-seventh day of April one thousand nine hundred twenty-five (P. L. 299) entitled "A supplement to an act approved the seventeenth day of May one thousand nine hundred seventeen (P. L. 208) entitled 'An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words "drug" and "poison" and providing for the appointment of a board which shall have in charge the enforcement of said laws and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity providing for the registration of apprentices in pharmacy requiring employers of such apprentices to see that they are registered and imposing penalties" by requiring persons entering reputable and properly chartered colleges of pharmacy to apply to the State Board of Pharmacy for registration and certification as registered apprentices.

House Bill No. 1441, entitled:

An Act to further amend the act approved the second day of June one thousand nine hundred fifteen (P. L. 736) entitled as amended "An act defining the liability of an employer to pay damages for injuries received by an employee in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties" by increasing maximum and minimum rates and deleting the limitation of number of weeks and aggregate of compensation for total disability increasing the maximum amounts payable upon death and increasing the minimum and maximum wages upon which death compensation shall be paid and changing procedure

House Bill No. 1442, entitled:

An Act to further amend the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 566) entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employee arising out of and in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder imposing duties on the Department of Labor and Industry the Workmen's Compensation Board Workmen's Compensation Referees and deans of medical schools creating a medical board to determine controverted medical issues establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board imposing upon the Commonwealth a part of the compensation payable for certain occupational disease making an appropriation and prescribing penalties" by increasing maximum and minimum rates and total amounts and aggregate of compensation and changing time for mailing medical report.

House Bill No. 1503, entitled:

An Act to amend the title and to further amend sections two four five seven and fifteen of the act approved the twenty-seventh day of April one thousand nine hundred twenty-seven (P. L. 465) entitled "An act to provide for the safety of persons employed housed or assembled in certain buildings and structures not in cities of the first class second class and second class A by requiring certain construction and ways of egress equipment and maintenance providing for the licensing of projectionists requiring the submission of plans for examination and approval providing for the promulgation of rules and regulations for the enforcement of this act providing for the enforcement of this act by the Department of Labor and Industry and in certain cases by the chiefs of fire departments in cities of the third class providing penalties for violations of the provisions of this act and repealing cer-

tain acts" by excluding cities of the first class and second class and including cities of the second class A for the licensing of projectionists covering in Class I buildings not formerly covered and authorizing the increase of ways of egress

House Bill No. 1546, entitled:

An Act to amend Section 504 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by further regulating the operation and maintenance of cafeterias by boards of school directors

House Bill No. 1550, entitled:

An Act to further amend Section 1 of the act approved the twenty-fifth day of April one thousand nine hundred twenty-nine (P. L. 723) entitled "An act regulating the investment of funds by administrative departments boards commissions and officers of the State Government" by expanding the investment powers of State administrative departments, boards, commissions, or officers.

House Bill No. 1553, entitled:

An Act to further amend section twenty-seven of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 748), entitled, as amended, "An act relating to and regulating the purchase and sale of securities; providing for the registration and regulation of certain individuals and entities selling, contracting to sell or dispose of, attempting or offering to dispose of, soliciting offers to buy, or inducing holders thereof to exchange, securities defined herein, including securities issued by them, or engaging in the business of inducing holders of securities to effect the sale thereof in order to produce funds to pay for other investments sold by them, or in the business of buying securities directly from individuals who are not registered hereunder, or in the business of advising others as to the value or investment qualifications of securities and the management of investment accounts, and the solicitors of such investment advisers; providing for the revocation and suspension of registrations; conferring powers and imposing duties on the Pennsylvania Securities Commission and otherwise providing for the administration of this act; providing for appeals to the Court of Common Pleas of Dauphin County, and to the Supreme Court of Pennsylvania; conferring jurisdiction upon the several courts of common pleas to issue injunctions against violations of this act and to appoint receivers and prescribing fees and penalties," as previously reenacted and amended, by increasing the fees charged by the Pennsylvania Securities Commission.

House Bill No. 1566, entitled:

An Act to further amend subsection C of Section 1 of the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 1145) entitled "An act empowering cities of the second class cities of the second class A cities of the third class boroughs towns townships of the first class schools districts of the second class school districts of the third class and school districts of the fourth class to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employees to assess and collect such taxes and permitting penalties to be imposed and enforced providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court" by authorizing financially handicapped or distressed school districts to levy additional taxes with certain limitations.



## House Bill No. 1567, entitled:

An Act to amend subsection (b) of Section 672 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by authorizing financially handicapped or distressed school districts to levy additional taxes with certain limitations.

## House Bill No. 1581, entitled:

An Act to amend the act approved the eleventh day of May one thousand nine hundred five (P. L. 518) entitled "An act making an appropriation for the erection of a home or school for indigent orphans to be called the Thaddeus Stevens Industrial and Reform School of Pennsylvania in which school provision shall be made for giving instruction in reading writing arithmetic drawing duties of citizenship elementary manual training the elements of farming and other requisite branches" by further providing for the course of instruction and the admission of students at such institution and authorizing certain tuition charges for its use

## House Bill No. 1585, entitled:

An Act to amend Section 9 of the act approved the eighteenth day of April one thousand nine hundred forty-nine (P. L. 604) entitled "An act to promote the welfare of the people of the Commonwealth creating a State Highway and Bridge Authority as a body corporate and politic with power to construct reconstruct improve maintain equip furnish and operate highway and bridge projects and roadside rests and to lease the same and to fix and collect fees rentals and charges for the use thereof authorizing and regulating the issuance of bonds by said Authority and providing for the payment of such bonds and the rights of the holders thereof and to enter into agreements with the Government of the United States or any Federal agency and authorizing the Department of Highways to grant assign convey or lease to the Authority lands easements or rights of way of the Commonwealth and interests therein and to acquire lands therefor authorizing said Authority and the Department of Highways to enter into agreements providing for mutual cooperation in furtherance of the construction of any project hereby authorized granting the rights of eminent domain empowering said Authority to sell and convey projects and property to the Commonwealth and providing that no debt of the Commonwealth or any of its political subdivisions shall be incurred in the exercise of any of the powers granted by this act and making an appropriation" by further providing for examination of the accounts and books of the Authority.

## House Bill No. 1587, entitled:

An Act to amend section 8 of the act approved the thirty-first day of March one thousand nine hundred forty-nine (P. L. 372) entitled "An act to promote the welfare of the people of the Commonwealth creating The General State Authority as a body corporate and politic with power to construct improve equip furnish and operate projects and to lease the same and to fix fees rentals and charges for the use thereof authorizing and regulating the issuance of bonds for said Authority and providing for the payment of such bonds and the rights of the holders thereof and to enter into agreements with the Government of the United States or any Federal agency and authorizing the Department of Property and Supplies to grant assign convey or lease to the Authority lands of the Commonwealth and interests therein and to acquire lands therefor granting the right of eminent domain empowering The General State Authority to sell and convey projects and property to the Commonwealth and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act" by further providing for examination of the accounts and books of the Authority.

## House Bill No. 1589, entitled:

An Act to further amend Section 9 of the act approved the fifth day of July one thousand nine hundred forty-seven (P. L. 1217) entitled "An act to promote the education and educational facilities of the people of the Commonwealth of Pennsylvania creating a State Public School Building Authority as a body corporate and politic with power to construct improve and operate projects and to lease the same and to fix and collect fees rentals and charges for the use thereof authorizing school districts to enter into contracts to lease authorizing and regulating the issuance of bonds by said Authority and providing for the payment of such bonds and the rights of the holders thereof granting the right of eminent domain increasing the powers and duties of the Department of Public Instruction and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted under this act and making an appropriation to said Authority to pay expenses incident to its formation" by further providing for examination of the books and accounts of the Authority.

## House Bill No. 1607, entitled:

An Act providing for the marking of liquified petroleum gas containers and prohibiting the refilling or use of such containers without authorization by the owner thereof authorizing the Department of Labor and Industry after public hearing to prescribe uniform regulations for safety in the design construction location installation and operation of equipment for storing handling transporting by tank truck or tank trailer and utilizing liquified petroleum gases for fuel purposes and for the odorization and said gases used therewith prohibiting the adoption by municipalities or other political subdivisions of ordinances or regulations in conflict with this act providing for prosecutions for violations of this act by summary proceedings and prescribing the penalty therefor.

## House Bill No. 1640, entitled:

An Act to amend subsection (b) of Section 1403 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by further providing for the composition of the return board.

## House Bill No. 1641, entitled:

An Act to add Section 599-A to Article V subdivision (j) of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by authorizing the appointment of special school police and defining their powers and duties.

## House Bill No. 1648, entitled:

An Act to further amend the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by further regulating the date of the primary election.



## House Bill No. 1660, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by requiring that logs carried on certain vehicles and trailers be securely fastened.

## House Bill No. 1664, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by further fixing fees for annual registration and chassis and maximum gross weights of certain commercial vehicles.

## House Bill No. 1671, entitled:

An Act to amend Section 902 of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1242) entitled "An act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto" by requiring the supervisors of townships of the second class to furnish the Department of Highways copies of petitions ordinances agreements and resolutions laying out or vacating public roads.

## House Bill No. 1680, entitled:

An Act to further amend the act approved the fifth day of May one thousand nine hundred eleven (P. L. 198) entitled "An act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" by conferring exclusive jurisdiction on the county court of Allegheny County in cases of appeals from decisions of the collector of mercantile taxes imposed by po-

litical subdivisions within the territorial limits of its jurisdiction.

all on second reading, go over in their order.

Mr. MALLERY. Mr. President, I second the motion.  
The motion was agreed to.

## STATEMENT BY MAJORITY FLOOR LEADER

Mr. WALKER. Mr. President, several bills on concurrence in House amendments went over in their order temporarily. We are awaiting a communication from the Department of Justice concerning these bills, and as soon as the message received from the Department of Justice we will take the matter up with the Senate.

## RECESS

Mr. WALKER. Mr. President, I move that the Senate do now take a recess until 4 o'clock p. m., Eastern Standard Time.

Mr. WADE. Mr. President, I second the motion.  
The motion was agreed to.

## AFTER RECESS

The PRESIDING OFFICER. The time of recess having elapsed the Senate will be in order.

## HOUSE BILL NO. 269 CALLED UP

Mr. WALKER. Mr. President, I call up House Bill No. 269, on concurrence in House amendments recalled from the Governor.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS  
RECALLED FROM THE GOVERNOR

Agreeably to order,

The Senate resumed the consideration of House Bill No. 269, as follows:

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for the establishment by the Department of Public Instruction of a standardized driver-training program in the public schools and providing for assistance to the school districts in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (a) and (c) of section 1519 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" are hereby amended to read as follows

Section 1519 Teaching of Safe Driving of Motor Vehicles

(a) Any school district may provide for the teaching of safe driving of motor vehicles in the elementary and secondary schools of the district or in the secondary schools only in accordance with the standardized program established by the Department of Public Instruction in the cases of pupils under the age of sixteen (16) years such instruction shall be limited to the class room instruction by those who shall possess the qualifications prescribed by the State Council of Education in the case of pupils of the age of sixteen (16) years and over the instruction may include practical instruction in the operation of motor vehicles on the public highways or other places selected



by the board of school directors or by the principal of the school where the instruction is given

(c) The board of school directors may appropriate and expend money of the school district for the purpose of paying the compensation of the instructors and to purchase rent or hire motor vehicles automobile liability insurance and to maintain and repair the same and to purchase fuel lubricants parts and accessories therefor

Section 2 Said act is hereby amended by adding after Section 1519 thereof a new section to read as follows

Section 1519.1 Standardized Driver-Training Program  
(a) The Department of Public Instruction shall establish for operation in the public school system of the Commonwealth a standardized driver-training program in the safe operation of motor vehicles

(b) The Department of Public Instruction shall assist school districts throughout the Commonwealth in the functioning of such program by

(1) Preparation publication and free distribution of driver-training instructional material to insure a more complete understanding of the duties of motor vehicle operators

(2) Making such rules and regulations as may be necessary to carry out such program and

(c) Every school district complying with the standardized program established by the Department for the school year 1951-1952 and for every school year thereafter shall be paid a sum which shall be proportionate to the total amount available to the Department from the Motor License Fund for allocation and distribution to all school districts in the Commonwealth after payment of the following which shall not exceed during each school year a sum equal to ten (10) cents for each motor vehicle learner's permit issued subsequent to the fifteenth day of October one thousand nine hundred fifty-one namely (1) traveling expenses of employees of the Department of Public Instruction essential to the program (2) purchase of visual training aids and psycho-physical testing equipment and (3) cost of preparation publication and distribution of driver training instructional material for assistances to there driver-training program as the ratio which the average daily membership of pupils over fifteen (15) years of age in such driver-training courses in such school district bears to the total average daily membership of pupils over fifteen (15) years of age in such driver-training courses in all school districts in the Commonwealth provided that the payment shall not exceed the sum of ten (\$10) dollars for each such pupil per school year Allocations and apportionment within any school district shall be made according to ratio Such sums shall be paid in the same manner as other reimbursements are paid to school district

And the amendment made thereto having been printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO HOUSE BILL NO. 269, RECALLED FROM THE GOVERNOR

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendment made by the House to House Bill No. 269, recalled from the Governor.

Mr. YOSKO. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeable to the provision of the Constitution, and were as follows, vis:

YEAS—50

Bane,	Haluska,	McPherson, Jr.	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,

Byrne,  
Chapman,  
Crowe,  
Dent,  
Diehm,  
DiSilvestro,  
Fleming,  
Freed,

Leader,  
Letzler,  
Mahanay,  
Mallery,  
McCreesh,  
McGinnis,  
McMenamin,

Propert,  
Robinson,  
Rosenfeld,  
Ruth,  
Scarlett,  
Silvert,  
Snowden,  
Stevenson,

Walker,  
Watkins,  
Watson,  
Wolfe,  
Wood,  
Yosko,  
Hare,  
Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE BILL NO. 1338 CALLED UP

Mr. WALKER. Mr. President, I call up House Bill No. 1338 on concurrence in House amendments recalled from the Governor.

The PRESIDING OFFICER. Is there any objection? The Chair hears none.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS RECALLED FROM THE GOVERNOR

Agreeably to order,

The Senate resumed the consideration of House Bill No. 1338, as follows:

An Act to further amend Section 713 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highway and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of there motor vehicles imposing penalties imposing certain cost upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by increasing the fee for learner's permits and appropriating the increase for the teaching in the public schools of safe driving of motor vehicles The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 713 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of the Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns town-



ships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties certain cost upon the counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the act approved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2329) is hereby futher amended to read as follows

Section 713 Operators' Licenses Duplicate Registration or Operator's License Card

(a) The fee for issuing an operator's license to a person unable to produce satisfactory proof of having held a Pennsylvania operator's license during any one of the three (3) years preceding application shall be [two (\$2)] four (4) dollars which fee shall entitle the applicant for such license to receive a learner's permit valid for ninety (90) days from date of issue and if the examination shall have been passed during the ninety (90) day period an operator's license for the current year

(b) The fee for renewal of an operator's license shall be one (1) dollar

(c) The fee for a duplicate operator's license card or duplicate registration card shall be fifty (\$.50) cents

(d) As much of the fee received for each learner's permit as may be necessary but not more than two (\$2.00) dollars is hereby appropriated to the Department of Public Instruction for the purpose of paying Authorized expenses by that department in connection with carrying out a standardized program of teaching of safe driving of motor vehicles in the public schools and making authorized payments to school districts complying with such standardized program Such moneys shall be paid out of the Motor License Fund upon the warrant of the auditor general drawn after requisition by the Department of Public Instruction

Section 2 This act shall become effective on the fifteenth day of October one thousand nine hundred fifty-one

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO HOUSE BILL No. 1338 RECALLED FROM THE GOVERNOR

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to House Bill No. 1338, recalled from the Governor.

Mr. YOSKO. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Bane,	Haluska,	McPherson, Jr.	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Probert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahanay,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
Diehm,	McCreesh,	Scarlett,	Wood,
DiSilvestro,	McGinnis,	Silvert,	Yosko,
Fleming,	McMenamin,	Snowden,	Hare,
Frede,		Stevenson,	Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### SENATE BILL No. 104 CALLED UP

Mr. WALKER. Mr. President, I call up Senate Bill No. 104, on concurrence in House amendments.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

#### BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 104, as follows:

An Act providing for the sentencing of persons convicted of certain crimes to an indeterminate sentence having a minimum of one day and a maximum of life in certain cases authorizing the criminal courts to impose such a sentence and certain temporary confinement in connection therewith requiring psychiatric examination of such persons before the imposition of such a sentence conferring powers and imposing duties upon the Department of Welfare and the Pennsylvania Board of Parole and providing for the parole and reparole or absolute discharge of persons so sentenced and the procedure relating thereto

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follow

Section 1 For the better administration of justice and the more efficient punishment treatment and rehabilitation of persons convicted of the crime of indecent assault incest assault with intent To commit sodomy solicitation to commit sodomy sodomy assault with intent to ravish or rape if the court is of the opinion that any such person if at large constitutes a threat of bodily harm to members of the public or is an habitual offender and mentally ill the court in lieu of the sentence now provided by law for each such crime may sentence such person to a State institution for an indeterminate term having a minimum of one day and a maximum of his natural life

Section 2 No person convicted of a crime punishable in the discretion of the court under the provisions of this act with imprisonment in a State institution for an indeterminate term having a minimum of one day and a maximum of his natural life shall be so sentenced until (1) a complete psychiatric examination shall have been made of him through the facilities of the Department of Welfare as hereinafter provided or by a psychiatrist designated by the court the results of whose examination shall be transmitted to and accepted by the Department of Welfare in lieu of an examination made through its own facilities and (2) a complete written report thereof shall have been submitted to the court Such report shall include all facts and findings necessary to assist the court in determining whether it shall impose sentence under the provisions of this act upon the person convicted in lieu of the sentence otherwise provided by law

Section 3 (a) To enable the court to procure such a psychiatric examination and to afford the Department of Welfare time in which to make the same the court is hereby authorized and empowered to postpone sentence upon any person convicted of any one or more of the crimes enumerated in section one of this act and to order the person so convicted to temporary confinement in the prison or jail in which such person was confined prior to his trial or would have been confined if not free on bail Such period of temporary confinement shall not exceed a period of sixty (60) days unless the court on the request of the psychiatric examiner extends the observation period for an additional time not exceeding thirty (30) days It shall be the duty of the Department of Welfare to make A psychiatric examination of the prisoner and report to the court thereon within the period allowed by the court

(b) If for any reason such examination is not made and a report thereon given to the court within such period of temporary confinement the provisions of this act shall thereupon not be available to the court and it shall sentence the prisoner to such sentence provided by law



and the period of temporary confinement herein provided for shall be considered as a part of the sentence so imposed whether it be for the purpose of determining the length of the sentence by the court or for the purpose of parole

Section 4 Whenever a court shall desire the Department of Welfare to make a psychiatric examination of and a report on a person convicted of any one or more of the crimes enumerated in section one of this act it shall make an order to that effect and it shall be the duty of the clerk of court to promptly notify the Department of Welfare of such order The Department of Welfare shall thereupon make such a psychiatric examination of the person so convicted either at a clinic State Hospital or other State Institution designated by the court or at the place where such person is in temporary confinement or it may request that he be brought to any clinic established by the Department of Welfare for such purposes or State Hospital or other State Institution In the latter event if agreeable to the court it shall order the person so convicted to be taken in custody to such institution

Section 5 (a) Whenever a court after psychiatric examination of and report on a person convicted of any or more of the crimes enumerated in section one of this act shall be of the opinion that it would be to the best interests of justice to sentence such person under the provisions of this act he shall cause such person to be arraigned before him and sentenced to such State institution as shall have been designated by the Department of Welfare in its report to the court The cost of transporting such person to the State institution designated by the department and the cost of his maintenance therein shall be borne by the Commonwealth and the several counties to the extent and in the manner provided by law (b) The costs of maintenance of any person so convicted while in temporary confinement as heretofore provided and costs of transportation shall be borne by the county and the cost of the psychiatric examination of and report on such person shall be borne by the Department of Welfare provided that where the psychiatric examination is made by a psychiatrist designated by the court the costs thereof shall be borne by the county

(c) The Department of Welfare in its report to the court is hereby authorized to designate a county jail penitentiary industrial school or any other State institution as the place of confinement of the person who is the subject of such report if the court elects to sentence such person under the provisions of this act

Section 6 It shall be the duty of the Department of Welfare from funds appropriated to it to provide psychiatric and psychological services to the courts as provided in section four of this act and to the Pennsylvania Board of Parole in the further examination diagnosis and treatment of persons sentenced upon the provisions of this act during their confinement and parole as hereinafter provided for

The department may in its discretion establish one or more psychiatric clinics for the examination diagnosis and treatment of persons convicted of any one or more of the crimes enumerated in section one of this act when so ordered by a court or sentenced under the provisions hereof or may use existing clinics or services for such work provided that such clinics or services shall provide qualified personnel experienced in the field of psychiatry and psychology as it relates to crimes involving perversion maladjustment or aberration

Section 7 Within three months after a person shall have been sentenced under the provisions of this act for an indeterminate term having a minimum of one day and a maximum of his natural life and at least every six months thereafter the Pennsylvania Board of Parole shall cause to be brought before it with respect to each such person all reports records and information concerning such person for the purpose of determining whether such person shall be paroled as hereinafter provided and it shall be the duty of the Board thereupon To make a ruling with respect to each person who shall be notified in writing of such ruling Nothing in this section shall be construed to prohibit a person sentenced under the

provisions of this act from making application for parole in the manner now provided by law

Section 8 The Pennsylvania Board of Parole is hereby granted exclusive control over the parole and reparole of persons sentenced under the provisions of this act whether imprisoned in a county jail penitentiary or other State institution The Board is hereby authorized and empowered to parole and reparole and commit and recommit for violation of parole any person sentenced under the provisions of this act at such time and under such conditions as the interest of justice may dictate In considering the parole or reparole or any application for parole of any person sentenced under the provisions of this act the Board shall give serious consideration to the original report and subsequent reports of the psychiatric and psychological examination of the person so sentenced the recommendations contained in such reports and the view of the committing court

Section 9 Except as otherwise provided in this act the Pennsylvania Board of Parole shall have the power conferred and duties imposed upon it with respect to the parole of prisoners generally in the parole and supervision of persons sentenced under the provisions of this act

Section 10 All acts and parts of acts are hereby repealed in so far as they are inconsistent with the provisions of this act

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 104

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 104.

Mr. YOSKO. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Bane,	Haluska,	McPherson, Jr.,	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Propert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahany,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
Diehm,	McCreesh,	Scarlett,	Wood,
DiSilvestro,	McGinnis,	Silver,	Yosko,
Fleming,	McMenamin,	Snowden,	Hare,
Freud		Stevenson,	Presiding Officer

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### RECESS

Mr. WALKER. Mr. President, I move that the Senate do now take a recess until 5 o'clock, p. m., Eastern Standard Time.

Mr. WOOD. Mr. President, I second the motion.

The motion was agreed to.



## AFTER RECESS

The PRESIDENT (Lieutenant-Governor Lloyd H. Wood) in the Chair.

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

## BILLS SIGNED

The President (Lieutenant-Governor Lloyd H. Wood) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 104, entitled:

An Act providing for the sentencing of persons convicted of certain crimes to an indeterminate sentence having a minimum of one day and a maximum of life in certain cases authorizing the criminal courts to impose such a sentence and certain temporary sentences in connection therewith requiring psychiatric examinations of such persons before the imposition of such a sentence conferring powers and imposing duties upon the Department of Welfare and the Pennsylvania Board of Parole and providing for the parole conditional parole or absolute discharge of persons so sentenced and the procedure relating thereto.

Senate Bill No. 658, entitled:

An Act authorizing council of cities of the second class to fix the salaries of the mayor and the council members of such cities and to provide for the assessment and retention of fines for absence of councilmen from meetings

Senate Bill No. 676, entitled:

An Act to amend the act approved the twenty-eighth day of June one thousand nine hundred forty-seven (P. L. 1144) entitled "An act relating to the annual salaries of certain county officers of counties of the second class" by increasing the salaries of certain county officers.

Senate Bill No. 677, entitled:

An Act to amend the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 973), entitled "An act relating to the annual salaries of certain county officers of counties of the third class" by increasing the salaries of certain county officers.

Senate Bill No. 678, entitled:

An Act to further amend the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 947) entitled "An act relating to the annual salaries of certain county officers of counties of the fourth class" as amended by the act approved the eighteenth day of May one thousand nine hundred forty-nine (P. L. 1411) by increasing the salaries of certain county officers.

Senate Bill No. 679, entitled:

An Act to amend the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 927) entitled "An act relating to the annual salaries of certain county officers of counties of the fifth class" by increasing the salaries of certain county officers.

Senate Bill No. 680, entitled:

An Act to amend the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 928) entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the sixth class" by increasing the salaries of certain county officers.

Senate Bill No. 682, entitled:

An Act to amend the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 938) entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the seventh class" by increasing the salaries of certain county officers.

Senate Bill No. 718, entitled:

An Act to further amend section thirteen of the act, approved the fourth day of June, one thousand nine hundred and thirty-seven (P. L. 1625), entitled "An act providing for the creation, maintenance and operation of a county employees' retirement system in counties of the third class; and imposing certain charges on counties," by extending and further regulating such retirement systems.

Whereupon,

The President (Lieutenant-Governor Lloyd H. Wood) in the presence of the Senate signed the same.

## ADJOURNMENT

Mr. WALKER. Mr. President, I move that the Senate do now adjourn until Tuesday, October 2, 1951, at 4 o'clock, p. m., Eastern Standard Time.

Mr. WADE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 5:32 o'clock, p. m., Eastern Standard Time, until Tuesday, October 2, 1951, at 4 o'clock, p. m., Eastern Standard Time.

## HOUSE OF REPRESENTATIVES

MONDAY, October 1, 1951.

The House met at 4:30 p. m. EST.

The SPEAKER (Herbert P. Sorg) in the Chair.

## PRAYER

Reverend John Yates, guest Chaplain and Pastor of the Presbyterian Church, Harrisburg, offered the following prayer:

Our gracious God assist with Thy grace in all the work which the members of this House may undertake this day. Direct them by Thy wisdom and support them by Thy power, so that, doing their duty diligently, they may bring their work to a good and profitable end for the citizens of this Commonwealth and the glory of Thy name. Through Jesus Christ our Lord. Amen.

## JOURNAL APPROVED

The SPEAKER. Are there any corrections to the Journal of Thursday, September 27, 1951? If not, and without objection, the Journal is approved.

## SENATE MESSAGES

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate which were laid upon the table.

## PERMISSION TO ADDRESS HOUSE

Mr. SMITH asked and obtained unanimous consent to address the House.



Mr. Speaker, immediately upon adjournment of the House today, I would greatly appreciate it if the majority Members would come to the majority New House Caucus room for a very brief caucus.

#### MOTION TO ADJOURN

Mr. SMITH, Mr. Speaker, I move that this House do now adjourn until Tuesday, October 2 at 3:00 p. m.

The SPEAKER. Will the gentleman please withdraw his motion temporarily?

Mr. SMITH. I will, Mr. Speaker.

#### PERMISSION TO ADDRESS HOUSE

Mr. ANDREWS asked and obtained unanimous consent to address the House.

Mr. Speaker, I understand quite unofficially that it is in the mind of the majority leadership to reach some sort of an agreement with the Senate and with the administration concerning the date on which the General Assembly shall recess.

Our position is that so far as the House is concerned it should maintain itself in a ready to serve position, holding token sessions until such time as the other chamber may be disposed to resume the orderly procedure to which it should presumaly dedicate its efforts.

Our position at present is that there is no financial crisis now confronting the Commonwealth. The General Assembly will be in session January 1, 1953. With six months in the biennium to go, and with the Legislature on

hand to make adequate appropriations for the needs of the Commonwealth as they may appear at that time, it is therefore the duty of the House and the Senate speedily to conclude this session, making provision for the financial needs of the Commonwealth up to January 1, 1953. Then let those who are returned to office on the basis of the issues that will be presented to the people of the Commonwealth at that time take up the burden and finance the last six months of the present biennium.

#### PERMISSION TO ADDRESS HOUSE

Mr. SMITH asked and obtained unanimous consent to address the House.

Mr. Speaker, I believe we have said on the floor of this House many times that we feel the duties of the House are completed as of this very moment. We believe we have accepted our responsibilities and our duties, and I am certain that I can assure the gentleman on the minority side that if this House does adopt a resolution setting an adjournment date or a recess date, it will have in it a provision that the House can be called into session at the call of the Speaker and the Senate at the call of the President of the Senate.

#### ADJOURNMENT

Mr. SMITH. Mr. Speaker, I move that this House do now adjourn until Tuesday, October 2, 1951, at 3:00 p. m.

The motion was agreed to, and (at 5:21 p. m.) the House adjourned.







# Legislative Journal.

Session 1951.

139th of the General Assembly.

Vol. 32.

HARRISBURG, PA., TUESDAY, OCTOBER 2, 1951.

No. 90.

## SENATE

TUESDAY, October 2, 1951.

The Senate met at 4:00 o'clock, p. m., Eastern Standard Time.

The PRESIDING OFFICER (Fred P. Hare) in the Chair.

### PRAYER

In the absence of the Chaplain, the following prayer was offered by the gentleman from Lancaster, SENATOR KESSLER:

God, from whom we have our being, we thank Thee for this privilege of coming here again today. In spite of the difficulties in which we find ourselves, help us to appreciate the many blessings which we enjoy. We pray for Thy guidance in these deliberations. Amen.

### JOURNAL APPROVED

The PRESIDING OFFICER. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WALKER and Mr. TAYLOR, further reading was dispensed with, and the Journal was approved.

### COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows:

APPROVED AND SIGNED SENATE BILL No. 134,  
PRINTER'S No. 519

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, September 29, 1951.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 134, Printer's No. 519, entitled "An Act to amend further Section 5 of the act approved the thirteenth day of June one thousand eight hundred and thirty-six (P. L. 551) entitled 'An act relating to roads highways and bridges' as amended by extending the width of a public road in the instance of multiple lane highways to increase the maximum width by the additional footage that shall be necessary in the judgment of the Secretary of Highways for center or dividing strips."

JOHN S. FINE.

APPROVED AND SIGNED SENATE BILL No. 406,  
PRINTER'S No. 137

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, September 29, 1951.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved Senate Bill No. 406, Printer's No. 137, entitled "An Act to further amend Section 305 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2017) entitled 'An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws' by requiring the approval of the court of quarter sessions for the erection and alteration of institutions and further prescribing the powers of the Department of Welfare."

JOHN S. FINE.

APPROVED AND SIGNED SENATE BILL No. 441,  
PRINTER'S No. 460

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, September 29, 1951.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 441, Printer's No. 460, entitled "An Act to add Sections 602.1 and 705.1 to further amend Section 802 to add Sections 804.1 and 901.1 to the act approved the fifth day of August one thousand nine hundred forty-one (P. L. 752) entitled 'An act regulating and improving the civil service of certain departments and agencies of the Commonwealth vesting in the State Civil Service Commission and a Personnel Director certain powers and duties providing for classification of positions adoption of compensation schedules and certification of payrolls imposing duties upon certain officers and employees of the Commonwealth authorizing service to other State departments or agencies and political subdivisions of the Commonwealth in matters relating to civil service defining certain crimes and misdemeanors imposing penalties making certain appropriations and repealing certain acts and parts thereof' by providing that substitutes may hold posi-



tions only until employes on military leave return relating to rights of transferred REASSIGNED or promoted employes during probationary periods and providing for employee audits from time to time."

JOHN S. FINE.

APPROVED AND SIGNED SENATE BILL No. 544,  
PRINTER'S No. 317

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, September 29, 1951.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 544, Printer's No. 317, entitled "An Act making an appropriation from the Motor License Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Motor License Fund."

JOHN S. FINE.

APPROVED AND SIGNED SENATE BILL No. 545,  
PRINTER'S No. 318

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, September 29, 1951.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 545, Printer's No. 318, entitled "An Act making an appropriation from the Game Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Game Fund."

JOHN S. FINE.

APPROVED AND SIGNED SENATE BILL No. 550,  
PRINTER'S No. 321

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, September 29, 1951.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 550, Printer's No. 321, entitled "An Act making an appropriation of moneys in the Motor License Fund to the Board of Finance and Revenue for the payment of the Loan and Transfer Agent of the Commonwealth."

JOHN S. FINE.

APPROVED AND SIGNED SENATE BILL No. 563,  
PRINTER'S No. 349

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, September 29, 1951.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 563, Printer's No. 349, entitled "An Act making an appropriation to the Treasury Department out of various funds to pay replacement checks issued in lieu of outstanding checks when presented and to adjust errors."

JOHN S. FINE.

APPROVED AND SIGNED SENATE BILL No. 564,  
PRINTER'S No. 325

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, September 29, 1951.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 564, Printer's No. 325, entitled "An Act making an appropriation from the State Stores Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the State Stores Fund."

JOHN S. FINE.

APPROVED AND SIGNED SENATE BILL No. 565,  
PRINTER'S No. 326

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, September 29, 1951.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 565, Printer's No. 326, entitled "An Act making an appropriation from the State Workmen's Insurance Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the State Workmen's Insurance Fund."

JOHN S. FINE.

APPROVED AND SIGNED SENATE BILL No. 567,  
PRINTER'S No. 328

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, September 29, 1951.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 567, Printer's No. 328, entitled "An Act making an appropriation from the Fish Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Fish Fund."

JOHN S. FINE.

APPROVED AND SIGNED SENATE BILL No. 573,  
PRINTER'S No. 331

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, September 29, 1951.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 573, Printer's No. 331, entitled "An Act making an appropriation from the Banking Department Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Banking Department Fund."

JOHN S. FINE.

APPROVED AND SIGNED SENATE BILL No. 575,  
PRINTER'S No. 332

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, September 29, 1951.  
To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 575, Printer's No. 332, entitled "An Act making an appropriation from the Manufacturing Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Manufacturing Fund."

JOHN S. FINE.



APPROVED AND SIGNED SENATE BILL No. 576,  
PRINTER'S No. 333

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, September 29, 1951.  
To the Honorable, the Senate of the Commonwealth of  
Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 576, Printer's No. 333, entitled "An Act making an appropriation from the Public Building Construction Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Public Building Construction Fund."

JOHN S. FINE.

APPROVED AND SIGNED SENATE BILL No. 701,  
PRINTER'S No. 454

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, September 29, 1951.  
To the Honorable, the Senate of the Commonwealth of  
Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 701, Printer's No. 454, entitled "An Act to amend paragraph five of section one of the act approved the twenty-third day of May one thousand nine hundred forty-nine (P. L. 1669) entitled as amended 'An act to provide revenue for school districts of the first class by imposing a tax on persons engaging in certain businesses professions occupations trades vocations and commercial activities therein providing for its levy and collection conferring and imposing powers and duties on the Board of Public Education receiver of school taxes and school treasurer in such districts and prescribing penalties' by further defining receipts'."

JOHN S. FINE.

APPROVED AND SIGNED SENATE BILL No. 763,  
PRINTER'S No. 425

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, September 29, 1951.  
To the Honorable, the Senate of the Commonwealth of  
Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 763, Printer's No. 425, entitled "An Act to amend Section 6 of the act approved the fifth day of June one thousand nine hundred forty-seven (P. L. 422) entitled 'An act authorizing the Department of Forests and Waters to provide for stream clearance and stream channel rectifications to construct and maintain dams reservoirs lakes and other works and improvements for impounding flood waters and conserving the water supply of the Commonwealth and for creating additional recreational areas to acquire by purchase condemnation or otherwise certain lands for such purposes to construct and maintain flood forecasting and warning systems' by extending the powers of the department in consulting cooperating negotiating and entering into contracts and agreements for planning constructing financing maintaining and operating works or facilities."

JOHN S. FINE.

APPROVED AND SIGNED SENATE BILL No. 819,  
PRINTER'S No. 507

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, September 29, 1951.  
To the Honorable, the Senate of the Commonwealth of  
Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 819, Printer's No. 507, entitled "An Act to further amend the act approved

the first day of June one thousand nine hundred forty-five (P. L. 1358) entitled 'An act relating to chattel mortgages on any chattel or chattels of any kind or description including but not limited to livestock poultry farm machinery farm equipment and crops grown growing or to be grown designating the operation and effect of the lien of such mortgages providing for the filing indexing and docketing of such mortgages and related instruments in prothonotaries' offices and prescribing prothonotaries' fees providing for the filing in Pennsylvania of similar lien instruments originally filed or recorded in other states regulating the assignment release satisfaction and extension of the lien of such mortgages prescribing methods of foreclosure defining defaults and violations and fixing penalties' by providing that chattel mortgages may be given as security for principal obligations other than bonds or notes eliminating the requirement of witnesses providing additional remedies to mortgagees as against third persons and providing that the provisions of the act be liberally construed."

JOHN S. FINE.

APPROVED AND SIGNED SENATE BILL No. 822,  
PRINTER'S No. 523

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, September 29, 1951.  
To the Honorable, the Senate of the Commonwealth of  
Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 822, Printer's No. 523, entitled "An Act to amend clause (7) of Section 2401 of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled 'An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto' by providing for appointment of school auditors to fill vacancies in such office in union school districts."

JOHN S. FINE.

## HOUSE MESSAGES

### HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1247

The Clerk of the House of Representatives being introduced, presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1247, entitled:

An Act to further amend section two of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 720) entitled "City State Highway Law," by changing or deleting certain routes and adding certain new routes.

### HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1249

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1249, entitled:

An Act to further amend the act approved the eighteenth day of May one thousand nine hundred forty-five (P. L. 809) entitled "An act removing certain roads or sections of road from the State highway system and providing for their future maintenance and construction" by removing additional roads from State highway system.

### HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1250

He also presented communication from the House of



Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1250, entitled:

An Act to further amend section two of the act approved the first day of June one thousand nine hundred thirty-three (P. L. 1172) entitled "Borough Rural State Highway Law," by changing or deleting certain routes and adding certain new routes.

#### HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1251

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1251, entitled:

An Act to further amend the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 594), entitled "Rural State Highway Law," by changing or deleting certain routes and adding certain new routes.

#### HOUSE CONCURRENT RESOLUTION TIME OF NEXT MEETING

He also presented extract from the Journal of the House, which was read as follows:

In the House of Representatives, October 2, 1951.

Resolved, (If the Senate concur) That when the House of Representatives adjourns this week, it re-convene on Monday, November 12, 1951, at 4:30 o'clock p. m., E. S. T., unless sooner re-convened at the call of the Speaker of the House of Representatives and when the Senate adjourns this week, it re-convene on Monday, November 12th, 1951, at 3:00 o'clock, p. m., E. S. T., unless sooner re-convened by the President Pro Tempore of the Senate.

On the question,

Will the Senate concur in the same?

#### SENATE NON-CONCURS IN HOUSE RESOLUTION TIME OF NEXT MEETING

Mr. WALKER. Mr. President, I move that the Senate do non-concur in the resolution just read by the Clerk.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### HOUSE CONCURRENT RESOLUTION SINE DIE ADJOURNMENT

He also presented extract from the Journal of the House, which was read as follows:

In the House of Representatives, October 2, 1951.

Resolved, (If the Senate concur), that this 139th regular Session of the General Assembly adjourn sine die on Friday, the thirtieth day of November, 1951, at 6.00 o'clock p. m.

On the question,

Will the Senate concur in the same?

#### SENATE NON-CONCURS IN HOUSE RESOLUTION SINE DIE ADJOURNMENT

Mr. WALKER. Mr. President, I move that the Senate do non-concur in the resolution just read by the Clerk.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

(The Senate was at ease)

#### HOUSE MESSAGE

#### HOUSE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE SENATE TO SENATE BILL No. 681

The Clerk of the House of Representatives being introduced, presented communication from the House of Representatives informing the Senate that the House insists upon its amendments non-concurred in by the Senate to Senate Bill No. 681, entitled:

An Act to amend the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 971) entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the eighth class" by increasing the salaries of certain county officers.

#### SENATE RECEDES FROM ITS NON-CONCURRENCE IN THE AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 681

Mr. WALKER. Mr. President, I move that the Senate recede from its non-concurrence in the amendments made by the House to Senate Bill No. 681.

Mr. WADE. Mr. President, I second the motion.

The motion was agreed to.

#### BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 681, as follows:

An Act to amend the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 971) entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the eighth class" by increasing the salaries of certain county officers

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1 of the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 971) entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the eighth class" is hereby amended to read as follows

Section 1 The annual salaries of the following county officers of counties of the eighth class shall be as follows

(a) The sheriff [one thousand seven hundred sixty dollars (\$1,760)] in counties having a population of less than twelve thousand (12,000) two thousand two hundred dollars (\$2,200) and in counties having a population of twelve thousand (12,000) and more but less than twenty thousand (20,000) two thousand eight hundred dollars (\$2,800)

(b) The county commissioners [one thousand one hundred dollars (\$1,100)] one thousand five hundred dollars (\$1,500) each

(c) The district attorney in counties having a population of less than [ten thousand (10,000) eight hundred twenty-five dollars (\$825)] twelve thousand (12,000) one thousand two hundred dollars (\$1,200) and in counties having a population of [ten thousand (10,000)] twelve thousand (12,000) and more but less than twenty thousand (20,000) [nine hundred ninety dollars (\$990)] one thousand eight hundred dollars (\$1800)

(d) The county auditors shall each receive ten dollars (\$10) for each day necessarily employed in the discharge of their duties

(e) The jury commissioners shall each receive seven



dollars and fifty cents (\$7.50) for each day necessarily employed in the discharge of their duties. The said compensation shall be paid from the county treasury in the same manner as the salary or compensation of other county officers and employees.

Section 2 This act shall become effective and applicable to all of the pertinent county officers who shall begin a term of office on or after the first Monday of January one thousand nine hundred fifty-two

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

#### SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 681

Mr. WALKER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 681.

Mr. WADE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### YEAS—50

Bane,	Haluska,	McPherson, Jr.,	Stiefel,
Barr,	Holland,	Meade,	Taylor,
Barrett,	Kephart,	Neff,	Toole,
Berger,	Kessler,	Pechan,	Wade,
Blass,	Lane,	Peelor,	Wagner,
Byrne,	Leader,	Propert,	Walker,
Chapman,	Letzler,	Robinson,	Watkins,
Crowe,	Mahany,	Rosenfeld,	Watson,
Dent,	Mallery,	Ruth,	Wolfe,
Diehm,	McCreesh,	Scarlett,	Wood,
DiSilvestro,	McGinnis,	Silvert,	Yosko,
Fleming,	McMenamin,	Snowden,	Hare,
Freed,		Stevenson,	Presiding Off.

#### NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### BILL INTRODUCED AND REFERRED

Mr. DIEHM. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. DIEHM read in place and presented to the Chair Senate Bill No. 871, entitled:

An Act to apportion the Commonwealth of Pennsylvania into Congressional Districts.

Which was committed to the Committee on Reapportionment.

#### RECESS

Mr. WALKER. Mr. President, I move that the Senate do now take a recess until 8 o'clock, p. m., Eastern Standard Time.

Mr. DENT. Mr. President, I second the motion.

The motion was agreed to.

#### AFTER RECESS

The PRESIDING OFFICER. The time of recess having elapsed the Senate will be in order.

#### HOUSE MESSAGES

#### HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION AS AMENDED

The Clerk of the House of Representatives being introduced, informed the Senate that the House has concurred in resolution from the Senate, as amended, as follows:

#### RECESS

In the Senate, September 27, 1951.

Resolved, (if the House of Representatives concur), That when the Senate adjourns this week, it reconvene on Monday, December 10, 1951, at three o'clock p. m., Eastern Standard Time, unless sooner reconvened by the President Pro Tempore of the Senate; and when the House of Representatives adjourns this week, it reconvene on Monday, December 10, 1951, at four thirty o'clock p. m., Eastern Standard Time, unless sooner reconvened by the Speaker of the House of Representatives.

in which amendment concurrence of the Senate is requested.

#### SENATE CONCURS IN HOUSE AMENDMENT TO SENATE CONCURRENT RESOLUTION

Mr. WADE. Mr. President, I move that the Senate do concur in the resolution as amended.

Mr. BARRETT. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

#### HOUSE MESSAGE

#### HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION

He also informed the Senate that the House has concurred in resolution from the Senate as follows:

#### ADJOURNMENT SINE DIE

In the Senate, September 26, 1951.

Resolved, (if the House of Representatives concurs) That this Regular Session of the General Assembly adjourn sine die, December 22, 1951, at 5:00 o'clock p. m., Eastern Standard Time.

#### COMMUNICATION

The CHAIR cleared his table and laid before the Senate the following communication, which was read by the Clerk:

#### PENNSYLVANIA PUBLIC HEALTH ASSOCIATION

Secretary, the Senate, Harrisburg, Pa., October 1, 1951.

Dear Sir:

At a recent meeting of the Pennsylvania Public Health Association (the organization which represents the Public Health Workers in Pennsylvania) a resolution was passed commending the Governor, the Commissioner of Health and the General Assembly, in the positive results of the efforts to place Pennsylvania on an equal footing with many of our other states in the Union in Public Health Legislation.

It gives me pleasure to enclose a copy of this resolu-



tion and to thank the Senate for its influence in this matter.

Cordially yours,

J. CLARENCE FUNK.

#### A Resolution

Whereas, In 1947 the Medical Society of the State of Pennsylvania recommended to the Governor a survey of Public Health facilities in the Commonwealth.

And Whereas, in 1948 the Governor commissioned the Secretary of Health to make such a survey.

And Whereas, said survey was completed in 1949 by the American Public Health Association.

And Whereas, the recommendations of this survey were supported by the Pennsylvania Public Health Association at its annual sessions in 1950.

And Whereas, in the 1951 session of the General Assembly, the Secretary of Health introduced legislation designed to correct deficiencies revealed by the survey, established local public health units and an equitable system of hiring full-time personnel for the State Department of Health.

And Whereas, this legislation was passed by both houses of the state legislature and signed by the Governor on August 24, 1951.

Therefore be it Resolved: that the President and the Pennsylvania Public Health Association commend the Governor, the Secretary of Health and the 1951 General Assembly for their enlightened public health policy and express its confirmed interest in their efforts to improve the health of the people of this Commonwealth.

P. F. LUCCHESI, M. D.,  
Chairman, Resolutions Committee  
ELI EICHELBERGER, M. D. President

The PRESIDENT pro tempore (M. Harvey Taylor) in the Chair.

#### BILLS SIGNED

The President pro tempore (M. Harvey Taylor) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 681, entitled:

An Act to amend the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 971) entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the eighth class" by increasing the salaries of certain county officers.

House Bill No. 1247, entitled:

An Act to further amend section two of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 720) entitled "City State Highway Law," by changing or deleting certain routes and adding certain new routes.

House Bill No. 1248, entitled:

An Act to further amend the act approved the fifth day of May, one thousand nine hundred twenty-seven, entitled "An act establishing certain public roads as State Highways, and providing for their construction and maintenance at the expense of the Commonwealth," by changing certain routes.

House Bill No. 1249, entitled:

An Act to further amend the act approved the eighteenth day of May one thousand nine hundred forty-five (P. L. 809) entitled "An act removing certain roads or sections of road from the State highway system and pro-

viding for their future maintenance and construction" by removing additional roads from State highway system.

House Bill No. 1250, entitled:

An Act to further amend section two of the act approved the first day of June one thousand nine hundred thirty-three (P. L. 1172) entitled "Borough Rural State Highway Law," by changing or deleting certain routes and adding certain new routes.

House Bill No. 1251, entitled:

An Act to further amend the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 594), entitled "Rural State Highway Law," by changing or deleting certain routes and adding certain new routes.

House Bill No. 1252, entitled:

An Act to establish certain roads or sections of road as State Highways.

House Bill No. 1253, entitled:

An Act to amend the act approved the eighth day of April, one thousand nine hundred twenty-five (P. L. 191) entitled "An act establishing certain public roads as State highways; and providing for their construction and maintenance at the expense of the Commonwealth" by changing certain routes.

Whereupon,

The President pro tempore (M. Harvey Taylor) in the presence of the Senate signed the same.

#### ADJOURNMENT

Mr. HARE. Mr. President, I move that the Senate do now adjourn until Monday, Dec. 10, 1951, at 3 o'clock, p. m., Eastern Standard Time.

Mr. McCREESH. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 8:07 o'clock, p. m., Eastern Standard Time, until Monday, December 10, 1951, at 3 o'clock, p. m., Eastern Standard Time.

## HOUSE OF REPRESENTATIVES

TUESDAY, October 2, 1951

The House met at 3:00 o'clock p. m.

The SPEAKER (Herbert P. Sorg) in the Chair.

#### PRAYER

Reverend John Yates, guest Chaplain and pastor of the Presbyterian Church, Harrisburg, offered the following prayer:

Almighty God, we humbly beseech Thee to grant Thy blessing to the Members of this Assembly. Save them from all error. Direct and guide them in the work they have yet to do that it may be brought to a successful conclusion. Through Jesus Christ our Lord. Amen.

#### JOURNAL APPROVED

The SPEAKER. Are there any corrections to the Journal of Monday, October 1, 1951? If not, and without objection, the Journal is approved.



## BILL INTRODUCED

Mr. BOWER. Mr. Speaker, I ask unanimous consent to introduce a bill at this time.

The SPEAKER. Will the House give its unanimous consent to the introduction of a bill at this time? Is there objection?

Mr. ANDREWS. Mr. Speaker, I desire to interrogate the gentleman from Northumberland, Mr. Bower.

The SPEAKER. Will the gentleman from Northumberland, Mr. Bower, permit himself to be interrogated?

Mr. BOWER. Mr. Speaker, I shall.

Mr. ANDREWS. Mr. Speaker, what is the intent and purpose of the bill the gentleman proposes to introduce?

Mr. BOWER. Mr. Speaker, the bill that I am about to introduce is a Congressional Reapportionment Bill.

The intent back of the introduction of this bill is so that the Members of the House may have, during the recess, a chance to study the bill and if they so desire after the recess to come back with any changes; they will at least have had something during the recess to work on.

I may add that at the present time I have with the Printer a set up of this bill in colors as it is forecast on a map showing the old districts and the proposed new districts. That, together with a copy of the official figures released from Washington as to population together with a letter of explanation, will be forwarded to every Member of the House as soon as the colored map has returned from the Printer.

Mr. ANDREWS. Mr. Speaker, I thank the gentleman from Northumberland.

We agree with the gentleman from Northumberland that this House should be given the opportunity to consider the Congressional Reapportionment Bill.

We note that the gentleman takes it for granted that there is to be a recess during which we can study the bill. That point has not yet been determined.

We would presume that bad as the gentleman's bill may be—and we have not seen it,—it is at least better than no bill.

It is quite likely that the gentleman from Northumberland might not be familiar with all of the devious schemes in mind in other quarters concerning congressional reapportionment and may even be more inclined to deal justly with the liberties of the people in the matters of reapportionment than some others who have so far been concerned with this problem, and we therefore have no objections to the introduction of the bill.

The SPEAKER. The Chair hears no objection and consent is granted.

MR. HALL IN THE CHAIR

## PERMISSION TO ADDRESS HOUSE

Mr. LOUIS LEONARD asked and obtained unanimous consent to address the House.

Mr. Speaker, Members of the House, and especially those who were absent yesterday, I presume you read the papers this morning. The papers this morning indicated that I and two other Members of this House had threatened the majority party with polling the House if they attempted to do any business.

That is absolutely an untruth. No such thing occurred, and no such threat was made by either of the three men-

tioned in the papers. In fact, if it were possible without losing any time. I would request that the minutes of yesterday's session be read and the entire Membership would find out that only two Members of this House were recognized: the Majority Leader and the Minority Leader.

I am for a free press. I always have been for a free press, and I hope nothing ever happens to make it otherwise, but I insist that the papers, when they make a statement about somebody tell the truth, because the statement as it appears in this morning's paper is absolutely an untruth.

## COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, September 29, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I return herewith, without my approval, House Bill No. 634, Printer's No. 571, "An Act to amend the act approved the first day of June one thousand nine hundred fifteen (P. L. 701) entitled 'An act regulating the payment of persons in the employ of the Commonwealth' by providing for pay-days every two weeks."

This bill seeks to amend the Act approved June 1, 1915, P. L. 701 concerning the payment of remuneration of persons in the employ of the Commonwealth. The present law provides that each person in the employ of the Commonwealth receiving an annual salary shall be paid semi-monthly on the first and fifteenth of the month. If such days fall upon Sunday the payment shall be made on the following day. The amendment provides that each person shall be paid every other Friday. If any such Friday is a holiday the payment shall be made on the Thursday before such Friday. The bill further provides that each person employed on an hourly or per diem basis shall be paid on the basis of a two week pay period as determined by the head of the respective department, board or agency.

I have given this legislation my most careful consideration. Inasmuch as I believe that it contains a large element of merit, at the same time when the objections to the legislation are weighed against its attractive features I have reluctantly decided that the bill must be vetoed.

Practically every state employee is a member of the Retirement System. The Retirement System was organized in 1923 and Pennsylvania was one of the leaders in establishing retirement for state employees. Among other things, the law guarantees 4% interest to each employee on his accumulated deductions. As this return cannot be made by investments in the open market the legislature must every biennium appropriate a large amount of money to make up the difference. The Retirement System is set up on a bimonthly pay period and any change would entail a complete readjustment of the administration of the act such as the printing and preparation of new ledger cards, the recomputation of all deductions and the addition of much new equipment and new personnel. The cost would be excessive.

In the Department of the State Treasury it would mean the preparation of new name plates for over fifty thousand employees, in addition to the recomputation of salary checks based on twenty-six pay periods instead of twenty-four and, likewise, the recomputation of the federal withholding tax for each employee.

The Department of the Auditor General has advised that approximately 10% of the man hours now expended on work performed by this department in connection with its pre-audit of Commonwealth payrolls, will have to be added to the present over-all man hour requirements in the event the bill will become law.



Inasmuch as the enactment of this bill would not result in any more income to the employee, it is my belief that a general salary increase would be much more preferable to the average state employee than a change in the present system of payment.

For these reasons the bill is not approved.

JOHN S. FINE

#### COMMUNICATION AND BILL LAID ON TABLE

Mr. SMITH. Mr. Speaker, I move that the veto message from the Governor together with the bill be laid on the table.

The motion was agreed to.

#### COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

##### VETO OF HOUSE BILL No. 745

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, September 29, 1951.  
To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I return herewith, without my approval, House Bill No. 745, Printer's No. 851, entitled "An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled 'An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined' by creating the Pennsylvania Library Council prescribing its powers and duties providing for a State librarian and for certification of libraries and librarians and for minimum standards for public library service."

This bill would amend Sections 202 and 1305 and add Section 408.1 by creating the Pennsylvania Library Council and prescribing its powers and duties relative to public library service, certification of libraries and librarians.

The Administrative Codes of 1923, P. L. 498, June 7, and of 1929, P. L. 177, April 9, were enacted to accomplish the purposes therein stated, and abolished the following departments and offices relating to libraries: the State Library, State Librarian, Deputy State Librarian, General Library, Law Library and Library Extension and placed them under the Department of Public Instruction.

This bill is not needed because, under the provisions of the present law, adequate provision is made with regard to those offices and libraries and the obligation assumed under The Administrative Code has been properly and fully discharged.

Moreover, this bill would be a departure from the policy inaugurated by The Administrative Code.

The purpose and intentment of having libraries is purely educational, and jurisdiction thereof should remain and be vested in the head of our schools, which at

the present time is the Superintendent of Public Instruction. There is no doubt in my mind that what is desired to be accomplished by this bill may be achieved by administrative cooperation.

For these reasons the bill is not approved.

JOHN S. FINE

#### COMMUNICATION AND BILL LAID ON TABLE

Mr. SMITH. Mr. Speaker, I move that the veto message from the Governor together with the bill be laid on the table.

The motion was agreed to.

#### COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

##### VETO OF HOUSE BILL No. 815

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, September 29, 1951.  
To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I return herewith, without my approval, House Bill No. 815, Printer's No. 1008, entitled "An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled 'An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds' by providing that the Department of Revenue shall furnish one registration plate for every registered vehicle."

This bill would amend The Vehicle Code, Act of May 1, 1929, P. L. 905, by requiring the Department of Revenue to issue one registration plate for each registered vehicle, which would be displayed on the rear thereof.

While the bill would reduce the purchase of basic metals for this purpose fifty per cent, and, thus, effectuate economy, it is the opinion of the Department of Revenue and the Pennsylvania State Police that the use of only one registration plate should not be continued longer than the current shortage of basic metals necessitates.

Section 3 of Act No. 336, approved August 24, 1951, permits the flexibility which the administrative and enforcement agencies feel is desirable by authorizing the Department of Revenue to determine whether one or two registration plates is the more feasible, in light of the situation existing when they must be manufactured. This bill would not permit that flexibility.

For this reason the bill is not approved.

JOHN S. FINE



## COMMUNICATION AND BILL LAID ON TABLE

Mr. SMITH. Mr. Speaker, I move that the veto message from the Governor together with the bill be laid on the table.

The motion was agreed to.

## INTERROGATION

Mr. ANDREWS. Mr. Speaker, I desire, with the permission of the House, to interrogate the gentleman from Blair, Mr. Sollenberger.

The SPEAKER pro tempore. Without objection the gentleman will proceed.

Will the gentleman from Blair, Mr. Sollenberger, permit himself to be interrogated?

Mr. SOLLENBERGER. Mr. Speaker, I shall.

Mr. ANDREWS. Mr. Speaker, are regular payment of school subsidies due to the various school districts, or at least same of them, during the month of October?

Mr. SOLLENBERGER. Mr. Speaker, they are.

Mr. ANDREWS. Mr. Speaker, will the gentleman from Blair tell us whether financial arrangements have been made to pay the districts their regular usual school subsidies upon the due date?

Mr. SOLLENBERGER. Mr. Speaker, in reply to the gentleman from Cambria, the answer is somewhat an anticipated answer.

I understand on unofficial authority that there is enough money available for the payments in the month of October which will be to the fourth class districts, and they are the ones that receive the appropriations from the state in that month.

Mr. ANDREWS. Mr. Speaker, would it be possible for the gentleman from Blair to obtain the information that will enable him to tell the House whether the October payments certainly will be made?

Mr. SOLLENBERGER. Mr. Speaker, I presume that in a few minutes we will be able to answer.

Through my colleagues—not assistants, but colleagues—we have been partially assured.

You know with this gentleman from Cambria you have to be careful what you say; even though you know it you had better not say it. But we are pretty certain that the October payments will be made and the money will be available and is available for those payments, and the Budget Director has so stated that the money is here.

Mr. ANDREWS. Mr. Speaker, the reason I raised the question is because in a number of fourth class districts teachers have not been paid since July. Of course, there are districts that have not been paid for a longer term than that, but I know in my particular district where they have not been paid since July and they have served notice that if they are not paid by October 15th they are going to walk out, they are going to walk off the job.

I simply want to point out that it is rather bad policy for this House and this General Assembly to walk off the job if there is even the remotest possibility that as a result of our walking off the job, in a considerable number of districts, teachers will feel compelled to do the same thing.

I have recently been informed, wholly unofficially, to quote the gentleman from Blair, wholly unofficially, that doubt has been expressed among some of the Department

of Public Instruction Executive personnel that there was a possibility that the October payments might not be met on the due date, and supervising principals in some of the districts had been so informed.

Mr. SOLLENBERGER. Mr. Speaker, we have been assured by the Budget Director that the October payments will be made. That is the first thought I think Mr. Andrews is interested in.

Secondly, July 1st through October 31st, in those districts, are the four months for the collection of taxes which will help solve that problem.

Then, possibly the most important of the three is—and I think this should be said here on the floor of the House—if the other Legislative body of this General Assembly had acted upon the appropriation bills that were sent from this House to it, there would be money and plenty of money for all the school districts to operate for the first semester of the 1951-1952 school term.

Again, I reiterate, we have been assured by the Budget Director that the October payments will be made; that is, in the fourth class districts.

Number two, we are right in the heart of the collection of taxes for this coming year.

Number three, the House has done its work relative to school appropriations and others, and those bills lie in the Senate today waiting to be operated upon. When they are, then there will be plenty of money to go ahead with in all the districts within the state, and the revenue bills, of course, are the ones that they must consider. We have done our work relative to the schools and the institutions at large.

## THE SPEAKER (Herbert P. Sorg) IN THE CHAIR

The SPEAKER. The Chair thanks the gentleman from Potter, Mr. Hall, for presiding.

## RESOLUTION

## TIME OF NEXT MEETING

Mr. HELM offered a report from the Committee on Rules which was read as follows:

In the House of Representatives, October 2, 1951.

Resolved, (if the Senate concur) That when the House of Representatives adjourns this week, it re-convene on Monday, November 12, 1951, at 4:30 o'clock p. m., E.S.T., unless sooner re-convened at the call of the Speaker of the House of Representatives and when the Senate adjourns this week, it re-convene on Monday, November 12, 1951, at 3:00 o'clock, p. m., E.S.T., unless sooner re-convened by the President Pro Tempore of the Senate.

Signed by the House Committee on Rules.

Charles C. Smith, Chairman  
Adam T. Bower  
Wilson L. Yeakel  
W. Stuart Helm  
Albert W. Johnson  
Herbert P. Sorg

On the question,

Will the House adopt the resolution?

Mr. ANDREWS. Mr. Speaker, is the resolution in its present form subject to debate or would it, in order to justify debate, be necessary to offer an amendment?

The SPEAKER. The gentleman is in order to debate the merits of the resolution.

Mr. ANDREWS. Mr. Speaker, I do not rise particularly



for the purpose of debating the resolution, but I do want to make some remarks concerning it.

I am in hopes that the Majority Leader will join with us in making certain that the vote on this resolution is emphatically a party vote, and to that end the majority party membership in the event they all favor this resolution—and it is a party measure—all Members of the majority be recorded in its favor, and all the members of the minority be recorded against it. We do not believe that this is in line with sound policy. We do not believe that it is a move that will enhance our reputation over the state.

Such contact as we have had with the public leads me to believe that the general public does not understand our situation. You and I know, Mr. Speaker, and all of the Members know that perhaps no great gain would be accomplished if this House actually met week after week in token sessions or with a majority of the Members present, and having no business, adjourn until the following week. Such procedure would center attention upon the facts of our parliamentary situation.

I find that the facts are not understood. I find that back home not only the Members on the majority side of this House are blamed for legislative inaction here in Harrisburg, but that on the minority side we are blamed.

I am asked on the streets at home why I am not down at Harrisburg on the business of the Commonwealth; why I am not down at Harrisburg trying to do something about it; why I am not down there in the trenches. The public will not understand our situation if we gladly and meekly and, I believe blindly surrender to what some may term necessities of the situation, and in an effort to meet the Senate half way, adjourn until November 12th. Meet your Senate half way when it is not going anywhere! How can we meet anybody half-way that is stationary?

How can we buy public sentiment—that is the only weapon that we can use—so arouse public sentiment, and get what should be our objective? A sine die resolution, offer it today or offer it next Monday—six days—and we will make our battle on that basis. I say that instead of dilly-dallying this issue should be defined.

I want to say further, Mr. Speaker, that undoubtedly if this were not an election year the present situation in which we find ourselves would never have occurred. Quite likely this desire to play politics is not confined in any one particular circle. The curse of politics is upon us. It always has been and always will be. Nothing is gained, however, by evasion. The way to overcome opposition is to face it. Here in this case, we lament the fact that we do not today have a calendar; we do have a bicameral Assembly, and we surrender our parliamentary traditions, our ideas of public service because our brothers-in-arms at the other end of the Capitol are not perhaps following a statesmanlike course. We say it is not statesman-like, we lament the fact that a situation exists and then we join it—we become a part of it. We seal the period of inaction with the stamp of approval, instead of standing where we should have stood right from the beginning. Here we are, ready to serve, and we say “all right, we will knuckle in, we will join you.”

So I hope that the Rules of the House will make it possible for all Members of the minority to be recorded against this resolution.

Mr. SMITH. Mr. Speaker, I would like to make just a very brief statement. I cannot say that I disagree with the Minority Leader to too great an extent, but I think if he has read our press release that was given to the press yesterday, the first two items will probably have told him the story of the position in which we are placed.

Number one, in the press release was this. Our preference would be to continue meeting until the work of the General Assembly is completed.

Number two, the reason for not meeting is because of the Senate's request for a recess and its program of meeting with merely skeleton forces.

If such a program is not agreed to, the amount of work the House could perform would be negligible, all action being subject to Senate concurrence. It just does not make good sense, Mr. Speaker, to keep coming here with a complete House or with a skeleton force when we have completed our work. We have accepted our responsibilities. If the Senate has not seen fit to accept theirs, that does place us in a very awkward position. Meeting in token sessions is not going to solve that problem. Coming down here with all of your Members and meeting every day is not going to solve that problem.

I hope this will be interpreted the way I mean it. We have accepted our responsibility. The problem now is not ours. The problem belongs on the other side of this House, and that is the Senate. They will have to soon enough, and I hope very soon, recognize that they have a responsibility to provide money and to provide the many things that the people of this state are asking for.

Mr. LOUIS LEONARD. Mr. Speaker, I want to place my okeh upon the remarks of the Minority Leader and on the Majority Leader's statement. But there are 247 Members of the General Assembly of Pennsylvania being shoved around here for the last nine months. Ten Members of the Senate are telling 247 Members of the General Assembly what they can do and what they cannot do.

Both parties—when election comes around—urge the people to vote, to register and participate in the political affairs of our state. Is this not an excuse for the people who are now voting, to discontinue their activities, when the General Assembly will permit ten men—ten Members of the General Assembly—to drag their feet for nine months?

To me this is a joke and I am satisfied that the people of Pennsylvania, as the Minority Leader says, apparently to some extent do not understand. I think the newspapers of Pennsylvania owe the people of Pennsylvania something in this matter and they ought to publish it right on the front page so that the people of Pennsylvania know what is going on in Harrisburg.

I do not think the recess is going to mean any more now than it meant in the past. We have had four recesses as far as I know, and maybe more, and every time we came back we found ourselves in the same position we were in when we left on the recess. The same thing is going to happen this time.

We will come back here on November 12th, provided this resolution prevails, and we will find ourselves just exactly as we are this minute.

There is one point I want to make now and that is I was under the impression that the majority party in the House was going to do what it possibly could do to bring



about an adjournment sine die this week, or if we cannot do it this week, we would do it next week.

Without solicitation, I have had Republican Members of this House tell me that they feel just the same as we feel on this side; they are sick and tired of recesses. Whether you have been able to change their minds or not, I do not know, but if you have not changed their minds this resolution I do not think it is going to carry, and that would be the answer to the question before us.

Mr. Speaker, may I interrogate the Majority Leader.

The SPEAKER. Will the Majority Leader permit himself to be interrogated?

Mr. SMITH. I shall, Mr. Speaker.

Mr. LOUIS LEONARD. Mr. Speaker, for the record, for the benefit of the Members, I would like to inquire of the Majority Leader, does he have any reason to believe that the Senate is going to go along with this amended resolution?

Mr. SMITH. Mr. Speaker, I have no assurance whatsoever whether they will go along with this resolution or not.

Mr. LOUIS LEONARD. That is further evidence that we are just sitting here like a bump on a log. That is all we are. We were called some names by a Senator last week—I wonder how wrong he is if we are going to sit around here and stand for that.

While I am still on my feet I want to make a correction. In making a statement before the House last week I referred to the Senate as "those guys." That was an unintentional mistake, Mr. Speaker. I should have said "those Senators." I also used the term "dough." I really meant they were financially okeh to stay as long as they wanted to.

I will vote against this resolution.

Mr. LOVETT. Mr. Speaker, I would like to interrogate the sponsor of the resolution.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Smith, permit himself to be interrogated?

Mr. SMITH. I shall, Mr. Speaker.

Mr. LOVETT. Mr. Speaker, will the gentleman be kind enough to tell me, in the drafting of this resolution by the Rules Committee as I understand, whether or not the Rules Committee of the Senate was taken into consideration in the drafting of this resolution?

Mr. SMITH. Mr. Speaker, we have found that the only way to get action in any way whatsoever is to forget that we have a Senate and force action upon them. They were not taken into consideration.

Mr. LOVETT. Mr. Speaker, sometime ago when the new tax program was formed in this House, I asked practically the same question; whether that tax program had been considered jointly by the House and Senate.

I am sorry that I cannot find it in myself to condemn the Senate of Pennsylvania to the extent that some of my colleagues do. Maybe there are things that I do not know, but they have been successful in defeating the flat income tax in Pennsylvania. To me that is a victory.

We face today another resolution for a recess which the minority has continually opposed. We have been willing to stay here until the work is done. We now have another resolution to recess until November 12th.

The Senate sent us the resolution to recess until December 10th. Now, personally, I would say to the Majority that

there is little difference between the dates of November 12th and December 10th. Where are we going? How are you going to get to a stage where we are going to be able to agree on some date? I can just imagine that the Senate, when they receive our resolution, will come out with another date. They will possibly say, "We will pigeon-hole this resolution and we will send another back to the House to recess until November 25th." There is not any logic to this; there is no sense to it.

I realize that the two Houses are two separate bodies, but for heaven's sakes, on matters of policy have we come to the stage of the game where the House says to the Senate, "You will either take what we give you, or you'll take nothing." And the Senate in turn, says to the House, "You either do what we want or there will be nothing done."

Is there any sense? Is there any logic back of all this? Let us be fair. Let us get together. I am sure that if my party were in control in this House and in the Senate, I certainly would insist that we sit down together and thrash out our difficulties.

Mr. SMITH. Mr. Speaker, I would like to say to the gentleman in answer; "Let us be fair."

He knows the position we are in. He knows that this is a bicameral House; nobody can work without the other side of the Assembly. He knows that the Senate cannot do anything without us. He knows that we cannot do anything without the Senate. That is a part of democracy. When it becomes a dictatorship they will tell us what to do or we will tell them. So let us be fair.

We have reached an impasse to a degree. We do not want to do this anymore than he wants us to do it, but at least we have something, and we are offering something. We want to stay here and work and see that they work even though we have no more work to do, but we are offering something in the way of a compromise and we sincerely hope they will accept it.

### PERMISSION TO ADDRESS HOUSE

Mr. MORAN asked and obtained unanimous consent to address the House.

The Speaker, the Majority Floor Leader has just stated that we cannot do anything without the Senate and the Senate cannot do anything without us. If we adjourned, the Senate could not do anything. Well I do not know whether it makes much difference, the Senate is not doing anything anyway.

I think the real thing to do, instead of accepting this resolution and passing over, to take us past the election in November, we should adjourn at the end of this week and go home.

We are not going to do anything in November any more than we are doing right now. The setup is that they want this House to adjourn so that this tax measure will not pass until after the November election, then they will be able to select the delegates to the Republican Convention, which Mr. Fine says the state is not in the position to do at the present time, and would not be in the position to do if we adjourned at this time. I say we should adjourn at the end of this week sine die, and defeat this resolution.

On the question recurring.

Will the House adopt the resolution?



The yeas and nays were required by Mr. Andrews and Mr. Kolankiewicz and were as follows:

## YEAS—99

Banker,	Frost,	Loftus,	Riley, R. L.,
Barkdoll,	Geer,	Lyons,	Robertson,
Baumunk,	Gleason,	Madden,	Royer,
Bear,	Goodling,	Madigan,	Shoemaker,
Beech,	Graybill,	Markley,	Shotwell,
Blair,	Greenwood,	Mazza,	Smith,
Bolton,	Greer,	McConnell,	Sollenberger,
Bomberger,	Guthrie,	McCormack,	Stimmel,
Boorse,	Hall,	McCullough,	Thompson, E. F.,
Bower,	Hamilton, W. H.,	McInroy,	Tompkins,
Brelsach,	Harney,	McKinney,	Toomey,
Cella,	Haudenschild,	McMillen,	VanSant,
Clapper,	Helm,	Mikula,	Varnier,
Clendenning,	Hocker,	Miller, J. C.,	Wachhaus,
Costa,	Johnson,	Mintess,	Weldner,
Dalrymple,	Jones, T. H. W.,	Moore, C. E.,	Wescott,
Davis,	Jump,	Moore, H. A.,	Whalley,
Dennison,	Keller,	Murray,	White,
Dowling,	Kent,	Najaka,	Wilt,
DuBois,	Kline,	Naugle,	Wood,
Dunn,	Kohl,	Pitzer,	Yeakel,
Erb,	Kratz,	Price, H. W. Jr.,	Young,
Ewing,	Lafore,	Reagan,	Ziegler,
Ferster,	Leisey,	Reilly, J. M.,	Sorg,
Flack,	Light,	Rigby,	Speaker

## NAYS—53

Amarando,	Filo,	Lopresti,	Scanlon,
Andrews,	Gaffney,	Lovett,	Seyler,
Beaver,	Guarnieri,	McDermitt,	Sluder,
Bloom,	Hamilton, R. K.,	McGee,	Stank,
Boles,	Hoggard,	McNally,	Swope,
Breth,	Jones, G. E.,	Mills,	Taylor,
Bucchin,	Kamyk,	Monroe,	Toil,
Byrne,	Kolankiewicz,	Moran,	Varallo,
Conway,	Kornick,	Musto,	Welsh,
Coyle,	Kubacki,	Petrosky,	Westrick,
Dougherty,	Lederer,	Polaski,	Wheeler,
Duffy,	Leonard, L.,	Polen,	Yester,
Fenrich,	Leven,	Reidenbach,	Yetzer,
Filip,	Limper,	Rosen,	

## NOT VOTING—55

Berkstresser,	Hunter,	Olsen,	Sax,
Brown,	Jenkins,	Penglase,	Schmidt,
Cochran,	Jones, J. M.,	Peta,	Schuster,
Cooper,	Jones, P. F.,	Pettigrew,	Scott,
Corr,	Leonard, W. C.,	Pfaff,	Spencer,
Firmstone,	Lutty,	Pichney,	Stoner,
Gibson,	Maxwell,	Price, R. A.,	Swartz,
Good,	Metz,	Readinger,	Tahl,
Gutendorf,	Mihm,	Reese,	Thompson, R. L.,
Hagerty,	Miller, H. G.,	Rose,	Verona,
Headlee,	Muldowney,	Rovansek,	Wargo,
Hersch,	Munley,	Rubin,	Waterhouse,
Hewitt,	Needham,	Sarraf,	Watkins,
			Williams,

So the question was determined in the affirmative and the resolution was adopted.

Ordered, that the Clerk present the same to the Senate for concurrence.

## RESOLUTION

## ADJOURNMENT SINE DIE

Mr. HELM offered a report from the Committee on Rules which was read as follows:

In the House of Representatives, October 2, 1951.

Resolved, (if the Senate concur), That this 139th Regular Session of the General Assembly Adjourn Sine-Die on Friday, the thirtieth day of November, 1951, at 6:00 o'clock P. M.

Signed by the Committee on Rules  
Charles C. Smith, Chairman,  
Adam T. Bower,

Wilson L. Yeakel,  
W. Stuart Helm,  
Albert M. Johnson,  
Herbert P. Sorg.

On the question,  
Willt he House adopt the resolution?

It was adopted.

Ordered, That the Clerk present the same to the Senate for concurrence.

## BILL INTRODUCED AND REFERRED

By Mr. BOWER.

HOUSE BILL No. 1741.

An Act to apportion the Commonwealth of Pennsylvania into Congressional Districts.

Referred to the Committee on Elections and Apportionment.

## COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

## VETO OF HOUSE BILL No. 1577

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, September 29, 1951.  
To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I return herewith, without my approval, House Bill No. 1577, Printer's No. 812, entitled "An Act fixing the salary of the Director of the Legislative Reference Bureau."

The salary of this position was already increased during this session of the General Assembly. The proper salary adjustment should have been made at that time. A bad precedent would be established to increase this salary for the second time at this session.

For this reason the bill is not approved.

JOHN S. FINE.

## COMMUNICATION AND BILL LAID ON TABLE

Mr. JOHNSON. Mr. Speaker, I move that the veto message from the Governor together with the bill be laid on the table.

## COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

Approval of House Bill Nos. 28, 111, 228, 253, 274, 548, 589, 590, 596, 713, 726, 757, 878, 907, 955, 976, 1027, 1068, 1118, 1123 1171, 1185, 1205, 1269, 1270, 1283, 1286, 1309, 1318, 1326, 1335, 1347, 1348, 1351, 1366, 1379, 1431, 1432, 1440, 1445, 1470; 1476, 1480, 1504, 1507, 1513, 1535, 1552, 1554, 1574, 1590, 1599, 1647, 1678, 1720 and 1721.

Commonwealth of Pennsylvania,  
Governor's Office, Harrisburg, September 29, 1951.  
To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 28, Printer's No. 44, entitled "An Act to further amend section 703 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled 'An act concerning townships of the first class amending revising consolidating and changing the law relating thereto' by changing the compensation paid to township commissioners."

JOHN S. FINE.



September 28, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 111, Printer's No. 868, entitled "An Act to further amend section 506 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled 'An act to consolidate amend and revise the penal laws of the Commonwealth' providing for the increase or decrease of support orders in bastardy cases."

JOHN S. FINE.

September 26, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 228, Printer's No. 48, entitled "An Act to amend section 733 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled 'An act to consolidate amend and revise the penal laws of the Commonwealth's by providing for an alternate procedure in desertion and nonsupport cases.'"

JOHN S. FINE.

September 28, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 253, Printer's No. 799, entitled "An Act to further amend clause (2) of Section 12 of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled 'An act establishing a State employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employees serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties' by further providing for disability retirement allowances of persons able to engage in gainful occupations."

JOHN S. FINE.

September 29, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 274, Printer's No. 51, entitled "An Act to further amend Section 1001 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled 'An act concerning townships of the first class amending revising consolidating and changing the law relating thereto' by increasing the compensation of the township auditors."

JOHN S. FINE.

September 29, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 548, Printer's No. 987, entitled "An Act to amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled 'An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley highways of this Commonwealth providing for the titling including

liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines foreclosures fees and miscellaneous receipts making an appropriation and providing for refunds' by providing penalties for removal or transfer of certificates of inspection from vehicles and official inspection stations."

JOHN S. FINE.

September 29, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 589, Printer's No. 452, entitled "An Act to amend section one thousand one hundred forty-four of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled 'An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto' by further providing for additional increments for holders of college certificates or Masters' Degrees."

JOHN S. FINE.

September 29, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 590, Printer's No. 128, entitled "An Act to amend section one thousand one hundred forty-four of the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled 'An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto' by further providing for increments for professional employees holding a Master's Degree or its equivalent."

JOHN S. FINE.

September 26, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 596, Printer's No. 433, entitled "An Act to amend Section 2 of the act approved the eighteenth day of April one thousand nine hundred twenty-three (P. L. 75) entitled 'An act authorizing the courts of common pleas to change the name of persons prescribing the procedure and the effect of the decree thereon' by reducing the time in which the petition shall be heard."

JOHN S. FINE.

September 28, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 713, Printer's No. 421, entitled "An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled 'An act relating to the public school system



including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto' by authorizing boards of school directors to enter into contracts with and make appropriations to the county board of school directors for services further providing for the appointment and payment of a secretary and a treasurer of the county board of school directors and auditing the treasurer's accounts and providing for the assessment of school districts for special services furnished by the county board of school directors."

JOHN S. FINE.

September 29, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 726, Printer's No. 981, entitled "An Act to amend the title and further amend Subsections a c and e of Section 1 of the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 1145) entitled 'An act empowering cities of the second class cities of the second class A cities of the third class boroughs towns townships of the first class school districts of the second class school districts of the third class and school districts of the fourth class to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employees to assess and collect such taxes and permitting penalties to be imposed and enforced providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court' by extending the provisions thereof to include townships of the second class as to certain taxes."

JOHN S. FINE.

September 29, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 757, Printer's No. 980, entitled "An Act to add Article XVI-A to the act approved the seventh day of March one thousand nine hundred one (P. L. 20) entitled 'An act for the government of cities of the second class' by providing for the establishment of a municipal traffic court in cities of the second class."

JOHN S. FINE.

September 28, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 878, Printer's No. 674, entitled "An Act to amend the act approved the thirteenth day of June one thousand nine hundred eleven (P. L. 903) entitled 'An act to prevent frauds against carriers of passengers for hire within this Commonwealth and prescribing penalties for the breach of the provisions hereof' by changing penalties and defining magistrate."

JOHN S. FINE.

September 26, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 907, Printer's No. 789, entitled "An Act to further amend section nine hundred fifteen of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1053) entitled 'An act relating to the regulation of public utilities

defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utility business by prescribing defining and limiting their duties power and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale method of regulating rates providing for the supervision of financial and contractual relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alteration relocation protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appreciate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporation (except municipal corporations) subject to regulation the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act' by permitting motor carriers not qualified to be self-insurers to furnish surety bonds or public liability insurance."

JOHN S. FINE.

September 29, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 955, Printer's No. 973, entitled "An act to amend section 10 of the act approved the twenty-third day of May one thousand nine hundred forty-five (P. L. 903) entitled 'An act authorizing cities of the third class to establish an optional retirement system for officers and employees independently of any pension system or systems existing in such cities' by changing the limitations on contributions by the city."

JOHN S. FINE.

September 29, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 976, Printer's No. 763, entitled "An Act to amend Section 1 of the act approved the twentieth day of May one thousand nine hundred forty-nine (P. L. 1489) entitled 'An act providing for a two-platoon system for firemen employed and paid by cities of



the second class A and fixing the maximum hours of service in any one day or week for such platoons with certain exceptions' by further prescribing the maximum hours of service for such employes in any one week."

JOHN S. FINE.

September 29, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1027, Printer's No. 937, entitled "An Act to amend subsection (b) of Section 4 of the act approved the twenty-third day of May one thousand nine hundred forty-five (P. L. 903) entitled 'An act authorizing cities of the third class to establish an optional retirement system for officers and employes independently of any pension system or systems existing in such cities' by limiting rights to involuntary retirement and providing for the reinstatement of certain persons to and the placing of others upon the pension rolls of certain cities."

JOHN S. FINE.

September 26, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1068, Printer's No. 440, entitled "An Act to further amend Section 2405 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled 'An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined' by permitting delivery of unserviceable property to Superintendent of Public Instruction without charge for assignment to school districts."

JOHN S. FINE.

September 29, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1118, Printer's No. 948, entitled "An Act making an appropriation from the Toll Bridge Fund to the Board of Finance and Revenue to meet interest and sinking fund requirements on Toll Bridge Bonds."

JOHN S. FINE.

September 26, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1123, Printer's No. 901, entitled "An Act to provide for the registration and protection of trade-marks and to secure the rights property and interests therein providing for the assignment cancellation and revocation thereof and imposing penalties for

violations conferring powers and imposing duties upon the Secretary of the Commonwealth in the administration thereof and to repeal all acts inconsistent therewith."

JOHN S. FINE.

September 28, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1171, Printer's No. 869, entitled "An Act to further amend the act approved the first day of June one thousand nine hundred thirty-one (P. L. 299) entitled 'An act requiring retail dealers in liquid fuels to state the rate of the liquid fuels tax separately from the price of such liquid fuels on liquid fuel price display signs and imposing a penalty' by requiring the posting of signs on liquid fuels dispensing devices stating the brand quality and price of liquid fuels prohibiting the posting of signs not conforming to prescribed standards and increasing penalties."

JOHN S. FINE.

September 29, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1185, Printer's No. 764, entitled "An Act to further amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled 'An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto' by authorizing school directors of the third class to elect an associate superintendent in lieu of a district superintendent prescribing his powers and duties and fixing his compensation."

JOHN S. FINE.

September 26, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1205, Printer's No. 918, entitled "An Act defining analytical-biochemical-biological laboratory regulating the operation of the same requiring such laboratories to obtain permits and to be operated under the direct supervision of qualified persons imposing certain duties upon the Department of Health and providing penalties."

JOHN S. FINE.

September 26, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1269, Printer's No. 877, entitled "An Act to amend Section 15 of the act approved the twenty-second day of April one thousand eight hundred fifty (P. L. 538) entitled 'An act to secure the cities of Pittsburgh and Allegheny and the neighborhood thereof from damage by gun-powder to incorporate an association for the establishment of a house of refuge for Western Pennsylvania and relative to the Pennsylvania State Lunatic hospital' by changing the maximum age for the commitment of delinquents to the Pennsylvania Training School of Morganza, and changing admission requirements relative thereto."

JOHN S. FINE.

September 26, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:



I have the honor to inform you that I have this day approved and signed House Bill No. 1270, Printer's No. 876, entitled "An Act providing for the commitment and transfer of certain female juvenile delinquents to the Pennsylvania Training School for Girls or to certain other institutions and imposing duties on the courts of this Commonwealth and the Department of Welfare relative thereto."

JOHN S. FINE

September 29, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1283, Printer's No. 983, entitled "An Act authorizing the Orphans' Courts of the several counties upon application therefor to place documents defined as historical documents in the temporary custody of certain associations maintaining facilities for public display of historical writings conferring powers and imposing duties on registers of wills."

JOHN S. FINE.

September 29, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1286, Printer's No. 985, entitled "An Act authorizing the Commonwealth to negotiate temporary emergency loans to defray current and other expenses of the State government during any fiscal biennium evidenced by tax anticipation notes secured by and payable from current revenues of any current biennium levied assessed collectible and accruing during such fiscal biennium defining the powers and duties of the Governor the Auditor General and the State Treasurer in relation thereto providing for the payment of interest on and the repayment of such loans and making an appropriation."

JOHN S. FINE.

September 26, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1309, Printer's No. 898, entitled "An Act to amend sections one and two as amended sections four five six seven and eight and sections nine and ten as amended of the act approved the twenty-eighth day of June one thousand nine hundred and twenty-three (P. L. 888) entitled 'An act to safeguard human life and health throughout the Commonwealth by providing for the reporting quarantining and control of diseases declared communicable by this act or by regulation of the Department of Health providing for the prevention of infection therefrom and prescribing penalties' by changing the method of approval of communicable disease regulations by the advisory health board and by adding counties which have established a county department of health or joint-county department of health to the political subdivisions required or empowered to perform certain duties relating to the reporting quarantining and control of diseases declared communicable by law or regulation."

JOHN S. FINE.

September 26, 1951.

To the Honorable; the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1318, Printer's No. 595, entitled "An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of Clarion State Teachers College

to acquire certain tracts of land for the use of Clarion State Teachers College and making an appropriation."

JOHN S. FINE.

September 29, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1326, Printer's No. 1028, entitled "An Act to further amend the act approved the nineteenth day of March one thousand nine hundred nine (P. L. 46) entitled 'An act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing of osteopaths in this State and to provide penalties for the violation of this act' by providing for the licensing without examination of persons licensed by the provinces of the Dominion of Canada in certain cases."

JOHN S. FINE.

September 29, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1335, Printer's No. 607, entitled "An Act to further amend Section 11 of the act approved the twentieth day of May one thousand nine hundred fifteen (P.L. 566) entitled 'An act requiring cities of said cities and all county or other public employes if of the first class to establish a pension fund for employes any paid by appropriation of the city councils thereof and out of the treasury of said cities and regulating the administration and the payment of such pensions' by providing for credit for service with a school district of the first class for members of a first class city pension fund in certain cases."

JOHN S. FINE.

September 28, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1347, Printer's No. 444, entitled "An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled 'An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto' by making corrections and conforming certain provisions to existing practice."

JOHN S. FINE.

September 29, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1348, Printer's No. 942, entitled "An Act to amend Section 1 of the act approved the eighth day of May one thousand nine hundred one (P. L. 150) entitled 'An act providing for the raising of revenue for State purposes by imposing upon certain foreign corporations limited partnership and joint-stock associations a bonus of one-third of one per centum upon the capital actually employed in Pennsylvania and requiring the filing of certain reports in the office of the Auditor General' by exempting from the provisions thereof foreign nonprofit corporations."

JOHN S. FINE.

September 29, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:



I have the honor to inform you that I have this day approved and signed House Bill No. 1351, Printer's No. 896, entitled "An Act to further amend subsection C of Section 1 of the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 1145) entitled 'An act empowering cities of the second class cities of the second Class A cities of the third class boroughs towns townships of the first class school districts of the second class school districts of the third class and school districts of the fourth class to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes and permitting penalties to be imposed and enforced providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court' by temporarily excluding under certain conditions taxes imposed on read property transfers in certain school districts in determining tax limitations."

JOHN S. FINE.

September 26, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1366, Printer's No. 565, entitled "An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled 'An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto' by further providing for the payment of expenses of teachers' meetings by the county treasurer."

JOHN S. FINE.

September 26, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1379, Printer's No. 725, entitled "An Act to authorize the revival of judgments entered in favor of the Commonwealth of Pennsylvania by filing a suggestion of nonpayment."

JOHN S. FINE.

September 26, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1431, Printer's No. 668, entitled "An Act providing for the licensure and regulation of commercial boarding homes for the aged conferring certain powers and duties upon the Department of Welfare imposing license fees and providing penalties."

JOHN S. FINE.

September 26, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1432, Printer's No. 726, entitled "An Act to further amend Section 1 of the act approved the eleventh day of July one thousand nine hundred twenty-three (P. L. 1032) entitled 'An act providing for the abatement of nuisances caused by the improper grading or defective paving or encroaching fences in alleys in cities of the first class for the establishment of lines and grades for and the grading paving or repaving of said alleys and the grading of private alleys hereafter laid out and for apportioning the cost and for

the filing of liens therefor' by giving property owners a longer period of time in which to abate nuisances."

JOHN S. FINE.

September 29, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1440, Printer's No. 663, entitled "An Act to further amend Sections 315 and 413 of the act approved the second day of June one thousand nine hundred fifteen (P. L. 736) entitled as amended 'An act defining the liability of an employer to pay damages for injuries received by an employee in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties' by limiting the effect on workmen's compensation claims of insurance payments for non-occupational illness or injury."

JOHN S. FINE.

September 26, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1445, Printer's No. 802, entitled "An Act to add section three hundred twenty-eight to the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled 'An act to consolidate amend and revise the penal laws of the Commonwealth' by making it a crime to falsify a material fact or make fraudulent statements in any matter within the jurisdiction of any department board or commission of the Commonwealth and prescribing penalties."

JOHN S. FINE.

September 28, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1470, Printer's No. 727, entitled "An Act to repeal the act approved the thirteenth day of April one thousand eight hundred sixty-eight (P. L. 1017) entitled 'An act to provide for the collection of state county poor and military taxes in the county of Bedford' so far as it relates to Bedford County."

JOHN S. FINE.

September 26, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1476, Printer's No. 759, entitled "An Act to further amend Article III of the act approved the seventh day of March one thousand nine hundred one (P. L. 20) entitled 'An act for the government of cities of the second class' by fixing maximum hours of service for patrolman and providing for compensation for extra services in emergencies."

JOHN S. FINE.

September 29, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1480, Printer's No. 925, entitled "An Act to further amend the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled 'An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its



existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties' by defining and re-defining certain terms by further providing for the submission of reports by the department to the Governor concerning the administration and operation of the act by providing for the selection of certain personnel on a civil service basis by providing for the disposition of obsolete files and records and for the admissibility of copies of such records in evidence for reciprocal arrangements with foreign governments for modification of the manner in which contribution rates are determined and redetermined for modification of the manner in which reports are filed and contributions paid for modification of the provisions with respect to eligibility for benefits and the amount thereof by conferring upon the department the right of appeal by eliminating appeal filing fees and by making further provisions for the prosecution of fraud and for recoupment of benefit payments."

JOHN S. FINE.

September 28, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1504, Printer's No. 728, entitled "An Act to amend the act approved the twenty-sixth day of May one thousand nine hundred forty-nine (P. L. 1828) entitled 'An act concerning the investment powers and duties of guardians committees trustees and other fiduciaries except personal representatives and prescribing the nature and kind of investments which may be made and retained by such fiduciaries' by declaring the obligations of Redevelopment Authorities issued pursuant to the law of Pennsylvania to be legal investments for fiduciaries."

JOHN S. FINE.

September 28, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1507, Printer's No. 758, entitled "An Act to further amend section seven hundred six and subsection (c) of section nine hundred three of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled 'An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns township within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds' by increasing

the fee for annual registration and the maximum gross weight allowed for certain two-wheeled semi-trailers."

JOHN S. FINE.

September 26, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1513, Printer's No. 745, entitled "An Act to amend Section 412 of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1242) entitled 'An act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto' by defining the estate of substitute rights of way for public service companies and requiring conveyance thereof."

JOHN S. FINE.

September 26, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1535, Printer's No. 771, entitled "An act to amend clauses (r) and (s) of subsection B of section four of the act approved the second day of May one thousand nine hundred Forty-five (P. L. 382) entitled 'An act providing for the incorporation as bodies corporate and politic of "Authorities" for municipalities counties and townships prescribing the rights powers and duties of such Authorities heretofore or hereafter incorporated authorizing such Authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such Authorities authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof and conferring exclusive jurisdiction on certain courts over rates' hereby clarifying and correcting the provisions of said clauses authorizing Authorities to charge the cost of sewer construction against properties benefited improved or accommodated thereby and providing for the enforcement of such charges."

JOHN S. FINE.

September 26, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1552, Printer's No. 809, entitled "An Act to amend subsection (d) of section 4 and section 9.1 of the act approved the thirty-first day of March one thousand nine hundred forty-nine (P. L. 372) entitled 'An act to promote the welfare of the people of the Commonwealth creating The General State Authority as a body corporate and politic with power to construct improve equip furnish and operate projects and to lease the same and to fix fees rentals and charges for the use thereof authorizing and regulating the issuance of bonds for said Authority and providing for the payment of such bonds and the rights of the holders thereof and to enter into agreements with the Government of the United States or any Federal agency and authorizing the Department of Property and supplies to grant assign convey or lease to the Authority lands of the Commonwealth and interests therein and to acquire lands therefor granting the right of eminent domain empowering The General State Authority to sell and convey projects and property to the Commonwealth and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act' by authorizing the leasing of wholly or partially completed projects of the General State Authority."

JOHN S. FINE.



September 29, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you, that I have this day approved and signed House Bill No. 1554, Printer's No. 938, entitled "An Act to authorize the Secretary of Public Assistance of the Commonwealth of Pennsylvania to apply to the Secretary of Agriculture of the United States for the return of assets of the former Pennsylvania Rural Rehabilitation Corporation to receive deposit and administer such assets for rural rehabilitation or other authorized purposes and to enter into agreements with the Secretary of Agriculture of the United States with respect to the future administration of said assets."

JOHN S. FINE.

September 26, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1574, Printer's No. 795, entitled "An Act to further amend the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled 'An act relating to cities of the third class and amending revising and consolidating the law relating thereto' by changing certain provisions relating to contracts recreation places highways and expense accounts of delegates to conventions."

JOHN S. FINE.

September 29, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1590, Printer's No. 783, entitled "An Act to further amend the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 566) entitled "A supplement to the act approved the second day of June one thousand nine hundred and fifteen (P. L. 736) entitled as amended "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties" as reenacted and amended providing for the payment of compensation to volunteer firemen or their dependents by amplifying the provisions thereof as to persons entitled to such benefits."

JOHN S. FINE.

September 29, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1599, Printer's No. 887, entitled "An Act providing for an expense allowance for members of the board of inspectors of the Berks County Prison."

JOHN S. FINE.

September 26, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1647, Printer's No. 873, entitled "An Act to add section three hundred twenty-seven to the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled 'An act to consolidate amend and revise the penal laws of the Commonwealth' by making it a crime to picket or parade in or near any building housing a court of the Commonwealth of Pennsylvania with the intent of in-

fluencing any judge juror witness or court officer in the discharge of his duty and prescribing penalties."

JOHN S. FINE.

September 28, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1678, Printer's No. 957, entitled "An Act to further amend the act approved the twenty-first day of January one thousand nine hundred forty-seven (P. L. 3) entitled 'An act relating to officers and employes of the General Assembly fixing the number qualifications compensation mileage and duties of the officers and employes of the Senate and the House of Representatives providing for their election or appointment term of office or of service removal and manner of filling vacancies and making appropriations to the Senate House of Representatives and Legislative Reference Bureau' by providing for compensation on a daily basis for certain employes of the General Assembly when a regular biennial session of the General Assembly remains in session beyond the fifteenth day of June making appropriations."

JOHN S. FINE.

September 29, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1720, Printer's No. 1062, entitled "An Act making an appropriation to the Department of Property and Supplies for the payment of rates rentals and other charges that may become due on leases and other contracts executed by such department with The General State Authority for the use and occupancy by the Commonwealth of various projects structures building and facilities of the Authority or for the service rendered by the Authority or its projects."

JOHN S. FINE.

September 29, 1951.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1721, Printer's No. 1063, entitled "An Act making an appropriation to the State Treasurer for the purpose of paying salaries and wages of State Officers and employes and other ordinary and general expenses in the interim between the thirty-first day of May one thousand nine hundred fifty-one and such time as the funds provided by the General Appropriation Act and other appropriations acts become available and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred fifty-one."

JOHN S. FINE.

## BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 647, entitled:

An Act to further amend Section 429 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties



of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by increasing the salaries of the members of the Pennsylvania Securities Commission.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 652, entitled:

An Act to further amend the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by providing credit for retirement purposes for out-of-state service in certain cases.

The first section was read.

On the question,

Will the House agree to the section?

#### BILL RECOMMITTED

Mr. WOOD. Mr. Speaker, I move that this bill be re-committed to the Committee on Appropriations for the purpose of further study.

The motion was agreed to.

#### BILLS ON FINAL PASSAGE

##### BILLS PASSED OVER

There being no objection

House Bill No. 1495, Printer's No. 1068 and

Senate Bill No. 230, Printer's No. 620

were passed over at the request of the SPEAKER.

#### BILLS ON THIRD READING

##### BILLS PASSED OVER

There being no objection

House Bill No. 506, Printer's No. 1012,

House Bill No. 1583, Printer's No. 1002 and

House Bill No. 1731, Printer's No. 1051

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 188, entitled:

An Act to amend Section 1 and the fourth paragraph of section 2 of the act approved the twelfth day of July one thousand nine hundred thirteen (P. L. 711) entitled

"An act establishing a court for the county of Philadelphia prescribing its jurisdiction and powers providing for the service of its writs process or warrants by the proper officers of the county or city of Philadelphia regulating the procedure therein and appeals therefrom and providing for the expenses thereof" by increasing the number of judges of the Municipal Court of Philadelphia.

The SPEAKER. If there is no objection, the Chair will pass over Senate Bill No. 188, Printer's No. 619.

Mr. TOLL. Mr. Speaker, in connection with Senate Bill No. 188, Printer's No. 619, on page 5, five legislative days ago I submitted amendments to this bill and the Speaker requested that the amendments be withheld because it was the desire of the House to pass the bill over.

Last week I waited four days for that bill to come up so that I could offer the amendments. Unfortunately I had to leave on Thursday at 4:30 p. m. due to the illness of my wife, and a half hour later the bill was called up and amendments were not offered.

I would like to have unanimous consent of the House to offer amendments at this time.

The SPEAKER. Has the gentleman conferred with the Majority leader?

Mr. TOLL. Mr. Speaker, I submitted the proposition to the Minority leader and he told me that he was taking it up with the Majority leader.

The SPEAKER. Without objection, this bill will be passed over.

#### BILLS PASSED OVER

There being no objection

Senate Bill No. 482, Printer's No. 557

Senate Bill No. 832, Printer's No. 542 and

Senate Bill No. 845, Printer's No. 567

were passed over at the request of the SPEAKER.

#### SENATE MESSAGES

##### HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

##### HOUSE BILL No. 1248.

An Act to further amend the act approved the fifth day of May one thousand nine hundred twenty-seven (P. L. 787) entitled "An act establishing certain public roads as State Highways and providing for their construction and maintenance at the expense of the Commonwealth" by changing certain routes

##### HOUSE BILL No. 1252.

An Act to establish certain roads or sections of roads as State Highways.

##### HOUSE BILL No. 1253.

An Act to amend the act approved the eighth day of April one thousand nine hundred twenty-five (P. L. 191) entitled "An act establishing certain public roads as State highways and providing for their construction and maintenance at the expense of the Commonwealth" by changing certain routes

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:



## HOUSE BILL No. 1669.

An Act to amend section one thousand three hundred ten point one of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" by providing for the sale of escheatable property by the Secretary of Revenue.

With the information that the Senate has passed the same without amendment.

#### AMENDED HOUSE BILLS RECALLED FROM GOVERNOR CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 269.

An Act to amend the act approved the tenth day of March one thousand nine hundred forty-nine (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" by providing for the establishment by the Department of Public Instruction of a standardized driver-training program in the public schools and providing for assistance to school districts in certain cases.

Said bill having been recalled from the Governor for the purpose of amendment, the vote had on final passage and third reading on said bill was reconsidered in the House and the bill amended, in which amendments the Senate has concurred.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 1338.

An Act to further amend Section 713 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the

operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by increasing the fee for learner's permits and appropriating the increase for the teaching in the public schools of safe driving of motor vehicles.

Said bill having been recalled from the Governor for purpose of amendment, the vote had on final passage and third reading on said bill was reconsidered in the House and the bill amended, in which amendments the Senate has concurred.

#### AMENDED HOUSE BILLS RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 1247.

An Act to further amend section two of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 720) entitled "An act providing for the taking over by the Commonwealth under certain terms conditions and limitations of certain streets in cities of the second class second class A and third class as State highways and for the improvement construction reconstruction resurfacing and maintenance by the Commonwealth of certain defined widths of said streets imposing duties on such cities and on public utility companies using such streets providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon authorizing cities persons associations or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance providing for the assessment of certain portions of the cost of street improvements on abutting property owners regulating the replacement of certain facilities of public utility companies prohibiting the opening of said streets after improvement without a permit and providing penalty therefor regulating the maintenance of detours authorizing the increase of city indebtedness in certain cases and appropriating money in the Motor License Fund for the purposes of this act" by changing or deleting certain routes and adding certain new routes.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments. The Clerk read the amendments as follows.

Amend the bill, Section 2, page 4, by inserting after line 10 the following: "

"Beginning at the intersection of Pittsburgh street and Crawford avenue thence southerly over Pittsburgh street to the South Connellsville borough line in the city of Connellsville Fayette County a distance of about 1.0 mile" page 4, by inserting after line 19, the following:

"Beginning at a point on Freeport road at the approach to the Tarentum bridge thence in a general southerly direction over a new street to be laid out by the city on



a location approved by the Department of Highways to a point on Freeport street near Little Pucketa Creek in the city of New Kensington Westmoreland County a distance of about 2.4 miles.

Beginning at a point on Lancaster avenue near the Schuylkill River thence northwesterly along the west bank of the Schuylkill River to the West Reading borough line in the City of Reading Berks County a distance of about 0.6 of a mile

"Beginning at a point on the South Union township line thence northeasterly and easterly over Mount Vernon Avenue and Main Street to the intersection of East Main and East Fayette Streets in the City of Uniontown Fayette County a distance of about 1.9 miles"

On the question,

Will the House concur in the amendments made by the Senate?

Mr. JOHNSON. I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—207

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarra,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenschild,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Breisch,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendenning,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varnier,
Dalrymple,	Kline,	Penglase,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
DuBois,	Kubacki,	Pichney,	Weldner,
Duffy,	Lafore,	Pitzer,	Welsh,
Dunn,	Lederer,	Polaski,	Wescott,
Erb,	Leisey,	Polen,	Westrick,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Ferster,	Leven,	Readinger,	White,
Filip,	Light,	Reagan,	Williams,
Filo,	Limper,	Reese,	Wilt,
Firmstone,	Loftus,	Reidenbach,	Wood,
Flack,	Lopresti,	Reilly, J. M.,	Yeakel,
Frost,	Lovett,	Rigby,	Yester,
Gaffney,	Lutty,	Riley, R. L.,	Yetzer,
Geer,	Lyons,	Robertson,	Young,
Gibson,	Madden,	Rose,	Ziegler,
Gleason,	Madigan,	Rosen,	Sorg,
Good,	Markley,	Rovansek,	Speaker

## NAYS—0

## NOT VOTING—0

The majority required by the Constitution having voted

in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 1249.

An Act to further amend the act approved the eighteenth day of May one thousand nine hundred forty-five (P. L. 809) entitled "An act removing certain roads or sections of road from the State highway system and providing for their future maintenance and construction" by removing additional roads from the State highway system

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments. The Clerk read the amendments as follows:

Amend the bill, Section 1, page 3, line 2, by striking out after the word "about" the figures "0.4" and inserting in lieu thereof the figures "0.4," page 3, by inserting after line 16 the following: The section of road identified in the records of the Department of Highways as Route 19064 spur E extending easterly in greenwood Township Columbia county from a point on Route 239 south of Sereno a distance of 0.02 of a mile to Route 19064.

Amend Section 3, page 5, by inserting after line 19 the following: The section of the former Lackawaxen Turnpike presently identified in the records of the Department of Highways as Route 965 extending from a point on Route 227 west of Pleasant Mount southeasterly in Mount Pleasant Township Wayne County a distance of about 3.7 miles of Route 227.

Page 6, by striking out all of line 7 to 14 inclusive; page 6, line 15, by striking out after the word "Section" the figure "4" and inserting in lieu thereof the figure "3."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. JOHNSON. I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

## YEAS—207

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarra,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenschild,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Breisch,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucchin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendenning,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,



Cooper,	Jump.	Najaka,	Toomey,
Corr,	Kamyk.	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varner,
Dalrymple,	Kline,	Penglase,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse.
Dowling,	Kratz,	Pfaff,	Watkins,
DuBois,	Kubacki,	Pichney,	Weidner,
Duffy,	Lafore,	Pitzer,	Welsh,
Dunn,	Lederer,	Polaski,	Wescott,
Erb,	Lelsey,	Polen,	Westrick,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Ferster,	Leven,	Readinger,	White,
Fillip,	Light,	Reagan,	Williams,
Filo,	Limper,	Reese,	Wilt,
Firmstone,	Loftus,	Reidenbach,	Wood,
Flack,	Lopresti,	Reilly, J. M.,	Yeakel,
Frost,	Lovett,	Rigby,	Yester,
Gaffney,	Lutty,	Riley, R. L.,	Yetzer,
Geer,	Lyons,	Robertson,	Young,
Gibson,	Madden,	Rose,	Ziegler,
Gleason,	Madigan,	Rosen,	Sorg,
Good,	Markley,	Rovansek,	<b>Speaker</b>

NAYS—0

NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

## HOUSE BILL No. 1250.

An Act to further amend section two of the act approved the first day of June one thousand nine hundred thirty-three (P. L. 1172) entitled "An act establishing certain streets in boroughs and incorporated towns as State highways and providing for their construction and maintenance at the expense of the Commonwealth" by changing or deleting certain routes and adding certain new routes

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the bill, Section 1, page 3, by inserting after line 16, the following

Route 26047 [Traffic route 110] extending route 26047 Beginning at a point on the Dunbar Borough-Dunbar Township line thence in a westerly direction on Woodvale street to an intersection with [rural route 26070 traffic route 110] route 26179 [at the southwestern borough line] in the borough of Dunbar Fayette County a distance of about 0.38 of a mile

Route 26079 extending Route 26079 beginning at a point on the Masontown Borough-German Township line thence in a northwesterly direction on Fairview street to [Bradley street] South Water street thence in a [westerly] northerly direction on [Brandley street] South Water street to an intersection with [the continuation of route 579 at Bradley and South Main streets] route 26008 at South Water and Church street in the Borough of Masontown Fayette County a distance of about [1.10] 0.26 of a mile

[Route 26135 extending route 26135 beginning at a point on the Henry Clay Township-Markleysburg Borough line thence in a northeasterly direction on a borough street to an intersection] [with route 363 in the Borough of Markleysburg Fayette county a distance of about 0.5 of a mile]

Page 5, by inserting after line 14, the following

Route 40098 extending route 40098 beginning at a point on the Dallas Township-Dallas Borough line thence in a southwesterly direction to a point of intersection with Main street thence over Main street to a point on route 177 in Borough of Dallas Luzerne County a distance of about [0.06] of a mile

Page 6, by inserting after line 7, the following

Route 64196 extending route 64196 beginning at a point on the weste Leechburg Borough-Allegheny Township line thence in an easterly direction on an unnamed borough street to an intersection with [county-aid appyication 7320 to an intersection with route 69] Hill Avenue i nth Borough of West Leechburg Westmoreland County a distance of about [1.68] .33 of a mile

Page 7, by inserting after line 7, the following

West Reading and Wyomissing Boroughs

Route 06210 beginning on the city of Reading line on the west bank of the Schuylkill rive thence northwesterly along the west bank of the Schuylkill rive to Tulpehocken road thence over Tulpehocken road to Warren street extension in the Borough of West Reading and Wyomissing Berks County a distance of about 1.8 miles

Borough of St. Lawrence

Route 06211 beginning at a point on route 146 thence easterly over Oley Turnpike road to an intersection with route 916 at St Lawrence avenue in the Borough of St Lawrence Berks County a distance of about 0.6 of a mile

Page 8, by inserting after line 16, the following

Hastings Borough

Route 11098 extending route 11098 beginning at a point on the Elder Township line thence northwesterly over Huber street to a point o nroute 11076 in Cambria County a distance of about 0.25 of a mile

Page 9, by inserting after line 7, the following

Town of Bloomsburg

Route 19117 extending route 19117 beginning at a point on the Scott Township line at Berwick road thence westerly over Berwick road and East street to an intersection with route 283 at Poplar street in the town of Bloomsburg Columbia County a distance of about 1.0 miles

Berwick and Briar Creek Boroughs

Route 19118 beginning at a point on route 19098 in Berwick thence westerly on a borough street through Berwick and Briar Creek Boroughs to route 673 ni Briar Creek Columbia County a distance of about 0.5 of a mile

Waterford Borough

Route 25129 extending route 25129 beginning at a point on the Waterford Township line at Bagdad road thence easterly over Begdad road to route 351 in Waterford Borough Earie County a distance of about 0.3 of a mile

Dunbar Borough

Route 26179 extending route 26179 beginning at a point on the Dunbar Borough Dunbar Township line thence southerly to an interesection with route 26047 in the Borough of Dunbar Fayette County a distance of about 0.25 of a mile

South Connellsville Borough

Route 26178 beginning at a point on the Connellsville city line thence southerly over Pittsburgh street to McCormick street in the Borough of South Connellsville a distance of about 0.98 of a mile

Point Marion Borough

Route 451 beginning at a point on the Fayette-Greene



County line thence southeasterly and northeasterly over Home and Main street to an intersection with route 116 at Main and Penn streets in the Borough of Point Marion Fayette county a distance of about 0.25 of a mile

#### Fairchance Borough

Route 26181 extending route 26180 beginning at a point on the Georges Township line thence northerly over Morgantown street to a point on route 26082 in the Borough of Fairchance Fayette county a distance of about 0.68 of a mile

#### Waynesburg Borough

Route 30124 extending route 30124 beginning at a point on the Franklin Township line thence westerly over Greene street and northerly over Richhill street to route 109 in Greene County a distance of about one mile

Page 12, by inserting after line 16, the following

#### Coal Center Borough

Route 62196 extending route 62191 beginning at a point on the East Pike Run Township line thence northeasterly over Spring street to route 268 in Coal Center Borough Washington county a distance of about 0.1 of a mile

#### Bethany Borough

Route 63116 extending route 63116 beginning at a point on the Bethany Borough line thence over a borough street to route 950 in Bethany Borough Wayne county a distance of about 0.2 of a mile

On the question,

Will the House concur in the amendments made by the Senate?

Mr. JOHNSON. I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—207

Amarando,	Goodling,	Maxwell,	McConnell,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McCormack,	Sarrafi,
Barkdoll,	Greer,	McCullough,	Sax,
Baumunk,	Guarnieri,	McDermitt,	Scanlon,
Bear,	Gutendorf,	McGee,	Schmidt,
Beaver,	Guthrie,	McInroy,	Schuster,
Beech,	Hagerty,	McKinney,	Scott,
Berkstresser,	Hall,	McMillen,	Seyler,
Blair,	Hamilton, R. K.,	McNally,	Shoemaker,
Bloom,	Hamilton, W. H.,	Metz,	Shotwell,
Boles,	Harney,	Mihm,	Smith,
Bolton,	Haudenschild,	Mikula,	Snider,
Bomberger,	Headlee,	Miller, H. G.,	Sollenberger,
Boorse,	Helm,	Miller, J. C.,	Spencer,
Bower,	Hersch,	Mills,	Stank,
Brelsich,	Hewitt,	Mintess,	Stimmel,
Breth,	Hocker,	Monroe,	Stoner,
Brown,	Hoggard,	Moore, C. E.,	Swartz,
Bucchin,	Hunter,	Moore, H. A.,	Swope,
Byrne,	Jenkins,	Moran,	Tahl,
Cella,	Johnson,	Muldowney,	Taylor,
Clapper,	Jones, G. E.,	Munley,	Thompson, E. F.,
Clendening,	Jones, J. M.,	Murray,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Musto,	Toll,
Conway,	Jones, T. H. W.,	Najaka,	Tompkins,
Cooper,	Jump,	Naugle,	Toomey,
Corr,	Kamyk,	Needham,	VanSant,
Costa,	Keller,	Olsen,	Varallo,
Coyle,	Kent,	Penglase,	Varnier,
Dalrymple,	Kline,	Peta,	Verona,
Davis,	Kohl,	Petrosky,	Wachhaus,
Dennison,	Kolankiewicz,	Pettigrew,	Wargo,
Dougherty,	Kornick,	Praff,	Waterhouse,
Dowling,	Kratz,	Pichney,	Watkins,
DuBois,	Kubacki,	Pitzer,	Weldner,
Duffy,	Lafore,	Polaski,	Welsh,
Dunn,	Lederer,	Polen,	Wescott,
Erb,	Leisey,	Price, H. W. Jr.,	Westrick,

Ewing,	Leonard, L.,
Fenrich,	Leonard, W. C.,
Ferster,	Leven,
Filip,	Light,
Filo,	Limper,
Firmstone,	Loftus,
Flack,	Lopresti,
Frost,	Lovett,
Gaffney,	Lutty,
Geer,	Lyons,
Gibson,	Madden,
Gleason,	Madigan,
Good,	Markley,

Price, R. A.,	Whalley,
Readinger,	Wheeler,
Reagan,	White,
Reese,	Williams,
Reidenbach,	Wilt,
Reilly, J. M.,	Wood,
Rigby,	Yeakel,
Riley, R. L.,	Yester,
Robertson,	Yetzer,
Rose,	Young,
Rosen,	Ziegler,
Rovansek,	Sorg,
Royer,	Speaker

#### NAYS—0

#### NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in. Ordered, That the Clerk inform the Senate accordingly.

#### AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

#### HOUSE BILL No. 1251

An Act to further amend the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 594) entitled "An act establishing certain township roads as state highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons association and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act" by changing or deleting certain routes and adding certain new routes

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments. The Clerk read the amendments as follows:

Amend Section 1, page 4, by inserting after line 3, the following: "[Route 02184 beginning in the Village of Coulter thence northerly and easterly to the Vandergrift State Orphans Home in Allegheny County a distance of about 1.1 miles]";

Page 5, by striking out after line 16, the following: "route 03126 beginning at a point on route 69 at the Kiskiminetas Park Township line thence northerly [and westerly] through Parks Township [intersecting] to route 705 about 0.1 of a mile south of route 03040 [to a point on route 03038 about 0.5 of a mile south [of Hill School] in Armstrong County a distance of about [2.4] 1.0 mile";

Page 6, line 20, by striking out after the word "Route" the figures "05054" and inserting in lieu thereof the figures "05053"; page 7, by inserting after line 18 the following: "route 07011 beginning at [the Village of Catfish Blair County] a point on route 07056 near Kladder thence northeasterly to the Village of Reservoir thence northeasterly to a point on the Blair-Frankstown Township line thence northeasterly through Frankstown Township to a point on route 260 in the Village of Frankstown thence northerly to a road intersection approximately one and one-half mile east of the borough line of Hollidayburg thence northwesterly to a point on the Frankstown-Logan Township line thence northwesterly through Logan Township



to a point on the Altoona city line approximately one-quarter of a mile south of the Altoona Driving Park in Blair County a distance of about [11.2] 10.8 miles";

Page 8, by inserting after line 19, the following: "route 07034 beginning at a point near McKee[on the Freedom-Blair Township line in Blair County] on route 286 thence through Blair Township in a northerly direction to [Brook Mills thence northwesterly to the Blair County road known as the Catfish road] a point on route 07056 near Vicksburg in Blair County a distance of about [1.6 miles] 1 mile";

"[Route 08135 beginning at a point on route 08075 at Saco thence northeasterly through Ulster Township to a point on route 287 about 1 mile south of the intersection of route 287 and 08073 in Bradford County a distance of about 2.10 miles]";

Page 10, by inserting after page 9, the following:

"[route 10096 beginning at a point on the Portersville Borough line and extending in a southeasterly direction through Muddy Creek Township to a point on route 10041 in Butler County a distance of about 3.1 miles]";

Page 11, line 17, by striking out after the word "general" the word "northeasterly" and inserting in lieu thereof the word "northwesterly"; page 11, line 20, by inserting after line 19, the following: route 14053 beginning at a point on route 307 about [0.7] 0.5 of a mile west of its intersection with route 14019 thence in a southwesterly and northwesterly direction through College Township to a point on the State College Borough line in Centre County a distance of about [0.2] 0.6 of a mile";

Page 13, by inserting after line 3, the following: "[route 17087 beginning at a point on route 17051 about 1.5 miles north of Clearfield Borough thence in a northerly direction through Lawrence Township by way of Mount Joy Church and school to a township road intersection in Clearfield County a distance of about 0.7 of a mile]

"[Route 19064 Beginning at a point on State Highway Route 239 about 0.75 of a mile south of Sereno thence northeasterly through Greenwood Township to its intersection with Route 19063 about 2.0 miles south of the Jackson Township line in Columbia County a distance of about 3.2 miles]

"[Route 19087 Beginning at a point on Route 183 about 0.2 of a mile southeast of the intersection of Routes 183 and 283 thence southeasterly about 0.3 of a mile through Catawissa Township to a road intersection thence easterly and southeasterly about 1.5 miles to an intersection with Route 19010 in Columbia County a distance of about 1.8 miles]

"[Route 19088 Beginning at Route 415 at Shumans thence in a northeasterly direction through Beaver Township to an intersection with Route 19016 at Dog Town in Columbia County a distance of about 1.1 miles]

"[Route 19092 Beginning at a point on Route 19023 about 1.0 miles south of Mifflinville thence southerly to Hofnagle Corners thence westerly to an intersection with Route 19021 in Mifflin Township Columbia County a distance of about 2.1 miles]

"[Route 19112 Beginning at a point on Route 19045 at its intersection with Sixth Avenue thence west on Sixth Avenue to Arch Street thence north on Arch Street to Seventh Avenue to its intersection with Route 19045 in Briar Creek Township Columbia County a distance of about 0.7 of a mile]

Page 16, by inserting after line 12, the following

[Route 25083 beginning at a point on route 25032 at or near Gordner School thence extending in a northeasterly direction through Washington Township to the Leboeuf-Washington Township line at McClelland's corners thence northerly along said township line to the Waterford-Washington-Leboeuf township line in Erie County a distance of about 1.5 miles]

Page 17, by inserting after line 14, the following

Route 2614 beginning at the Village of Perryopolis and

extending in an esaterly direction thence in a northwesterly direction along the Younghio gheny River to Whitsett thence in the same direction to route 228 about .5 of a mile] [south of Wick Haven in Fayette county a distance of about 3.31 miles]

Route 26043 beginning at route 26041 sout hof Lutheran Church and extending in a southeasterly direction to [the improved road leading from Hopewood to Oliphant furnace] route 50 in Hopewood in Fayette County a distance of about [1.7] 2.0 miles

Route 26046 beginning at the improved county Pleasant Hill road about .25 of a mile northeast of State route 117 thence in a general northeasterly direction by way of Clinton Buchanan and White to an intersection with [the Jacobs Creek road about one mile west of Chapion] route 26055 in Fayette County a distance of about [10.6] 8.8 miles

Route 26055 beginning at route 578 near Melcroft and extending in a northwesterly direction by way of Keslar School to the Saltlick-Bullskin Township line thence northeasterly to route 64074 in Fayette County a distance of about [4.5] 5.1 miles

[Route 26070 beginning at a point on the western line of Dunbar Borough thence westerly by way of Pechin Farm to an intersection with State route 117 about one mile southeast of Monarch in Fayette county a distance of about .89 of a mile]

Route 26091 beginning at an intersection with route 26026 at a point about 2.4 miles northeast of Waltersburg thence extending i na southerly direction to [Laurel Hill] route 26019 in Fayette County a distance of about [1.3] 1.8 miles

[Route 26097 beginning at an intersection with the County road at a point about .8 of a mile south of Brownfield thence extending in a general easterly direction to an intersection with the road at a point near Oliphant Furnace in Fayette County a distance of about 1.2 miles]

[Route 26105 beginning at Footdale on the Balsinger-Lambert road and extending to Balsinger in German Township in Fayette county a distance of about 1 mile]

[Route 26109 beginning at a point on route 113 about .8 of a mile northwest of Searights and extending in a general easterly direction to an intersection with State-aid application 741 about .4 of a mile north of Searights in Fayette County a distance of about 1.22 miles]

Route 26128 beginning at a point on route 26046 about 0.25 of a mile west of the intersection of route 26046 and 26044 thence in a northwesterly direction through Bullskin Township to a point on [the County road about 0.3 of a mile northeast of Kelly's school] Route 26151 in Pennsylvania in Fayette county a distance of about [1.2] 2.5 miles

[Route 26130 beginning at a point on route 26016 about 0.5 of a mile west o fthe Washington-Perry] [township line thence in a northeasterly and easterly direction through Washington and Perry townships to a point on route 228 at the Summerhill school in Fayette county a distance of about 1.4 miles]

[Route 26135 beginning at a point on the West Virginia state line near the Maryland State line thence northeasterly through Henry Cloy Township to a point on the Markleysburg Borough line in Fayette County a distance of about 1.2 miles]

Route 26168 begining at a point on route 26167 just west of the Springfield Township line thence [southeasterly in Bulskin Township to a point on the Bullskin-Springfield Township line ]southerly through Bullskin and Springfield Township to route 336 in Fayette County a distance of about [0.4 of a mile ]1.9 miles

Page 22, by inserting after line 20, on page 21, the following

Route 30018 beginning [near crossroads on Rudolph Run near Brock at route 30015 in] at a road intersection about one and one half miles east of Brock in Perry Township thence easterly via Little Shannan Run to [County Bridge road at residence of Endsley Lemley at] route 30017 in Greene County a distance of about [4.5] 3.0 miles



Route 30020 beginning [near Williams Farm] on route 110 near Fairchance thence easterly [via L L Long Farm] to a point on Dunkard Township line via Highland Cemetery to intersection with route 30021 thence eastwardly via Dunkard and Durr's crossroads to [Crow's Ferry] Route 451 in Greene County a distance of about [13] 12.8 miles

[Route 30083 beginning at a point at the intersection of routes 3001 and 30037 thence southerly through Springhill Township to the West Virginia State line in Greene County a distance of about 0.8 of a mile]

[Route 30085 beginning at the intersection of route 30020 and route 30021 thence northerly through Dunkard Township to a road intersection in Greene County a distance of about 0.45 of a mile]

[Route 30086 beginning at a point on route 268 near the intersection of routes 268 and 30019 thence southeasterly through Morgan and Jefferson Townships to a point on route 30059 in Greene County a distance of about 2.5 miles]

Route 30108 beginning at a point on route 30040 near Time Thence northeasterly through Morris Township to a point on [route 109 about 0.7 of a mile southeast of] route 30070 in Greene County a distance of about [2.5] 1.8 miles

[Route 30115 beginning at a point on route 30010 about 1.2 miles southeast of Pine Bank thence northerly and southeasterly through Gilmore and Wayne Township to a point on route 30016] [near Kuhntown in Greene County a distance of about 3.4 miles]

[Route 30116 beginning at a point on route 30009 at Kuhntown thence northwesterly through Wayne Township to a point on route 30012 at Bluff in Greene County a distance of about 2.8 miles]

Page 26, by inserting after line 12, the following

Route 32118 beginning at a point on route 32033 about 1.0 miles north of Jacksonville thence westerly and northerly in Young Township to a point on route [228] 32032 near Lowry in Indiana County a distance of about 3.1 miles

Page 28, by striking out after line 7, the following

[Route 32159 Beginning at a point on the Armstrong-Indiana County line thence in an easterly direction through Washington Township via advance to a point on Route 32060 about 1.75 miles north of the Armstrong-Washington Township line in Indiana County a distance of about 2.7 miles]

Page 30, by inserting after line 5, the following

Route 36005 beginning at a point in Drumore Township on route 36080 at Chestnut Level thence westerly and northerly through Drumore and Martic township intersecting route 36008 at Liberty Square and route 344 about .5 of a mile west of Bethesda thence via Cedar Run School-house Oscar Erb's Mill and Tucquan Hollow intersecting route 332 at Martic Forge thence northerly through Conestoga Manor and West Hempfield Township via Safe Harbor Indiantown and Central Manor to a point on the southern boundary line of Mountville Borough thence from a point on the northern boundary line of Mountville Borough northerly and easterly through West Hempfield and East Hempfield Townships intersecting route [129 at] 36184 near Landisville [to a point intersecting route 36006 at Mechanicsville] in Lancaster County a distance of about [31.92] 29.5 miles

Route 36065 beginning at a point on route [129] 36184 in West Hempfield Township at the west end of Salunga thence southwestwardly through West Hempfield Township to a concrete bridge across Chickies Creek thence south one-tenth mile in Rapho Township to another concrete bridge thence southerly in West Hempfield Township crossing route 36003 about 1.2 miles west of Silver Spring thence via Ironville to Columbia borough line in Lancaster County a distance of about 6.3 miles

Route 36100 beginning at a point on route 36005 about 1.0 of a mile northwest of an intersection with route 344 and extending in a southwesterly direction [for 0.4

of a mile] to an intersection with route 344 [thence from a point on route 344 about 0.5 of a mile west of route 36005 in a southeasterly and northeasterly direction through Martic Township past the Crystal Brook School to an intersection with route 36005] in Lancaster County a distance of about [0.9] 0.5 of a mile

Route 36102 beginning at an intersection with routes 36010 and 136 at the village of Mechanics Grove and extending in a northwesterly direction through East Drumore Township and Providence Township to an intersection with route [344] 36015 about 0.1 of a mile [south] north or the providence-east Dunmore Township line in Lancaster County a distance of about [3.9] 4.0 miles

Route 36113 beginning at the Mountville Borough-West Hempfield Township line and extending in a northerly [northwesterly and northerly] and westerly direction through West Hempfield Township [past Hempfield Station] to an intersection with route [36003] immediately west of the village of Silver Spring] 36112 in Lancaster County a distance of about [2.4] 2.0 miles

Route 36126 beginning at a nintersection with route 36067 at or near McKinley's school and extending in a southeasterly direction through Rapho Township to an intersection with route 138 in Lancaster County a distance of about 0.5 of a mile]

[Route 36154 beginning at a point on route 129 about 0.6 of a mile southeast of Chickies Creek thence in a northeasterly direction through East Hempfield Township to a point on route 36055 about 1.0 miles north of Landisville in Lancaster County a distance of about 1.1 miles]

[Route 36158 Beginning at a point on route 568 about 0.1 of a mile southwest of Conestoga Creek thence in a northwesterly direction through Manheim Township to a point on route 36041 at its intersection with route 36042 in Lancaster County a distance of about 1.6 miles]

Page 34, line 6, by striking out after the word "to" the word "appoint" and inserting in lieu thereof the words "a point"; page 34, by inserting after line 8, the following: "[Route 44028 Beginning at a point on application 4287 in Milroy thence northeasterly in Armagh Township Mifflin County a distance of about 0.5 of a mile]";

Page 34, by inserting after line 16, the following: "Route 45052 Beginning at a point on the dividing line between Carbon and Monroe Counties thence in a general northeasterly direction through Eldred Township to a point where it intersects Route 45002 thence in an easterly and northeasterly direction through Eldred and Ross Townships along the Aquashicola creek [crossing] to a point on Route 45006 [thence continuing through Ross and Hamilton Townships to Route 165 at a point approximately 0.1 of a mile south of Saylorburg] in Monroe County a distance of about [11.9] 10.25 miles

"[Route 45068 Beginning at a point on Route 45012 about 1.0 mile south east of Shoemaker thence northeasterly through middle Smithfield Township to a point on Route 167 about 0.5 of a mile south of Bushkill in Monroe County a distance of about 1.2 miles]

"Route 45078 Beginning at a point on Route [45057] 45019 about 1.5 miles north of Route 168 thence [northwesterly] southeasterly and easterly through Stroud Township to a point on Route [45019] 169 in Monroe County a distance of about [1.2] 2.9 miles

"[Route 46024 Beginning at a point on road known as the Skippack Road at Salford in Upper Salford Township thence easterly through Upper Salford Township via Bergey Station to a point on Route 198 near Station 186 in Montgomery County a distance of about 1.1 miles]

"[Route 46093 Beginning at a point on Route 155 in Upper Moreland Township about .3 of a mile south of the intersection of Route 155 with the southwestern boundary line of the Borough of Hatboro thence northwesterly through Upper Moreland Township to a point on Route 151 about .4 of a mile south of its intersection with the Horsham Upper Moreland Township line in Montgomery County a distance of about .8 of a mile]";

Page 36, line 20, by striking out the first word on the line and inserting in lieu thereof the word "douglass";



page 37, by inserting after line 7, the following: "[Route 49014 Beginning at a point on Route 49013 about three and one-half miles west of the East Cameron Township line thence northerly through West Cameron Township to the intersection of Route 49013 at Gottshalls in Northumberland County a distance of about .6 of a mile]"

"[Route 49029 Beginning at a point on Route 49028 about two miles from its intersection with State Highway Route 1 thence northeasterly through Rockefeller Township to the intersection with State Highway Route 633 at the Upper Augusta Township line in Northumberland County a distance of about 1.6 miles]"

"Route 49093 Beginning at a point on Route 182 at or near Union Corner Public School thence in a westerly and northerly direction through Rush Township to a point on Route [49045] 49040 about [1.3 miles southeast] 0.2 of a mile southwest of its intersection with Route [49071] 49045 in Northumberland County a distance of about [1.6] 3.7 miles";

Page 38, by inserting after line 11, the following: "[Route 49114 Beginning at a point on Route 49022 about 3.0 miles west of Augustaville thence south through Lower Augusta Township to its intersection with Route 49023 in Northumberland County a distance of about 1.6 miles]"

"Route 49121 Beginning at a point on the east borough line of Watsontown Borough thence in a northeasterly and westerly direction through Delaware Township to a point on Route [49061 about 1.0 mile west of Warrior Run] 49119 about 0.5 of a mile north of Route 46061 in Northumberland County a distance of about [2.50] 4.4 miles";

Page 39, by inserting after line 17, the following:

"[Route 52038 Beginning at a point on Route 52028 about 0.45 of a mile southeast of the Hector-Pike Township line and extending in a general northeasterly direction through Pike and Hector Townships to the Potter-Tioga County line in Potter County a distance of about 2.8 miles]"

"Route 53115 Beginning at a point on Route 53056 about .3 of a mile northeast of Mabel thence southerly and southwesterly through Barry Township to the Hegins Township line in Schuylkill County a distance of [2.73] about 3.9 miles";

Page 41, by inserting after line 6, the following: "[Route 55137 Beginning at a point on Route 55023 about 0.7 of a mile north of the Summit-Brothers Valley Township line thence in an easterly and northeasterly direction through Brothers Valley Township to a point on Route 808 about 0.3 of a mile south of its intersection with Route 55121 in Somerset County a distance of about 1.9 miles]"

"[Route 56033 Beginning at a point on Route 56017 at Eldredsville thence in a northwesterly direction through Elkland Township to a point on Route 56015 in Sullivan County a distance of about 1.2 miles]"

Page 43, by inserting after line 13, the following

Route 63009 Beginning at a point on [county read] route 915 in Paupack Township approximately .5 of a mile east of the division line between Salem and Paupack Townships thence northerly through Paupack Township [crossing] to State highway route 575 [thence northwesterly through Paupack Township to the outlet of Long Pond in Paupack Township] in Wayne County a distance of about [6.17] 4 miles

Route 63017 beginning at a point on route 63016 near the dividing line between Lake Township Wayne County and Lackawanna County approximately .75 of a mile south of south Canaan Township line thence in a northeasterly direction through lake township and south Canaan Township intersection route 63018 and crossing the north and south turnpike at South Canaan thence northeasterly through South Canaan Township [near Curtis Pond] to the intersection of routes 63092 and 63034 [thence northwesterly through south Canaan Township to a point where it intersects the north and south turnpike near the dividing line between Canaan Township and South Canaan Township] in Wayne County a distance of about [9.25] 6.6 miles

Route 63024 beginning at a point on [State highway route 335 Berlin Township approximately one mile west of the village of Indian or Orchard thence northeasterly through Indian Orchard in Berlin Township] route 63109 west of Perkins Lake thence northeasterly through Berlin Township intersection routes 63026 and 63025 thence through Damascus Township to a point where it intersects State highway route 335 at Darbytown in Wayne County a distance of about [9.06] 4.5 miles

Route 63027 beginning at a point on route 335 approximately .25 of a mile northwest of Narrowsburg New York thence Northerly through Damascus Township intersection route 63029 at Milanville thence northerly through Damascus Township intersection [county road] route 945 at Dascus thence from route 63110 about 3 miles north of Damascus northerly through Damascus Township thence westerly through Damascus Township intersection route 63045 thence northwesterly through Damascus and Manchester Township thence southwesterly through Manchester and Damascus Townships to a point where it intersects State highway route 173 approximately .9 of a mile south of the village of Lookout [in Manchester Township] in Wayne County a distance of about [20.5] 17.2 Miles

[Route 63062 beginning at a point on State highway route 450 .5 of a mile north of the village of Poyntelle in Preston Township thence in an easterly direction through Preston Township to a point where it intersects route 63055 approximately two miles north of the dividing line between Preston Township and Mount Pleasant Township in Wayne County a distance of about 1.75 miles]

[Route 63077 beginning at a point on the Bethand and Dingman's Choice Turnpike road thence] [in a northeasterly direction through Dyberry township to a point on route 63041 about 1.0 miles south of the Lebanon-Dyberry Township line in Wayne County a distance of about 1.5 miles]

[Route 63087 beginning at a point on route 63045 near Mitchell's Pond thence northwesterly through Damascus Township to a road intersection in Wayne County a distance of about 1.3 miles]

Route 63094 beginning at a point on route 960 at Seelyville thence southerly through Texas [Township to the Cherry Ridge Township line] and Cherry Ridge Township to route 63034 in Wayne County a distance of about [1.3] 2.7 miles

Route 63111 beginning at a point on route [63059 about 1.1 miles north of route 365] 365 near Shehawken thence [easterly and] northeasterly through Preston Scott and Buckingham Township by way of Pleasant Valley and Autumn Leaves to a point on route 63058 in Wayne County a distance of about 7.0 miles

Page 48, by inserting after line 10, the following

#### Adams County

Route 01077 beginning at a point on route 43 at Micknightstown thence north westerly through Franklin Township to a point on route 01001 at cashtown in Adams County a distance of about 2.4 miles

Page 50, by inserting after line 6, the following

Route 02159 beginning at a point on route 03134 just north of route 378 thence southwesterly through North Buffalo Township to Route 378 in Armstrong County a distance of about 1.0 mile

Route 03160 beginning at a point on route 189 just west of the Indiana County line thence northeasterly in Cowanshannock Township to the Indiana County line in Armstrong County a distance of about 0.8 of a mile

Page 51, by inserting after line 1, the following

Route 05121 beginning at a point on route 356 about one mile south of Palo Alto thence easterly and northerly through Londonderry Township to the Hyndman Borough line in Bedford County a distance of about 5.7 miles

Route 05122 beginning at a point at the end of application 1132 thence northerly in Bedford Township Bedford County a distance of about 0.6 of a mile



Page 51, line 13, by striking out the first word on the line and inserting in lieu thereof the word "westerly"; page 51, by inserting after line 17, the following

Route 07064 beginning at a point on route 07012 near Loop thence westerly through Blair Township to an intersection with route 883 in Blair County a distance of about 1.5 miles

#### Bradford County

Route 08191 Beginning at a point on route 212 near Sugar Creek thence easterly southeasterly and northeasterly through North Towanda Township to a point on route 212 north or North Towanda in Bradford County a distance of about 5.7 miles.

Route 08192 beginning at a point on route 08075 about 0.5 of a mile north of Saco Thence northerly through Ulster Township to route 08073 in Bradford County a distance of about 2.4 miles

Page 52, by inserting after line 18, the following

Route 09157 beginning at a point on route 09017 near Oxford Valley thence easterly and northeasterly in Middletown Bristol and Falls Townships to a point on route 150 near Penn Valley in Bucks County a distance of about 4.6 miles

Page 53, by striking out all of lines 13 to 15 inclusive, and inserting in lieu thereof the following

Route 10142 beginning at a point on route 79 near Mt Chestnut thence northerly in Franklin Township to a point on route 10053 in Butler County a distance of about 2.5 miles

Route 10143 beginning at a point on the east line of Portersville borough thence easterly and southeasterly in Muddy Creek Township to the west line of Prospect Borough in Butler County a distance of about 4.15 miles

Route 10144 beginning at a point on the east line of Prospect Borough thence easterly in Franklin Township to a point on route 79 in Butler County a distance of about 0.5 of a mile

#### Cambria County

Route 11098 Beginning at a point on route 11076 about 1.2 miles northwest of route 221 thence northwesterly to the Hastings Borough line in Cambria County a distance of 0.65 of a mile

Page 55, by inserting after line 6, the following

#### Clearfield County

Route 17137 Beginning at a point on route 17049 about one mile northwest of Coal Run Junction thence northeasterly in decatur township to a point on route 17056 in Clearfield County a distance of about 1.3 miles

Route 17138 beginning at a point on route 17040 about 1.60 miles northwest of the Lawrence Township line thence westerly and southwesterly through pike township to route 17039 in Clearfield County a distance of about 1.90 miles

Page 56, by inserting after line 2, the following

#### Columbia County

Route 19117 beginning at a point on route 19103 at Willow Grove thence westerly through South Central and Scott Township to the eastern line of the town of Bloomsburg in Columbia County a distance of about 7.2 miles

Cambria County a distance of 0.65 of a mile

Page 55, by inserting after line 6, the following

#### Clearfield County

Route 17137 Beginning at a point on route 17049 about one mile northwest of Coal Run Junction thence northeasterly in Decatur Township to a point on route 17056 in Clearfield County a distance of about 1.3 miles

Route 17138 beginning at a point on route 17040 about 1.60 miles northwest of the Lawrence Township line thence westerly and southwesterly through Pike Township to route 17039 in Clearfield County a distance of about 1.90 miles

Page 56, by inserting after line 2, the following

#### Columbia County

Route 19117 beginning at a point on route 19103 at Willow Grove thence westerly through South Center and Scott Township to the eastern line of the town of Bloomsburg in Columbia County a distance of about 7.2 miles

"Route 19119 Beginning at a point on Route 609 south of Route 19027 thence in a general southwesterly direction in Hemlock and Montour Townships to a point on Route 3 about one mile east of the Montour County line in Columbia County a distance of about 2.8 miles

"Route 19120 Beginning at a point on Route 16 at Central thence northeasterly through Sugarloaf Township via Jamison City to the Sullivan County line in Columbia County a distance of about 1.6 miles";

Page 57, by inserting after line 4, the following: "Route 20154 Beginning at a point on Route 20084 about one half mile west of Page Corner thence westerly and southerly in Bloomfield Township to a point on Route 20084 about one mile north of McLeans Corner in Crawford County a distance of about 1.2 miles";

Page 57, line 16, by striking out after the word "about" the word and figures "2 miles" and inserting in lieu thereof the word and figure "1 mile"; page 58, by inserting after line 2, the following:

#### "Elk County

"Route 24034 Beginning at a point on Route 24031 in the village of Kersey thence northerly through Fox Township on Taylor Street to a point on application 103 in Elk County a distance of about 0.1 of a mile";

Page 58, by inserting after line 12, the following: "Route 25129 Beginning at the intersection of Routes 25032 and 25033 thence southeasterly through McKean and Waterford Townships to the Waterford Borough line at Bagdad Road in Erie County a distance of about 4.3 miles

"Route 25130 Beginning at a point on Route 258 about 0.1 of a mile north of Route 351 thence easterly through Mill Creek and Sumitt Townships to Route 84 in Erie County a distance of about 2.3 miles

"Route 25131 Beginning at a point on Route 295 just east of Albion Borough thence northerly through Conneaut Township to Route 25126 in Erie County a distance of about 0.1 of a mile

#### "Fayette County

"Route 26153 Beginning at a point on Route 26062 about 2 miles east of Balsinger thence southerly and northeasterly through South Union Township to the Uniontown City line at Mt Vernon Avenue in Fayette County a distance of about 1.6 miles

"Route 26170 Beginning at a point on Route 117 about 1.3 miles south of Fayette thence southeasterly through Dunbar Township to the Dunbar Borough line in Fayette County a distance of about 0.8 of a mile

"Route 26180 Beginning at a point on Route 26011 about 0.8 of a mile south of Route 26016 thence southwesterly through Washington Township to Route 26129 in Fayette County a distance of about 1.0 mile

"Route 26181 Beginning at a point on Route 26011 about 1 mile north of Emme thence northeasterly in Georges Township to the Fairchance Borough line Georges Township in Fayette County a distance of about 3.8 miles

"Route 26182 Beginning at a point on Route 117 about 1.0 mile south of Moyer thence in a general northwesterly direction through Bullskin Township to Route 26125 in Fayette County a distance of about 2.9 miles";

Page 61, by inserting after line 20, on page 60, the following:

#### "Greene County

"Route 30121 Beginning at a point on Route 30048 about 0.5 of a mile west of the intersection of Route 30048 and Route 109 thence in a northwesterly direction through Morris Township to a point on Route 30074 about two



miles south of Beulah Church in Greene County a distance of about 2.4 miles

"Route 30124 Beginning at a point on Route 110 near Ten Mile Creek thence southwesterly through Franklin Township to the Waynesburg Borough line in Greene County a distance of about 0.1 of a mile

"Route 30125 Beginning at a point on Route 30094 about one mile north of Route 109 thence northerly through Morris Township to Route 30063 in Greene County a distance of about 1.3 miles

"Route 30126 Beginning at a point on Route 30010 about 0.5 of a mile northeast of Jollytown thence easterly through Gilmore and Wayne Township to a point on Route 30045 in Greene County a distance of about 2.1 miles";

Page 63, by inserting after line 16, the following: "Route 32182 Beginning at a point on Route 32158 about one mile south of Denton thence westerly in South Mahoning Township to the Armstrong County line in Indiana County a distance of about 1.3 miles";

Page 64, by inserting after line 6, the following: "Route 33095 Beginning at a point on Route 33091 about one mile north of Pardus thence easterly in Washington Township to Route 33029 in Jefferson County a distance of about 0.6 of a mile";

Page 65, by inserting after line 20, on page 64, the following: "Route 36184 Beginning at a point on Route 129 about one half mile east of Chickies Creek thence southeasterly through Rapho West Hampfield East Hempfield and Manheim Townships to a point on Route 36040 in Lancaster County a distance of about 8.5 miles";

Page 65, by inserting after line 16, the following:

#### "Luzerne County

"Route 40134 Beginning at a point on Route 40086 near Meeker thence easterly in Lehman Township to a point on Route 361 in the Village of Lehman in Luzerne County a distance of about 2.4 miles";

Page 66, by inserting after 10, the following: "Route 44042 Beginning at a point on application 1088 in Milroy thence southwesterly through Armagh Township to Route 29 Spur in Mifflin County a distance of about 0.4 of a mile

#### "Monroe County

"Route 45090 Beginning at a point on Route 45007 about one mile east of Route 165 thence easterly through Hamilton and Stroud Townships to a point on Route 45051 in Monroe County a distance of about 2.7 miles

#### "Montgomery County

"Route 46197 Beginning at a point on application 26 at the Hatboro line thence northeasterly through Upper Moreland Township and along the Hatboro Borough line to Route 09033 in Montgomery County a distance of about 0.8 of a mile

"Route 46198 Beginning at a point on Route 158 at Perkiomenville thence southeasterly in Marlborough and Upper Salford Townships to a point on Route 46023 at Woxall in Montgomery County a distance of about 2 miles

#### "Northumberland County

"Route 49127 Beginning at a point on Route 283 at or near Deibler thence southerly through Shamokin Township to 49116 in Northumberland County a distance of about 0.6 of a mile

#### "Potter County

"Route 52057 Beginning at a point on Route 52018 near Lyman Run thence northwesterly through West Branch Ulysses and Sweden Townships through Lyman Run Park to a point on Route 102 in Potter County a distance of about 10 miles

#### "Schuylkill County

"Route 53119 Beginning at a point on Route 53035 about one mile east of Morea thence northeasterly through Mahanoy Township to the Mahanoy City borough line in Schuylkill County a distance of about 1.3 miles

"Route 53120 Beginning at a point on Route 53035

near Route 53087 thence northwesterly through Mahanoy Township to a point on Route 53119 in Schuylkill County a distance of about 0.4 of a mile

Page 69, by inserting after line 4, the following

Route 55159 beginning at a point on route 55039 near MacDonaldton thence in a general southerly direction through Brothers Valley Township to route 55121 in Somerset County a distance of about 2.1 miles

#### Sullivan County

Route 56047 beginning at a point on route 56021 about .3 of a mile south of route 56034 thence in a south westerly direction through Forks Township to a road intersection in Sullivan County a distance of approximately 1.2 miles

Page 70, by inserting after line 16, the following

Route 61061 beginning at a point at the intersection of route 61070 and route 61021 at Lottsville thence in a northwesterly and northerly direction through Freehold Township to a point on the New York State line in Warren County a distance of about 3.9 miles

Page 71, by inserting after line 6, the following

#### Washington County

Route 62187 Beginning at a point on the Pennsylvania-West Virginia State line about one mile south of the B and O Railroad thence northeasterly through Donegal Township to the West Alexander Borough line in Washington County a distance of about 0.5 of a mile

Route 62210 beginning at a point on route 62026 about 0.6 of a mile north of Donaldsons Crossroads thence southeasterly in Peters Township to a point on route 62191 in Washington County a distance of about 1.5 miles

Route 62211 beginning at a point on route 62111 about 0.5 of a mile north of route 114 thence westerly through Donegal Township to the Pennsylvania-West Virginia State line in Washington County a distance of about 0.3 of a mile

#### Wayne County

Route 63082 beginning at the intersection of route 63017 and 63034 thence southeasterly in South Canaan and Cherry Ridge Townships to a point on route 63068 near Clemons in Wayne County a distance of about 3.1 miles

Route 63116 beginning at a point on route 63041 about 1.5 miles south of Tanner's Falls thence southerly through Dyberry Township to the Bethany Borough line in Wayne County a distance of about 2.4 miles

Route 63117 beginning at a point on route 63031 about 1 mile west of Laurella thence westerly through Berlin Township to the Honesdale borough line in Wayne County a distance of about 0.9 of a mile

Route 63118 Beginning at a point on Route 962 just east of route 63109 thence southeasterly through Berlin Township to route 355 in Wayne County a distance of about 0.1 of a mile

Route 63119 beginning at a point on route 335 about 1 mile northeast of Indian Orchard thence easterly and northerly through Berlin Township to route 335 in Wayne County a distance of about 1.9 miles

Route 63120 beginning at a point on route 63031 at the Oregon-Berlin Township line thence westerly through Oregon and Berlin Township to route 63029 at Smith Hill in Wayne County a distance of about 1.3 miles

Route 63121 Beginning at a point on route 63045 at Galilee thence northerly through Damascus Township to route 63027 in Wayne County a distance of about 2.3 miles

Route 63122 beginning at a point on route 63091 near Fallsdale thence easterly and northerly through Damascus township to route 945 at Tyler Hill in Wayne County a distance of about 3.0 miles

Route 63123 beginning at a point on route 173 about 1 mile north of Dyberry thence northerly through Dyberry and Lebanon Townships to route 945 in Wayne County a distance of about 6.0 miles

Route 63124 beginning at a point on route 962 just south of route 63030 thence southeasterly through Berlin Town-



ship to route 335 in Wayne County a distance of about 0.5 of a mile

Page 75, by inserting after line 19, on page 74, the following

Route 64267 beginning at a point on route 69 about 0.4 of a mile northeast of Weinel Crossroads thense north-erly through allegheny township to route 64196 in West-moreland County a distance of about 0.5 of a mile

Route 65074 beginning at a point on route 11 at Beaumont thence westerly through Monroe Township to route 65002 in Wyoming County a distance of about 1.5 miles

On the question,

Will the House concur on the amendments made by the Senate?

Mr. JOHNSON. I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

#### YEAS—207

Amarando,	Goodling,	Maxwell,	Royer,
Andrews,	Graybill,	Mazza,	Rubin,
Banker,	Greenwood,	McConnell,	Sarra,
Barkdoll,	Greer,	McCormack,	Sax,
Baumunk,	Guarnieri,	McCullough,	Scanlon,
Bear,	Gutendorf,	McDermitt,	Schmidt,
Beaver,	Guthrie,	McGee,	Schuster,
Beech,	Hagerty,	McInroy,	Scott,
Berkstresser,	Hall,	McKinney,	Seyler,
Blair,	Hamilton, R. K.,	McMillen,	Shoemaker,
Bloom,	Hamilton, W. H.,	McNally,	Shotwell,
Boles,	Harney,	Metz,	Smith,
Bolton,	Haudenschild,	Mihm,	Snider,
Bomberger,	Headlee,	Mikula,	Sollenberger,
Boorse,	Helm,	Miller, H. G.,	Spencer,
Bower,	Hersch,	Miller, J. C.,	Stank,
Breisch,	Hewitt,	Mills,	Stimmel,
Breth,	Hocker,	Mintess,	Stoner,
Brown,	Hoggard,	Monroe,	Swartz,
Bucclin,	Hunter,	Moore, C. E.,	Swope,
Byrne,	Jenkins,	Moore, H. A.,	Tahl,
Cella,	Johnson,	Moran,	Taylor,
Clapper,	Jones, G. E.,	Muldowney,	Thompson, E. F.,
Clendenning,	Jones, J. M.,	Munley,	Thompson, R. L.,
Cochran,	Jones, P. F.,	Murray,	Toll,
Conway,	Jones, T. H. W.,	Musto,	Tompkins,
Cooper,	Jump,	Najaka,	Toomey,
Corr,	Kamyk,	Naugle,	VanSant,
Costa,	Keller,	Needham,	Varallo,
Coyle,	Kent,	Olsen,	Varnier,
Dalrymple,	Kline,	Penglase,	Verona,
Davis,	Kohl,	Peta,	Wachhaus,
Dennison,	Kolankiewicz,	Petrosky,	Wargo,
Dougherty,	Kornick,	Pettigrew,	Waterhouse,
Dowling,	Kratz,	Pfaff,	Watkins,
DuBois,	Kubacki,	Pichney,	Weidner,
Duffy,	Lafore,	Pitzer,	Welsh,
Dunn,	Lederer,	Polaski,	Wescott,
Erb,	Leisey,	Polen,	Westrick,
Ewing,	Leonard, L.,	Price, H. W. Jr.,	Whalley,
Fenrich,	Leonard, W. C.,	Price, R. A.,	Wheeler,
Ferster,	Leven,	Readinger,	White,
Filip,	Light,	Reagan,	Williams,
Filo,	Limper,	Reese,	Wilt,
Firmstone,	Loftus,	Reidenbach,	Wood,
Flack,	Lopresti,	Reilly, J. M.,	Yeakel,
Frost,	Lovett,	Rigby,	Yester,
Gaffney,	Lutty,	Riley, R. L.,	Yetzer,
Geer,	Lyons,	Robertson,	Young,
Gibson,	Madden,	Rose,	Ziegler,
Gleason,	Madigan,	Rosen,	Sorg,
Good,	Markley,	Rovansek,	Speaker

#### NAYS—0

#### NOT VOTING—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

#### AMENDED SENATE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate bills numbered and entitled as follows:

#### SENATE BILL No. 676.

An Act to amend the act approved the twenty-eighth day of June one thousand nine hundred forty-seven (P. L. 1144) entitled "An act relating to the annual salaries of certain county officers of counties of the second class" by increasing the salaries of certain county officers

#### SENATE BILL No. 677.

An Act to amend the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 973) entitled "An act relating to the annual salaries of certain county officers of counties of the third class" by increasing the salaries of certain county officers

#### SENATE BILL No. 678.

An Act to further amend the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 947) entitled "An act relating to the annual salaries of certain county officers of counties of the fourth class" by increasing the salaries of certain county officers

#### SENATE BILL No. 679.

An Act to amend the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 972) entitled "An act relating to the annual salaries of certain county officers of counties of the fifth class" by increasing the salaries of certain county officers

#### SENATE BILL No. 680.

An Act to amend the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 928) entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the sixth class" by increasing the salaries of certain county officers

#### SENATE BILL No. 682.

An Act to amend the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 938) entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the seventh class" by increasing the salaries of certain county officers

#### BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

#### HOUSE BILL No. 1247.

An Act to further amend section two of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 720) entitled "An act providing for the taking over by the Commonwealth under certain terms conditions and limitations of certain streets in cities of the second class second class A and third class as State highways and for the improvement construction reconstruction resurfacing and maintenance by the Commonwealth of certain defined widths of said streets imposing duties on such cities and on public utility companies using such streets providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon authorizing cities persons associa-



tions or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance providing for the assessment of certain portions of the cost of street improvements on abutting property owners regulating the replacement of certain facilities of public utility companies prohibiting the opening of said streets after improvement without a permit and providing penalty therefor regulating the maintenance of detours authorizing the increase of city indebtedness in certain cases and appropriating money in the Motor License Fund for the purposes of this act" by changing or deleting certain routes and adding certain new routes

## HOUSE BILL No. 1248.

An Act to further amend the act approved the fifth day of May one thousand nine hundred twenty-seven (P. L. 787) entitled "An act establishing certain public roads as State Highways and providing for their construction and maintenance at the expense of the Commonwealth" by changing certain routes

## HOUSE BILL No. 1249.

An Act to further amend the act approved the eighteenth day of May one thousand nine hundred forty-five (P. L. 809) entitled "An act removing certain roads or sections of road from the State highway system and providing for their future maintenance and construction" by removing additional roads from the State highway system.

## HOUSE BILL No. 1250.

An Act to further amend section two of the act approved the first day of June one thousand nine hundred thirty-three (P. L. 1172) entitled "An act establishing certain streets in boroughs and incorporated towns as State highways and providing for their construction and maintenance at the expense of the Commonwealth" by changing or deleting certain routes and adding certain new routes.

## HOUSE BILL No. 1251.

An Act to further amend the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 594) entitled "An act establishing certain township roads as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act" by changing or deleting certain routes and adding certain new routes.

## HOUSE BILL No. 1252.

An Act to establish certain roads or sections of road as State Highways.

## HOUSE BILL No. 1253.

An Act to amend the act approved the eighth day of April one thousand nine hundred twenty-five (P. L. 191) entitled "An act establishing certain public roads as State highways and providing for their construction and maintenance at the expense of the Commonwealth by changing certain routes.

## SENATE BILL No. 676.

An Act to amend the act approved the twenty-eighth day of June one thousand nine hundred forty-seven (P. L. 1144) entitled "An act relating to the annual salaries of certain county officers of counties of the sec-

ond class" by increasing the salaries of certain county officers.

## SENATE BILL No. 677.

An Act to amend the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 973) entitled "An act relating to the annual salaries of certain county officers of counties of the third class" by increasing the salaries of certain county officers.

## SENATE BILL No. 678.

An Act to further amend the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 947) entitled "An act relating to the annual salaries of certain county officers of counties of the fourth class" by increasing the salaries of certain county officers.

## SENATE BILL No. 679.

An Act to amend the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 972) entitled "An act relating to the annual salaries of certain county officers of counties of the fifth class" by increasing the salaries of certain county officers.

## SENATE BILL No. 680.

An Act to amend the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 928) entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the sixth class" by increasing the salaries of certain county officers.

## SENATE BILL No. 682.

An Act to amend the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 938) entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the seventh class" by increasing the salaries of certain county officers.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

## SENATE MESSAGE

AMENDED SENATE BILL NONCONCURRED IN BY  
SENATE

The Clerk of the Senate being introduced, informed that the Senate has nonconcurred in the amendments made by the House of Representatives to Senate bill numbered and entitled as follows:

## SENATE BILL No. 681.

An Act to amend the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 971) entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the eighth class" by increasing the salaries of certain county officers.

Mr. JOHNSON. Mr. Speaker, I move that the House insist upon its amendments non-concurred in by the Senate to Senate Bill No. 681.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

## REPUBLICAN CAUCUS

The SPEAKER. Immediately upon the call of a recess their will be a Republican caucus in the new House caucus room.



## RECESS

The SPEAKER. If there is no objection, the Chair will declare a recess for one-half hour. The Chair hears none, and a recess is declared.

## AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Herbert P. Sorg) in the Chair.

## SENATE MESSAGE

## NONCONCURRENCE IN HOUSE RESOLUTION

The Clerk of the Senate being introduced, informed that the Senate has nonconcurred in the resolution from the House of Representatives as follows:

In the House of Representatives, October 2, 1951.

Resolved, That when the House of Representatives adjourns this week, it re-convene on Monday, November 12, 1951, at 4:30 o'clock p. m., E.S.T., unless sooner re-convened at the call of the Speaker of the House of Representatives and when the Senate adjourns this week, it re-convene on Monday, November 12, 1951, at 3:00 o'clock, p. m., E.S.T., unless sooner re-convened by the President Pro Tempore of the Senate.

## COMMUNICATION LAID ON TABLE

Mr. SMITH. Mr. Speaker, I move that the communication from the Senate be laid on the table.

The motion was agreed to.

## SENATE MESSAGE

## NONCONCURRENCE IN HOUSE RESOLUTION

The Clerk of the Senate being introduced, informed that the Senate has nonconcurred in the resolution from the House of Representatives as follows:

In the House of Representatives, October 2, 1951.

Resolved, (if the Senate concur), that this 139th regular session of the General Assembly adjourn sine die on Friday, the thirtieth day of November, 1951, at 6:00 o'clock p. m.

## COMMUNICATION LAID ON TABLE

Mr. SMITH. Mr. Speaker, I move that the communication from the Senate be laid upon the table.

The motion was agreed to.

## RESOLUTION

AMENDED SENATE CONCURRENT RESOLUTION—  
TIME OF NEXT MEETING

Mr. SMITH from the Committee on Rules offered an amended Senate Concurrent Resolution which was read as follows:

"In the Senate, September 27, 1951.

Resolved, (if the House of Representatives concur), That when the Senate adjourns next week, it reconvenes on Monday, December 10, 1951, at three o'clock p. m., Eastern Standard Time; and when the House of Representatives adjourns next week, it reconvene on Monday, December 19, 1951, at four thirty o'clock p. m., Eastern Standard Time,"

so as to read as follows:

Resolved, (if the House of Representatives concur), That when the Senate adjourns this week, it reconvene on

Monday, December 10, 1951, at three o'clock p. m., Eastern Standard Time, unless sooner reconvened by the president pro tempore of the Senate; and when the House of Representatives adjourns this week, it reconvene on Monday, December 10, 1951, at four thirty o'clock p. m., Eastern Standard Time, unless sooner reconvened by the Speaker of the House of Representatives.

On the question,

Will the House adopt the amended Senate resolution?

Mr. ANDREWS. Mr. Speaker, I desire to read at some length from the archives. Sometimes voices from the past are pertinent. This is what this particular voice says; and it comes down to us from the session of 1913.

When this House convened in midwinter we gave to the people our very best effort in carrying out the legislation that the people had so forcefully expressed their desire for. Our efforts to have that legislation enacted into law was met by the persistent refusal of the Senate of this Commonwealth. That refusal, while it is of a different temperament, while it is of a different phase, is still the same refusal today and we are now as a Legislature, restless under the long time that we have been here, anxious to go home, but still facing the fact that our duty has not yet been completed and it has not yet been completed because we are being stopped by the Senate. For us now, Mr. Speaker, to have such a report from our Rules Committee go through this House to the Senate for concurrence, merely means that we aid the Senate in its action of delay. It merely means that we are aiding the Senate in bottling legislation that we have spent all these months trying to get through. Why, Mr. Speaker, if we would now carry this resolution to a successful ending, it would merely mean that the good race that we have run now is to end in stretch and that we are to fall down to defeat. Let us continue this race until we have reached our goal. Then let us continue until we carry out our pledges to the people \* \* \* I know that many of you are anxious to get back to your business and to get back to your families and this has certainly been a great, long, tiresome session to you; but Mr. Speaker, to give up the battle is, to my mind, giving ourselves over to those whom we have been opposing. Let us stand out a few more weeks. It is impossible for the Senate to persist in this position they are in now, and carry on their course successfully.

Now, Mr. Speaker, when I say that we should be opposed to this resolution I do not mean that we should go beyond the 26th day of June with this session. I do not believe that this House will be in session as long as that, but the way for us to get an early adjournment is to stick here in this House and complete our work and the important bills that come before us when they come back from the Senate with amendments in, to either concur or non-concur in.

Then it goes to tell about the defiance of the Senate, how it has been insolent, how it has been defiant, how it has been time-delaying.

"Do not let us aid them in their work by fixing a day of adjournment \* \* \* Let us see whether there is real truth in that Senate, that is controlled by the Republican party. Let us stand here on the firing line in this House for a few more days.

The speaker was John R. D. Scott.

The motion for adjournment sine die was offered by George Alter of Pittsburgh.

I commend the voice of the past to your attention and ask you to note that history certainly repeats itself.

Mr. SMITH. Mr. Speaker, I certainly hesitate to stand here and keep reiterating our position. The only reason



I am doing this is to be sure that everyone within the sound of my voice, and I sincerely hope everyone in the Commonwealth of Pennsylvania, realizes the position of this House.

We have been here for a nine month period. As I have said before, I honestly feel that the Members of this House can go back home and look at the people who have put their trust in them, and the people can say to them that they have done their job well. They have had courage. God knows they have had more courage than a lot of other people. They have passed two complete tax programs. We in this House do not have any pride of authorship in any type, or any kind of program, but we do know that we want the money so that we can meet our obligations.

We do not want to accept this recess, I can assure the gentleman, and I would like to assure the people of this Commonwealth that we do not want to accept this recess, but our hands are tied. We know they are tied. We have done everything in our power, everything humanly possible—even prayer, to get the Senate to complete their work. Why they have not done it I do not know. Some say it is a group of wilful men who are holding them back. I do not care who is holding them back, but I do know they have a job to do and they had better get down to doing it soon.

We have given them the opportunity. It is silly for us to come here as Members of the House. It costs the taxpayers money for us to come here week in and week out, with a job done and nothing left for us to do, nothing for us to work on, and then have the Senate sit over there with a calendar of 56 or 58 pages and not pass ing a bill, either appropriations or tax legislation. How long can we keep this up?

The Speaker made a very good statement today and I think it conveys to the people just how we feel: "You can lead a horse to water, but I want to see the man who can make him drink." We have done that with the Senate. We tried to lead them; we have plead with them; we have led them on and we are still trying to do our best for the people of this Commonwealth to meet our obligations so that we can go home and rest and be sure we have done a decent job. But we are still tied by an impasse created not by us, but by some group or some individuals—I do not know who, but it is an impasse that has been created by the Senate and not the House.

Mr. ANDREWS. Mr. Speaker, I have no intention of prolonging the controversy, but I must note the Majority Leader's statement regarding the other Chamber, that they had better get busy; they have a job to do and they had better get busy and do it.

I respectfully call his attention to the fact that they cannot possibly get busy and do it if you let them go home. The only way you can bring pressure to bear to make them get busy and do it, is to keep them on the job. But if you send them home, I submit to you, Mr. Majority Leader, you cannot tell them at the same time to get busy and do it.

Mr. SMITH. Mr. Speaker, I must confess ignorance in how we are going to keep them here. We have tried to keep them here and they threaten to sit with what they call "a three man desk." A three man desk will not operate and pass bills, nor can they accept any communi-

cations from us. We have tried in every possible way to keep them here. We are willing to stay here and work, but unfortunately again, our hands are tied.

On the question,  
Will lthe House adopt the amended Senate resolution?  
The yeas and nays were required by Mr. Lovett and Mr. Moran and were as follows:

YEAS—84

Barkdoll,	Greenwood,	Madden,	Robertson,
Baumunk,	Greer,	Madigan,	Royer,
Bear,	Guthrie,	Markley,	Shoemaker,
Beech,	Hall,	Mazza,	Shotwell,
Blair,	Hamilton, W. H.,	McCormack,	Smith,
Boorse,	Harney,	McCullough,	Sollenberger,
Bower,	Haudenshield,	McInroy,	Stimmel,
Cella,	Helm,	McKinney,	Swartz,
Clapper,	Johnson,	McMillen,	Thompson, E. F.,
Clendening,	Jump,	Metz,	Toomey,
Costa,	Keller,	Mikula,	VanSant,
Dalrymple,	Kent,	Miller, J. C.,	Wachhaus,
Davis,	Kline,	Mintess,	Weidner,
Dowling,	Kohl,	Moore, C. E.,	Wescott,
Dunn,	Kratz,	Moore, H. A.,	Whalley,
Erb,	Lafore,	Najaka,	White,
Ewing,	Lelsey,	Naugle,	Wood,
Ferster,	Leonard, W. C.,	Pitzer,	Yeakel,
Flack,	Light,	Reilly, J. M.,	Young,
Frost,	Loftus,	Rigby,	Ziegler,
Goodling,	Lyons,	Riley, R. L.,	Sorg,
Graybill,			Speaker

NAYS—50

Amarando,	Filo,	Leven,	Stank,
Andrews,	Geer,	Limper,	Swope,
Banker,	Gleason,	Lopresti,	Taylor,
Beaver,	Guarnieri,	Lovett,	Toll,
Bolton,	Hamilton, R. K.,	McGee,	Tompkins,
Brelschi,	Hoggard,	McNally,	Varallo,
Bucchin,	Jones, G. E.,	Moran,	Varnier,
Byrne,	Jones, T. H. W.,	Musto,	Welsh,
Coyle,	Kamyk,	Polaski,	Wheeler,
Dougherty,	Kolankiewicz,	Scanlon,	Wilt,
Duffy,	Kornick,	Seyler,	Yester,
Fenrich,	Kubacki,	Snider,	Yetzer,
Filip,	Leonard, L.,		

NOT VOTING—73

Berkstresser,	Headlee,	Munley,	Rosen,
Bloom,	Hersch,	Murray,	Rovansek,
Boles,	Hewitt,	Needham,	Rubin,
Bomberger,	Hocker,	Olsen,	Sarraf,
Breth,	Hunter,	Penglase,	Sax,
Brown,	Jenkins,	Peta,	Schmidt,
Cochran,	Jones, J. M.,	Petrosky,	Schuster,
Conway,	Jones, P. F.,	Pettigrew,	Scott,
Cooper,	Lederer,	Pfaff,	Spencer,
Corr,	Lutty,	Pichney,	Stoner,
Dennison,	Maxwell,	Poleh,	Tahl,
DuBois,	McConnell,	Price, H. W. Jr.,	Thompson, R. L.,
Firmstone,	McDermitt,	Price, R. A.,	Verona,
Gaffney,	Mihm,	Readinger,	Wargo,
Gibson,	Miller, H. G.,	Reagan,	Waterhouse,
Good,	Mills,	Reese,	Watkins,
Gutendorf,	Monroe,	Reldenbach,	Westrick,
Hagerty,	Muldowney,	Rose,	Williams,

So the question was determined in the affirmative and the amended Senate resolution was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

REPORT FROM COMMITTEE ON RULES

Mr. HELM from the Committee on Rules reported as committed a resolution from the Senate as follows:

ADJOURNMENT SINE DIE

In the Senate, September 26, 1951.

Resolved, (if the House of Representatives concurs) that this regular session of the General Assembly adjourn sine die, December 22, 1951, at 5:00 o'clock p. m. Eastern Standard Time.



Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

Mr. LOUIS LEONARD. Mr. Speaker, the resolution States that this House will adjourn on the 22nd day of December.

The SPEAKER. The gentleman is correct.

Mr. LOUIS LEONARD. We are still Americans ain't we? Those with any experience of the House know that we never, as far as I know, adjourned at the time set. We put a man up there and he turns the clock back and we will be in here on Christmas.

This is the most ridiculous thing I have ever seen confronting a group of men directed by the people to do the business of the state of Pennsylvania.

I am abosolutely opposed to anything like it. This is crazy stuff. Count me against it.

I ask for a roll call, Mr. Speaker.

The yeas and nays were required by Mr. Louis Leonard and Mr. Moran and were as follows:

#### YEAS—95

Banker,	Frost,	Leonard, W. C.,	Riley, R. L.,
Barkdoll,	Geer,	Light,	Robertson,
Baumunk,	Gleason,	Loftus,	Royer,
Bear,	Goodling,	Lyons,	Shoemaker,
Beech,	Graybill,	Madden,	Shotwell,
Blair,	Greenwood,	Madigan,	Smith,
Bolton,	Greer,	Markley,	Sollenberger,
Boorse,	Guthrie,	Mazza,	Stimmel,
Bower,	Hall,	McCormack,	Swartz,
Breisch,	Hamilton, W. H.,	McCullough,	Thompson, E. F.,
Cella,	Harney,	McInroy,	Toomey,
Clapper,	Haudenschild,	McKinney,	VanSant,
Clendenning,	Helm,	McMillen,	Varner,
Costa,	Hocker,	Mikula,	Wargo,
Dalrymple,	Johnson,	Miller, J. C.,	Weidner,
Davis,	Jones, T. H. W.,	Mintess,	Wescott,
Dennison,	Jump,	Moore, C. E.,	Whalley,
Dowling,	Keller,	Moore, H. A.,	White,
DuBois,	Kent,	Najaka,	Wilt,
Dunn,	Kline,	Naugle,	Yeakel,
Erb,	Kohl,	Pitzer,	Young,
Ewing,	Kratz,	Reagan,	Ziegler,
Ferster,	Lafore,	Reilly, J. M.,	Sorg,
Firmstone,	Lelsey,	Rigby,	Speaker

#### NAYS—38

Amarando,	Guarnieri,	Lovett,	Stank,
Andrews,	Hamilton, R. K.,	McGee,	Taylor,
Beaver,	Hoggard,	McNally,	Toll,
Bucchin,	Jones, G. E.,	Moran,	Tompkins,
Byrne,	Kamyk,	Musto,	Varallo,
Dougherty,	Kornick,	Rovansek,	Welsh,
Duffy,	Kubacki,	Scanlon,	Wheeler,
Fenrich,	Leonard, L.,	Seyler,	Yester,
Fillip,	Limper,	Snider,	Yetzer,
Filo,	Lopresti,		

#### NOT VOTING—74

Berkstresser,	Hewitt,	Murray,	Rubin,
Bloom,	Hunter,	Needham,	Sarra,
Boies,	Jenkins,	Olsen,	Sax,
Bomberger,	Jones, J. M.,	Penglase,	Schmidt,
Breth,	Jones, P. F.,	Peta,	Schuster,
Brown,	Kolankiewicz,	Petrosky,	Scott,
Cochran,	Lederer,	Pettigrew,	Spencer,
Conway,	Leven,	Pfaff,	Stoner,
Cooper,	Lutty,	Pichney,	Swope,
Corr,	Maxwell,	Polaski,	Tahl,
Coyle,	McConnell,	Polen,	Thompson, R. L.,
Flack,	McDermitt,	Price, H. W. Jr.,	Verona,
Gaffney,	Metz,	Price, R. A.,	Wachhaus,
Gibson,	Mihm,	Readinger,	Waterhouse,
Good,	Miller, H. G.,	Reese,	Watkins,
Gutendorf,	Mills,	Reidenbach,	Westrick,
Hagerty,	Monroe,	Rose,	Williams,
Headlee,	Muldowney,	Rosen,	Wood,
Hersch,	Munley,		

So the question was determined in the affirmative and the resolution was adopted.

Ordered that the Clerk inform the Senate accordingly.

#### RESOLUTION

##### REMOVING PER DIEM EMPLOYES

Mr. BOWER offered a resolution which was read, considered and adopted as follows:

In the House of Representatives, October 2, 1951.

Resolved, That all employes of the House of Representatives, elected by the House of Representatives and now serving, who are paid a per diem compensation, are hereby removed as of the 3rd day of October, 1951.

Adam T. Bower,

Chairman of the Slate Committee.

#### ANNOUNCEMENT

The SPEAKER. For the information of the Members, the business of the day has been completed. Before adjourning, however, it is necessary to receive communications from the Senate.

#### RECESS

The SPEAKER. If there is no objection, the Chair will declare a recess for forty-five minutes. The Chair hears none, and a recess is declared.

#### AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Herbert P. Sorg) in the Chair.

#### SENATE MESSAGES

##### TIME OF NEXT MEETING

The Clerk of the Senate being introduced, presented the following extract from the Journal of the Senate, which was read as follows, viz: That the Senate has concurred in the amendments made by the House of Representatives to Senate Resolution.

Amend Senate Concurrent Resolution, which reads as follows:

In the Senate, September 27, 1951.

Resolved, (if the House of Representatives concur), That when the Senate adjourns next week, it reconvenes on Monday, December 10, 1951, at three o'clock p. m., Eastern Standard Time; and when the House of Representatives adjourns next week, it reconvene on Monday, December 10, 1951, at four thirty o'clock p. m. Eastern Standard Time,"

so as to read as follows:

Resolved, (if the House of Representatives concur), That when the Senate adjourns this week, it reconvene on Monday, December 10, 1951, at three o'clock p. m., Eastern Standard Time, unless sooner reconvened by the president pro tempore of the Senate; and when the House of Representatives adjourns this week, it reconvene on Monday, December 10, 1951, at four thirty o'clock p. m., Eastern Standard Time, unless sooner reconvened by the Speaker of the House of Representatives.

#### SENATE RECEDES FROM AMENDMENTS NON-CONCURRED IN BY HOUSE

The Clerk of the Senate being introduced, informed that the Senate recedes from its nonconcurrence and concurs



in amendments made and insisted upon by the House of Representatives to Senate Bill No. 681 entitled:

An Act to amend the act approved the twenty-fifth day of June one thousand nine hundred forty-seven (P. L. 971) entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the eighth class' by increasing the salaries of certain county officers

#### BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

SENATE BILL No. 681.

An Act to amend the act approved the twenty-fifth day

of June one thousand nine hundred forty-seven (P. L. 971) entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the eighth class' by increasing the salaries of certain county officers

Whereupon,

The SPEAKER, In the presence of the House signed the same.

#### ADJOURNMENT

Mr. SMITH. Mr. Speaker, I move that this House do now adjourn until Monday, December 10, 1951 at 4:30 p. m.

The motion was agreed to, and (at 8:50 p. m.) the House adjourned.















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